



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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June 13, 2011

U.S. Air Force
Air Combat Command (HQ ACC/A7PP)
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Subject: Final Environmental Impact Statement (FEIS) F-35 Force Development
Evaluation and Weapons School Beddown (CEQ# 20110144)

The U.S. Environmental Protection Agency (EPA) is providing comments on the above-referenced document pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality regulations (40 CFR Parts 1500-1508), and our NEPA review authority under Section 309 of the Clean Air Act.

EPA reviewed the Draft Environmental Impact Statement (DEIS) and provided comments to the Air Force on May 22, 2008. We rated the DEIS as Environmental Concerns (EC-2) primarily due to our concern about noise impacts and pollution prevention. We remain concerned about noise impacts and continue to recommend the Air Force take additional measures to mitigate these impacts. Mitigation options could include increased public outreach on noise impacts, and education and technical assistance on sound attenuation measures for residents and sensitive receptors. These recommendations should now be discussed in the Record of Decision for this action.

Seventeen thousand residents previously outside the 65 decibel Day-Night Average Sound Level (DNL) contour will lie within that area as a result of the proposed action (p. ES-9). Air Force guidance (Appendix C, Table C-4) recommends incorporation of sound attenuation measures into building codes for areas above 65 DNL, which the Air Force will discuss with Clark County; however, this provides no mitigation for current residents and sensitive receptors.

The FEIS response to our comments on noise impacts states, "As described in Sections 3.6 and 4.6, Land Use, increases in housing, population, and sensitive receptors affected by aircraft noise derive primarily from encroachment outside the control of Nellis AFB and contrary to recommendations made by the Air Force's AICUZ [Air Installation Compatible Use Zones] studies." This did not address our concern, and oversimplifies the change in AICUZ noise zones over time. While development near the base is outside the control of the Air Force, the proposed project would expand the noise zones (greater than 65, 70 and 75 DNL) to encompass homes and other structures that were outside of those zones at the time they were constructed.

We also note that new information in Appendix C of the FEIS particularly emphasizes the need to reach out to schools, a type of sensitive receptor. It now states, "...there is increasing awareness that chronic exposure to high aircraft noise levels may impair learning." (p. C-31) Since many studies have also

noted the connection between education attainment and life expectancy, we recommend that the ROD include a commitment to provide direct notice to the Clark County School District, and any private schools in the area, of the impacts to schools within expanded 65 and 70 DNL contours. This mitigation measure is further supported by Executive Order 13045: Protection of Children from Environmental Health Risks and Safety Risks.

From other F-35 basing actions, we understand that the Department of Defense cannot use appropriated funding for off-base sound attenuation. In light of the impacts at Nellis Air Force Base and similar facilities around the country, we recommend that the Air Force work with the other branches of the military to explore the establishment of a new program to mitigate off-base noise impacts.

One of our comments on the DEIS also recommended the Air Force maximize resource conservation and pollution prevention, in accordance with Executive Order 13148: Greening the Government through Leadership in Environmental Management. In addition, we specifically mentioned salvage, recycle and reuse of demolition waste. The Air Force responded that it is "... committed to elimination or reduction of waste, including practices mandated in E.O. 13148. All such practices will be, as feasible, incorporated into the design, construction, and operation of facilities." We are encouraged by the Air Force's response; however, we recommend a more explicit commitment in the form of sustainable development goal(s) for new construction. Nellis Air Force Base demonstrated leadership, a key element of Executive Order 13148, by constructing and publicizing what was then the nation's largest photovoltaic solar array in 2007. We encourage the Air Force to demonstrate similar leadership through this project's Record of Decision.

We appreciate the opportunity to review this FEIS. When the Record of Decision is released for public review, please send one copy to the address above (mail code: CED-2). If you have any questions, please contact me at (415) 972-3521, or contact Tom Kelly, the lead reviewer for this project. Tom can be reached at (415) 972-3852 or kelly.thomasp@epa.gov.

Sincerely,

/s/

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