

Record of Decision
Final Environmental Impact Statement
Powder River Training Complex, Ellsworth Air Force Base, South Dakota

INTRODUCTION

Air Force

This Record of Decision (ROD) documents the United States (U.S.) Air Force's (Air Force) decision to implement the Powder River Training Complex (PRTC), Ellsworth Air Force Base (AFB), South Dakota (SD). In making this decision, the Air Force considered the information, analysis, and public and other comments contained in the *Final Environmental Impact Statement (FEIS) Ellsworth AFB, South Dakota, November 2014 (Federal Register (FR), Vol. 79, No. 229, pg. 70865)*, among other relevant factors and supporting materials. The Air Force is the Lead Agency and the Federal Aviation Administration (FAA) is a Cooperating Agency. The 28th Bomb Wing (BW) at Ellsworth AFB is the proponent and has Using Agency responsibilities.

This ROD is prepared in accordance with the President's Council on Environmental Quality (CEQ) regulations that implement the National Environmental Policy Act (NEPA), Title 42 U.S.C. §§4321-4347, and in particular 40 CFR §1505.2, *Record of decision in cases requiring environmental impact statements*; and 32 CFR §989, implementing the Air Force Environmental Impact Analysis Process (EIAP).

Specifically, this ROD:

- States the Air Force's decision;
- Identifies all alternatives considered by the Air Force in reaching the decision and specifies the alternative considered environmentally preferable;
- Identifies and discusses relevant factors balanced by the Air Force in making the decision, including economic, technical, and essential national policy considerations, and states how those considerations entered into the decision; and
- States whether all practicable means to avoid or minimize environmental harm resulting from the selected alternative have been adopted, and if not, why they were not.

Federal Aviation Administration (FAA)

The FAA is responsible for evaluating, processing and charting airspace. FAA Order 7400.2K presents the FAA's procedures for handling airspace changes. The FAA, as a Cooperating Agency, can adopt the Air Force's Final EIS, in whole or in part, as the required NEPA documentation to support FAA decisions on the establishment of Special Use Airspace. The Air Force will request the FAA to issue its ROD and chart the PRTC airspace as soon as practicable after the Air Force issues its ROD.

DECISION SYNOPSIS

The Air Force has selected the preferred alternative, known as "Modified Alternative A." The Air Force will request FAA to chart the Modified Alternative A airspace. Modified Alternative A expands the current Powder River A and B Military Operations Areas (MOAs) by adjusting the existing MOAs to become the Powder River-2 (PR-2) MOAs and adding three additional MOA complexes to compose the Powder River Training Complex (PRTC), consisting of PR-1,

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PR-2, PR-3, and PR-4. Modified Alternative A is more fully detailed in the FEIS on page 1-13, Figure 1-2, page 2-7, §2.3.2; and page 2-22, §2.4.3.

The Air Force decision incorporated a variety of mitigations devised to address, in a balanced manner, the concerns raised by the public, Native American tribes, and various governmental agencies. These mitigations are discussed starting on page 7 below.

BACKGROUND

The 28th Bomb Wing (28 BW), based at Ellsworth AFB, SD, currently manages and trains in the Powder River A and B MOAs and associated Air Traffic Control Assigned Airspace (ATCAAs) overlying parts of the states of South Dakota, Wyoming, and Montana. The 5th Bomb Wing (5 BW), based at Minot AFB, North Dakota (ND), also trains in the existing Powder River training airspace. B-1s from the 28 BW and B-52s from the 5 BW train using existing threat emitters and targets which do not involve actual use of air-to-ground munitions (only simulated “no-drop” targeting) in the Belle Fourche electronic training range (FEIS, pg. 2-21, Fig. 2-2) in South Dakota, Wyoming, and Montana. All existing targets are electronic and there are no existing or proposed targets for dropping munitions associated with PRTC. Potential U.S. adversaries have developed, and are developing, targeting threats which, in turn, require the B-1 and B-52 aircrews to be able to address targets in different ways and from distances in excess of those possible in the existing Powder River MOA/ATCAAs. The expanded PRTC airspace would permit B-1 and B-52 aircrews to train against realistic threats they face in current and expected combat. PRTC use will allow training aircrews to: train at realistic distances as they fly to and loiter near a target area; simulate the deployment of a full complement of munitions; employ sensors against specific targets at realistic distances; perform low-altitude training over varying terrain; and attack time-sensitive targets. Currently, B-1 and B-52 aircrews expend a substantial portion of their training time commuting to distant ranges to access suitable training airspace, resulting in inefficient use of critical national security resources, including weapons systems, equipment, manpower, time and fuel. Frequently, even these distant ranges are unavailable due to other higher prioritized use.

PRTC Modified Alternative A will substantially enhance aircrew training, allowing access to closer airspace which would support maneuvers and tactics required for aircrew combat success and survivability now, and into the future, as mission capabilities necessarily evolve to meet national security objectives. PRTC Modified Alternative A includes adjusting the boundaries of existing airspace, creating new airspace, improving pilot training realism, deploying defensive countermeasures (chaff and flares) with restrictions, and conducting quarterly, up to three-day Large Force Exercises (LFEs) with approximately twenty (20) aircraft of various types (FEIS, pg. 2-30, Table 2.5-5, FN 1-3) depicted training as a team within the entire PRTC airspace. LFEs are the only time supersonic operations are permitted. In summary, Modified Alternative A establishes realistic and efficient training for B-1 and B-52 aircrews.

The Air Force, FAA, other federal and state agencies, and Native American tribal governments have been consulting for several years to mitigate concerns about PRTC to the extent practicable, while preserving the ability to meet national defense training requirements.

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Consultation and coordination on environmental and related impacts will continue beyond issuance of this ROD. Public and other comments and consultations assisted the Air Force in identifying mitigations that would avoid or minimize anticipated impacts. The Air Force integrated these mitigations into the Final EIS. These mitigations are adopted by this ROD.

ALTERNATIVES CONSIDERED

The Air Force prepared the EIS to evaluate the proposed new PRTC training airspace which would provide aircrews with additional and differently configured space needed for realistic combat training maneuvers and the ability to develop conditioned responses to threats.

The Final EIS analyzed Modified Alternative A, Modified Alternative B, Modified Alternative C, and the No-Action Alternative (FEIS, pg. 2.1, §2.0). All three alternatives from the Draft EIS were modified by the Air Force and FAA in response to issues and concerns raised by the public, Native American tribes, and agencies during: review of the Draft EIS; consultations under Section 106 of the National Historic Preservation Act (NHPA); and Government-to-Government consultation by the Air Force and affected tribes.

The Air Force's Proposed Action (FEIS, pg. 2-18, §2.4), which is also its preferred alternative (FEIS, pg. 2-112, §2.11.1) is to request the FAA modify and expand the existing Powder River training airspace to establish the airspace in Modified Alternative A, and for the Air Force to use the approved PRTC airspace for military training. Over four years of consultations, extensive public involvement, and development of mitigations since release of the Draft EIS have produced Modified Alternative A, which is designed to address the expressed agency, public and tribal concerns, to the extent practicable, and meet national defense objectives, in a balanced manner.

As stated above, the Modified Alternative A (FEIS Figure 1-2 *Modified Alternative A Airspace*, pg. 1-13) expands the current Powder River MOAs A and B by adjusting the existing MOAs to become the Powder River-2 (PR-2) MOAs and adding three additional MOA complexes to compose the PRTC, consisting of PR-1, PR-2, PR-3, and PR-4.

All four MOA complexes are further divided to facilitate civil aviation access. The MOAs can and will be activated separately or in some combination to accomplish training, while improving the public's understanding of where and when training aircraft will be present. Modified Alternative A day-to-day training would include PR-1B, PR-1D, PR-2 and PR-3 low and high MOAs and overlying ATCAAs. PR-1A and PR-1C have low MOAs but no high MOAs or overlying ATCAAs for day-to-day training. PR-4 would have a high MOA and ATCAA but no low MOA. Each low MOA would be from 500 feet (unless otherwise noted) above ground level (AGL) to, but not including, 12,000 feet mean sea level (MSL), and each high MOA would be from 12,000 feet MSL to, but not including 18,000 feet MSL, or Flight Level (FL) 180. Overlying ATCAAs would extend from FL180 to either FL230 or FL260.

The four MOA complexes with overlying ATCAAs will be used for day-to-day training and have been designed specifically to provide flexibility for accommodating non-military users of the airspace. Modified Alternative A also provides for quarterly LFEs in order to permit

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approximately 20 military aircraft to train together as they fight in the real world; this LFE authority may be exercised only from 1 to 3 days per quarter, not to exceed a total of ten (10) days per year. LFEs could connect PR-1A, PR-1B, PR-1C, PR-1D, PR-2, and PR-3 low and high MOA/ATCAAs and the PR-4 high MOA/ATCAA with Gap A and Gap B low and high MOA/ATCAAs and a Gap C high MOA/ATCAA. Day-to-day and LFE training with chaff and flares, and supersonic flight (permitted only during LFE days) are subject to the mitigations adopted by this ROD and listed below (reference FEIS, §2.3.1).

In conjunction with Modified Alternative A, PRTC airspace south-southeast of the PR-2 ATCAA consists of Gateway West ATCAA from FL180 to FL260 for day-to-day training, and Gateway East ATCAA from FL180 to FL260 with the latter scheduled only during LFEs. The existing Black Hills West ATCAA would be eliminated (FEIS, pg. 2-61). The description in this paragraph applies to all the modified alternatives.

Modified Alternative B would include the PR-2 and PR-3 MOA/ATCAAs and Gap B MOA/ATCAAs as described for Modified Alternative A. There would be PR-1 and Gap A ATCAAs but no PR-1A, PR-1B, PR-1C, PR-1D, or Gap A MOAs. Modified Alternative B also would include establishment of PR-4 and Gap C low and high MOAs. Other training, including use of chaff and flares, LFEs, and supersonic training only on LFE days, would be as described for Modified Alternative A.

The Modified Alternative C would include the PR-1A, PR-1B, PR-1C, PR-1D, PR-2, PR-3, Gap A, and Gap B MOA/ATCAAs as described for Modified Alternative A. There would be no PR-4 or Gap C MOAs. Other training, including use of chaff and flares, LFEs, and supersonic training only on LFE days, would be as described for Modified Alternative A.

ENVIRONMENTALLY PREFERABLE ALTERNATIVE

Of the alternatives considered in the Final EIS, the No-Action Alternative is identified as the environmentally preferable alternative (FEIS, pg. 2-72 – 2-75, §2.9). The No-Action Alternative represents a comparatively lower impact on various receptors under the airspace. For example, it represents a substantially smaller surface area in square miles under the airspace than the action alternatives (FEIS, pg. 2-28, Table 2.5-3) and does not allow for LFEs or the use of defensive countermeasures. The specific environmental impacts of the No-Action Alternative are summarized in Table 2.13-1 of the Final EIS. (FEIS, pg. 2-123 – 2-140).

PUBLIC INVOLVEMENT

Public involvement was integral to the Air Force's development of the Final EIS. The Air Force received and considered many comments (FEIS, pg. 2-116 to 2-118, Table 2.12-3 *Review of DEIS Comments*, including those received during scoping, at public hearings, and during the public comment period on the Draft EIS. The Air Force summarized the substantive comments received on the Draft EIS and provided Air Force responses in the Final EIS, Appendix G ("*Draft EIS Comments and Responses*"), which includes copies of written public and agency comments on the Draft EIS. The FAA, as a Cooperating Agency on this EIS, submitted to the

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Air Force all comments it received from the circularization of the PRTC aeronautical proposal and the FAA's summation of consultations on the results of the air traffic aeronautical studies (FEIS, Appendix H, "FAA Circularization Comments and Aeronautical Study Inputs").

The Air Force provided the following public notices, public review periods, and meetings during the EIS process:

- Notice of Intent: Published May 29, 2008 in the FR, Vol. 73, No. 104, page 30903.
- Scoping Period: Initiated May 29, 2008 through August 4, 2008. During this time more than 20 public scoping meetings were held in North Dakota, South Dakota, Montana and Wyoming.
- Draft EIS Notice of Availability (NOA) – Published August 20, 2010 in the FR, Vol. 75, No. 161, pages 51457-51458 with associated public media announcements.
- Public Comment and Review Period: A 100-day comment period was initiated August 20, 2010 with the Notice of Availability publication in the FR scheduled to end on November 15, 2010; the public comment period was instead extended to January 20, 2011.
- Public Hearings: During the public comment and review period, 19 hearings were held in North Dakota, South Dakota, Montana and Wyoming.
- Government-to-Government Meetings: During the public comment and review period, four meetings were held with leaders and members of the Native American tribes with reservation lands under the proposed airspace.
- Final EIS Notice of Availability: Published in the FR on November 28, 2014, Vol. 79, No. 229, EIS No. 20140334, pg. 70865. This initiated the mandatory 30-day waiting period prior to ROD signature.

Comments Received After the Final EIS

After publication of the Final EIS on November 28, 2014 and prior to this ROD, the Air Force received several unsolicited comments. These comments were considered by the Air Force in making its decision and were made a part of the FEIS administrative record. The scope of comments received included issues such as airspace altitudes, public and transient use of airspace, charting of airspace, endangered species, noise, preferences for various alternatives, and mitigations.

Except for a December 18, 2014 letter sent to the Air Force by the U.S. Environmental Protection Agency, Region 8 (EPA), the comments received were all within the scope of comments the Air Force received before publishing the Final EIS, including comments received during the Draft EIS public comment period and public hearings, as well as those provided to the Air Force by the FAA resulting from its airspace circularization. Furthermore, the comments received after publication of the Final EIS were substantially similar to comments to which the Air Force responded in the Final EIS, Appendix G and Appendix H. The comments were received after completion and Notice of Availability of the Final EIS; therefore, they were not included in Appendix G.

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The EPA in its letter reviewed the Final EIS pursuant to its responsibilities and authority under NEPA (§102(2)(C)) and the Clean Air Act (§309) directing the EPA to review and comment on, "...environmental impacts of any major federal agency action."

EPA's evaluation of the PRCT FEIS states that the Final EIS:

"...shows a careful consideration of project impacts by the Air Force. The Final EIS is well organized and provides a thoughtful analysis of environmental impacts and consequences. The EPA has no objections to this project moving forward with the environmental protection measures identified in the Final EIS."

Based on its consideration of the comments received, the Air Force determined that no supplement to the Final EIS is required to support the decisions being made in this ROD.

Agency Coordination and Consultation

The Air Force consulted and coordinated with federal, state, and local agencies and Native American tribes. The Air Force considered all substantive public, agency, and Native American tribal comments received during EIS development. The consultations and coordination have required several years to address the comments and develop mitigations to address the concerns of the public, Native American Tribes, and federal, state, and local agencies. Key consultation and coordination letters are reproduced in the Final EIS (Appendix E, "*Public Involvement and Agency Correspondence*").

In compliance with Section 106 of the National Historic Preservation Act (NHPA), the Air Force, in consultation with the State Historic Preservation Offices (SHPOs) from Montana, North Dakota, South Dakota and Wyoming, the Advisory Council on Historic Preservation (ACHP), the National Park Service (NPS), the Crow Tribe, the Northern Cheyenne Tribe, the Cheyenne River Sioux Tribe, and the Standing Rock Sioux Tribe, developed a Programmatic Agreement to resolve adverse effects that could result from the proposed action.

The Programmatic Agreement specifies stipulations concerning avoidance, minimization or mitigation of adverse effects to historic properties and to tribal religious ceremonies and other important tribal events under the PRTC (refer to Final EIS Appendix N *Government-to-Government and Section 106 Correspondence* pg. N-98 –N-127). These stipulations will help mitigate potential future adverse effects by requiring prior notice, avoidance in time or space where feasible, and training of aircrews in the sensitivities concerning historic properties, including those of traditional or religious and cultural importance. The Air Force also agreed to continue to consult with both the signatories and the invited signatories during the term of the Programmatic Agreement.

In compliance with Section 7 of the Endangered Species Act, the Air Force, as the designated Lead Agency, consulted with the U.S. Fish and Wildlife Service (USFWS) on the potential effects of the Preferred Alternative to threatened and endangered species. In 2010, for the Draft EIS, and, in 2014, for the updated analysis of the Final EIS, the Air Force received concurrence from USFWS (FEIS, Appendix E "*Public Involvement and Agency Correspondence*", pages E-107 - E-120) on the Air Force's determination that the Preferred Alternative "may affect, [but is] not likely to adversely affect," federally listed threatened and endangered species based on the

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findings contained in Sections 3.6.3 and 4.6.3 of the Draft and Final versions of the EIS, respectively.

MITIGATIONS

The Air Force has developed extensive mitigations devised to address concerns expressed in comments provided by the public, Native American tribes, and other governmental agencies. These mitigations were presented in the FEIS (§2.3.1) and detailed in the Programmatic Agreement.

Some mitigations avoid impacts by having been incorporated into Modified Alternative A as part of the aeronautical proposal and will, therefore, be implemented automatically as part of the FAA airspace approval and charting process. Other mitigations must be implemented prior to the actual use of the PRTC airspace, while still other mitigations will be implemented during operations in the PRTC airspace. All of these mitigations will be included in a post-ROD Mitigation and Monitoring Plan (MMP). Some of the mitigations involve on-going procedures with various agencies and other parties, such as the civil aviation community, Native American tribes, ranchers and others. The Commander, 28th Bomb Wing could adopt additional mitigations as a result of these processes, which could then be added to the MMP consistent with the adaptive management process, which is discussed starting at page 12. The Air Force EIAP regulation (32 CFR §989.22(d)) requires the proponent to prepare a mitigation plan and forward it to Headquarters Air Force for review within 90 days of the signing of the ROD. Among other things, the mitigation plan must specifically identify each mitigation measure, how the measures will be executed, and who will fund and implement the mitigations. Mitigations outlined in the MMP will be put in place before the Air Force takes any actions with potential impact.

Mitigation measures are organized below into four specific areas: Commercial and General Aviation Aircraft Operations; Tribal Reservation Lands; Cultural and Historic Areas; and Communities and Ranching Operations. Mitigation measures which apply to more than one area are repeated for each area.

The mitigation measures listed below are further divided into three "groups," principally to reflect when they take effect. Group I Mitigations [GP I] are mitigations by avoidance. These mitigation measures constitute modifications to the structure of the airspace that are reflected in Modified Alternative A and will be implemented automatically as part of the FAA approval process.

Group II mitigations [GP II] will be implemented before the airspace is used or by agreed upon dates including those in the Programmatic Agreement.

Group III mitigations [GP III] will be implemented when the airspace is being used. These GP III mitigations will be further described in the MMP to be implemented in conjunction with airspace use once airspace is approved and published. GP III mitigations will be tracked through coordination with the potentially affected parties, updated, and adjusted to accomplish the mitigation of avoiding or otherwise reducing the potential impact.

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1. Commercial and General Aviation Aircraft Operations. Airspace will be established to:
 - a. Limit all PRTC activity to altitudes at or below FL260 to avoid some of the impacts on aircraft utilizing high-altitude routing. (see FEIS §§2.3.1 and 2.4.3). [GP I]
 - b. Facilitate Instrument Flight Rules (IFR) procedures for Billings and Miles City, Montana (MT), Dickinson and Bismarck North Dakota (ND), and Hulett, Gillette, and Sheridan, Wyoming (WY) airports by moving airspace further back as modified from the original proposal. (see FEIS §§2.3.1 and 4.1.3.1.3). [GP I]
 - c. Enable better arrivals and departures from local airports by dividing PR-1 into the eight MOA segments. This will also enable civil aviation use of parts of the airspace while still meeting military use objectives. (see FEIS §4.1.3.1.3). [GP I]
 - d. Provide reasonable and timely civilian aerial access to underlying private or public use land by accommodating instrument arrivals and departures with minimum delay and for terminal Visual Flight Rules (VFR) and IFR operations. (see FEIS, §§2.3.1, 4.1.3.1.3, and 4.1.3.1.4). [GP II, III]
 - e. Support general aviation flight operations by setting the floor of PR-4 MOA and Gap C MOA at 12,000 feet MSL, as opposed to 500 AGL as initially proposed. (see FEIS §4.1.3.1.3; the average surface elevation is 2,300 feet MSL [9,700 feet AGL]). [GP I]
 - f. Reduce B-1 flight operations in the PR-1, PR-3, and PR-4 MOAs by 12 percent from that proposed in the Draft EIS (consistent with the Ready Aircrew Program (RAP). (see FEIS §§2.3.1, 2.10.4.2 and 4.1) [GP II]
 - g. Enable navigation by civil aviation by adjusting the Gap MOA boundaries. (see FEIS §3.1.3.4.1 and §4.1.3.1.3). [GP I]
 - h. Enable navigation (such as the use of the global positioning system [GPS]) by adjusting airspace boundaries on Victor airways. (see FEIS §4.1.3.1.3). [GP I]
 - i. Enable use of Victor Route 247 (V-247), an aircraft flight route between Sheridan, WY and Billings, MT, by adjusting the southwest border of the PR-1B MOA/ATCAA. (see FEIS §§3.1.3.4.1 and 4.1.3.1.3). [GP I]
 - j. Use FAA established frequencies, phone lines, and websites to provide information concerning MOA activation and deactivation to general aviation. (see FEIS §2.3.1 and 4.3.3.1.1). [GP II]
 - k. Announce, as an extraordinary measure to facilitate use of the airspace, all PRTC training activity via Notices to Airmen (NOTAM). NOTAM information is available by dialing 1-800-WXBRIEF, going online at <https://www.1800wxbrief.com> or <https://pilotweb.nas.faa.gov>, or in-flight by contacting Flight Service. (see FEIS §2.3.1 and Appendix A). [GP II, III].
 - l. Announce scheduling of airspace for PRTC training activity outside of published times of use, and for airspace only used during LFEs, by NOTAM not later than 4 hours prior to use. (see FEIS §§2.3.1 and 4.9.3.1.2). [GP II, III]

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- m. Allow Air Traffic Control (ATC) to vector IFR traffic through Low and High MOAs as soon as training is completed in an airspace segment by notifying ATC when MOA altitude segments are no longer needed for training. (see FEIS §§2.11.2.6 and 4.1.3.1.4). [GP II, III]
 - n. Facilitate issuance of a NOTAM when schedule changes require use of airspace outside of published times of use by informing Air Route Traffic Control Centers (ARTCCs) at least 4 hours in advance. (see FEIS §§2.3.1 and 4.1.2.2). [GP II, III]
 - o. Ensure the ability to recall the military aircraft from the low-altitude MOAs by establishing communication procedures which enable controlling agencies to recall the low MOA airspace whenever necessary to allow IFR aircraft access to and from public-use airports underlying the MOA. (see FEIS §§2.3.1 and 4.3.3.1.1). [GP II]
 - p. Ensure the ability to respond to ATC control instructions by establishing communication procedures that provide for safe deconfliction with emergency flight operations and fire-fighting operations within the PRTC airspace. (see FEIS §§2.3.1 and 4.1.3.1.4). [GP II]
 - q. Expand the current Mid-Air Collision Avoidance Program, including posting informational flyers and posters at public airports underlying the airspace with annual updates from the Ellsworth AFB Flight Safety Office. (see FEIS §2.3.1). [GP II, III]
 - r. Support civil aviation planning and scheduling by publishing the LFE schedule and related information at least 30 days in advance. (see FEIS §§2.3.1 and 4.1.3.1.6). [GP III]
 - s. Facilitate release of a low MOA to the controlling agency as early as possible by using scheduled low MOAs as early in a mission as allowed. (see FEIS §4.1.3.1.4). [GP III]
 - t. Disseminate information to civil aircraft to the maximum extent practicable regarding whether or not a scheduled MOA is to be activated even during published times of use by providing a NOTAM for activation of a scheduled MOA. (see FEIS §4.1.2.2). [GP II, III]
 - u. In emergency circumstances, such as firefighting, air ambulance operations, law enforcement activities, or in-flight emergencies in an active MOA, the military aircraft using the PRTC would immediately respond to Air Traffic Control (ATC) direction to relocate to another airspace away from the emergency. ATC may deactivate the MOA or a portion of it to allow emergency operations. (see FEIS §§ 2.11.2.6, 2.13, 4.1.3.1.4 and 4.1.3.2.4)
2. Tribal Reservation Lands
- a. Avoid low-altitude overflight of the Standing Rock and Cheyenne River Reservations by setting the floor of PR-4 MOA at 12,000 feet MSL (see FEIS §§2.3.1 and 4.7.2.3; the average surface elevation is 2,300 feet MSL). [GP I]
 - b. Avoid low-altitude overflight over the Northern Cheyenne Reservation under PR-1D by setting a floor of 12,000 MSL and establishing an avoidance area over the Deer Medicine Rocks National Historic Landmark (NHL) with a floor of 12,000 feet MSL. (see FEIS §§2.3.1, 4.7.2.3, and 4.7.3.1; the average surface elevation on the reservation is 3,785 feet). [GP I]

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- c. Inform the tribes of increased training flight activity by providing advance notice of LFEs, limited to no more than 3 days per quarter for a maximum total of 10 days per year, at least 30 days before the LFE. (see FEIS §§2.3.1, 4.1.3.1.6, and 4.10.3.1). [GP II]
 - d. Reduce noise concerns by limiting supersonic flights to LFEs only and above 20,000 feet MSL for B-1 aircraft and above 10,000 feet AGL for transient fighter aircraft and alert affected population of potential flight activity by providing advance publication of LFEs. (see FEIS §2.8.4). [GP I]
 - e. Prohibit supersonic flights over the Little Bighorn Battlefield National Monument, located within the Crow Reservation, under PR-1C. (see FEIS §2.3.1). [GP I]
 - f. Identify and periodically update avoidance areas for specific time periods by establishing an on-going Government-to-Government communication protocol (see FEIS §4.7.3.1 and Appendix N). [GP II, III]
 - g. Avoid religious ceremonies identified in consultation with Native American tribes by an appropriate distance, in no case less than 2,000 feet AGL. (see FEIS §4.7.3.1 and Appendix N). [GP III]
 - h. Reduce intrusive impacts by establishing reasonable temporary or seasonal avoidance areas or adopt other measures, as developed in on-going consultations. (see FEIS §§2.3.1, 2.11.2.6, 4.7.3.1 and Appendix N). [GP III]
3. Cultural and Historic Areas
- a. Reduce overflight impacts by identifying sensitive cultural and historic areas and time periods for avoiding such areas and periods by using the process established by the Programmatic Agreement. (see FEIS §4.7.3.1 and Appendix N). [GP II]
 - b. Avoid overflight of the Little Bighorn Battlefield National Monument area below 5,000 feet AGL from 1 hour before to 1 hour after posted hours of operation and other times as coordinated with Park management. (see FEIS §4.7.3.1). [GP I]
 - c. Avoid military flights over Devils Tower National Monument, WY and Deadwood NHL, South Dakota (SD) below 18,000 feet MSL, and Bear Butte State Park, SD below 10,000 feet AGL and 2 nautical miles (NM) horizontally. (see FEIS §§4.7.3.1 and 4.8.3.1). [GP I]
 - d. Avoid other sensitive areas to the extent practicable by working with agencies and Native American tribes to include flying only perpendicular across the Tongue River Valley rather than lengthwise along the valley. (see FEIS §§2.3.1 and 4.7.3.1, and Appendix N). [GP III]
 - e. Prohibit supersonic flights over the Little Bighorn Battlefield National Monument area under PR-1C. (see FEIS §2.3.1 and Appendix N). [GP II]
 - f. Develop and implement the avoidance protocol requirement specified in Section IV within the time period specified in the Programmatic Agreement. (see FEIS §4.7.2.4 and Appendix N). [GP III].

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- g. Implement the monitoring and reporting requirements specified in Section VII of the Programmatic Agreement according to the schedule therein. (see FEIS §4.7.2.4 and Appendix N). [GP III]
- 4. Communities and Ranching Operations
 - a. Establish avoidance areas as required for airports, airfields, and communities under the PRTC airspace. (see FEIS §2.12.3). [GP II]
 - b. Reduce the potential for impact during concentration of range animals for branding, calving, weaning, and/or other ranch operations by continuing the current practice of establishing reasonable temporary or seasonal avoidance areas over residences, communities, and ranching operations, including those on tribal reservation lands. (see FEIS §§2.11.2.6, 4.2.3.1.5, and 4.3.3.1.3). [GP III]
 - c. Reduce the number of B-1 operations from those presented in the Draft EIS by 12 percent in all segments of PR-1, PR-3, and PR-4. (see FEIS §§2.3.1, 2.10.4.2, and 4.1). [GP II]
 - d. Limit low-altitude overflight over ranches or communities under PR-4 by setting the floor of PR-4 MOA floor to 12,000 feet MSL (average surface elevation of 2,300 feet MSL, 9,700 feet AGL). (see FEIS §§2.3.1 and 4.1.3.1.3). [GP I]
- 5. Other Mitigation Measures
 - a. Help the public, the aviation community, and Native American tribes plan for LFE airspace activation by publishing a notice at least 30 days in advance of LFEs. All other signatories of the Programmatic Agreement will receive a minimum of 15 days' notice. (see FEIS §§2.3.1, 4.1.3.1.6, 4.7.2.4 and Appendix N). [GP II]
 - b. Avoid low-altitude overflight of and frequency interference with known blasting activities associated with coal mining operations by establishing operational procedures. (see FEIS §§4.3.3.1.3 and 5.1.2.3). [GP II]
 - c. Make airspace use and long-term planning information on deconfliction of special events/cultural events available during normal business hours, 8:00 a.m. to 5:00 p.m. local, Monday through Friday, from the Ellsworth AFB Airspace Management Office at (605) 385-1230. (see FEIS §2.3.1 and Appendix N). [GP III]
 - d. Develop a procedure for the Ellsworth AFB Public Affairs Office to coordinate with the Air Force Claims program in the event of any damage or injury associated with PRTC operations. The Ellsworth AFB Public Affairs Office will be available to answer inquiries and complaints at (605) 385-5056 from 8:00 a.m. to 5:00 p.m. Monday through Friday (see FEIS §§4.3.3.1.2, 4.7.2.4, and 4.8.3.1). [GP II]
 - e. Ensure chaff does not interfere with ATC radars by limiting deployment of chaff within 60 NM of airport approach radars. (see FEIS §4.3.3.1.2). [GP II]
 - f. Limit chaff use to training chaff comparable to that described in the FEIS §4.3.3.1.2 and Appendix C. [GP II]

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- g. Limit flare release altitudes within the PRTC airspace to above 2,000 feet AGL. (see FEIS §4.3.3.1.3). [GP II]
- h. Prohibit flare releases in PRTC MOAs (e.g., PRTC 2 Low, 2 High MOA) above areas where the fire danger is rated very high or extreme under the National Fire Danger Rating System. (see FEIS §§2.3.1 and 4.3.3.1.3). [GP II]
- i. Continue and expand cooperation with local fire agencies for mutual aid response to wild land fires attributable to Air Force operations. (see FEIS §§2.3.1 and 4.3.3.1.3). [GP II]
- j. Educate local fire departments and first responders underlying the airspace on flare identification and potential hazards by coordinating education efforts which include distributing flyers to fire departments describing chaff and flare deployments, residual materials and dud flares. (FEIS §§2.3.1 and 4.3.3.1.3). [GP II]
- k. Continue conferencing with USFWS to identify voluntary, reasonable, and temporary avoidance areas for Greater Sage Grouse (GSG) lek attendance. (see FEIS §4.6.3.1 and Appendix E). [GP II]
- l. Avoid low-altitude training operation impacts to the whooping crane in its migration corridor by setting the floor of PR-4 MOA at 12,000 feet MSL (see FEIS §4.6.3.1 and Appendix E). [GP I]

For mitigations listed above that specify a phone number, website or other means of communication subject to potential change over time, the Air Force may provide suitable substitutions which will be readily available through contacting the Ellsworth Air Force Base Public Affairs Office at (605) 385-5056 and in updates to the MMP.

Adaptive Management

The Air Force has a continuing obligation to monitor and consider the efficacy of its identified mitigations. As discussed in the Final EIS (pg. 2-17, §2.3.5), the Air Force will develop and implement an adaptive management program as part of the MMP. In doing so, the Air Force will follow the CEQ's mitigation and monitoring guidance and other legally applicable and generally accepted practices.

In the analysis of anticipated impacts in the Final EIS, the Air Force has done its best to accurately predict potential impacts and anticipate future conditions. However, given the nature of the alternatives analyzed and public, agency, and Native American tribal interest, new information may become available, or the effectiveness of mitigation measures may be different than expected.

Many of the mitigation measures that will be implemented by the Air Force incorporate continuing communication, consultation, and feedback to balance PRTC aircrew training requirements and operations with the needs of the public, agencies, and Native American tribes. Adaptive management techniques are well suited to such circumstances. Since the adaptive management approach is being adopted as part of the implementation for the PRTC, the MMP will have provisions for determining the success of the mitigations, as well as procedures for making necessary adaptations.

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The MMP will include the following kinds of adaptive management approaches:

- Identifying the type of monitoring for the action and each mitigation
- Delineating how the monitoring will be executed
- Identifying who will fund and oversee its implementation
- Establishing the process and responsibilities for identifying and making changes to the action or mitigations to influence beneficial results or avoid/reduce adverse impacts.

As part of its adaptive management program, the Air Force has committed to a Programmatic Agreement to conduct regular coordination with agencies and government-to-government consultations with tribes with reservation lands under the PRTC. The Air Force will conduct this coordination and consultation through the 28th BW on, at least, an annual basis.

In furtherance of its adaptive management program, the Air Force, through the 28th BW, will develop a process to communicate with regional agencies and organizations that express concerns regarding the PRTC at the agency's or organization's request and on, at least, an annual basis. This process will involve at least three general types of groupings: airport operations; aviation, energy and agri-business; and other interested parties, as further described below. This process may be conducted on an individual or a group basis appropriate to the circumstances.

- (1) Airport operations – this would include state aeronautical commissions, local airport authorities and fixed-based operators. For example, this list could include: Montana and Wyoming Aeronautics Divisions, North Dakota Aeronautics Commission, Baker Municipal Airport, Bowman Field, Broadus Airport, Colstrip Airport, Ekalaka Airport, Harding County Airport, and St Labre Mission Airport.
- (2) Aviation, energy and agri-business organizations – this would include organizations associated with air ambulance operations, energy and pipe line operations, cloud seeding, aerial application and crop dusting, ranching, flight training, and other similar organizations. For example, this list could include: Weathermod Inc., N.D Atmospheric Resource Board, SW Healthcare, R-CALF, and United Stockgrowers of America.
- (3) Other interested parties – this would include other organizations that have expressed concerns over impacts from PRTC, but do not fit into categories 1 and 2. For example, this list could include: local units of government, real estate organizations, tourism organizations, and educational institutions.
- (4) The Air Force will strive to negotiate agreements that include the flexibility to adapt to changing situations. The Air Force will also collaborate with key aviation interests in the region to establish professional lines of communication to minimize impact and balance the needs of commerce and military readiness.

Before implementing an adaptation, the Air Force will consider whether the adaptation triggers the need for additional analysis under NEPA and the EIAP. If it does not, i.e., if the adaptation is within the scope of the analysis of the Final EIS, the Air Force will implement the adaptation.

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If instead further analysis is needed, the Air Force could supplement this EIS or prepare a new NEPA analysis.

UNAVOIDABLE IMPACTS

For PRTC, most impacts are short-term and temporary. Some impacts that cannot be mitigated would occur and some of these impacts could be perceived as adverse or annoying to affected individuals.

Unavoidable impacts include an estimated annual average of 6 to 9 low altitude overflights of 2,000 feet to 500 feet AGL over any given location within 0.25 nautical miles of the centerline of travel in a low MOA. Short-term reactions of wildlife or livestock could include temporary shifts in habitat use or activity, but long-term habituation is expected as it has occurred in comparable habitat under the existing Powder River A and B MOAs. Military training necessarily involves consumption of nonrenewable resources, such as jet fuel for aircraft. With PRTC, training operations would use comparable fuel volumes to produce improved local training as compared with the No-Action Alternative. While military energy consumption under the No-Action Alternative would be expected to be comparable to any of the action alternatives, the long commute to remote (distant) ranges results in an inefficient use of national security resources, including Air Force weapons systems, equipment and personnel.

LFE training during 1 to 3 days per quarter, not to exceed a total of ten (10) days per year, or day-to day training, if all MOAs were activated on a weekday, could result in between seventy-four (74) and eighty-eight (88) civilian flights being affected by a delay of up to 4 hours. Such a delay could occur if civilian pilots chose to not schedule around the thirty (30) day advance LFE notice, could not depart or arrive under Instrument Flight Rules, or were unwilling or unable to fly Visual Flight Rules, see-and-avoid, in an active MOA. No irreversible or irretrievable effects are expected for cultural resources or natural resources, including land and water.

Impacts to natural resources could occur in the unlikely event of an accident and/or fire. However, while any fire can have short-term impacts to agricultural resources, wildlife, and habitat, the fire's effects are not irreversible in a natural environment.

DECISION

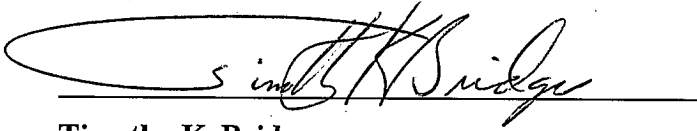
After consideration of relevant operational, environmental, economic and technical factors discussed in this ROD; environmental consequences explained in the Final EIS; input from the public, regulatory and other agencies, and Native American tribes; and other relevant factors, including the need to balance potential mitigations, the Air Force has decided to select the preferred alternative, Modified Alternative A, and adopt the mitigation measures listed above, including those already incorporated into the alternative. The Air Force will request FAA take those actions necessary to implement this decision by modifying and establishing the requisite airspace.

The decision takes into account the direct, indirect and cumulative impacts of the alternatives analyzed. In addition, the selected Modified Alternative A, along with all of the specified

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mitigations in this ROD, adopts all practicable means to avoid, minimize or mitigate environmental harm.

Finally, this ROD adopts mitigations listed in the Programmatic Agreement developed under the NHPA. To the extent any commitments in the Programmatic Agreement are inconsistent with this ROD or are more restrictive or greater in scope, then the terms of the Programmatic Agreement will control over those specified in this ROD.



Timothy K. Bridges
Deputy Assistant Secretary of the Air Force (Installations)

16 Jan 15
Date