

ALASKA STATE LEGISLATURE
SENATE TRANSPORTATION STANDING COMMITTEE

February 8, 2011

2:35 p.m.

MEMBERS PRESENT

Senator Albert Kookesh, Chair
Senator Joe Thomas, Vice Chair
Senator Charlie Huggins

MEMBERS ABSENT

Senator Dennis Egan
Senator Linda Menard

COMMITTEE CALENDAR

SENATE JOINT RESOLUTION NO. 6

Urging the United States Army and United States Air Force to extend the public comment period for the Joint Pacific Alaska Range Complex Modernization and Enhancement Environmental Impact Statement that ends February 18, 2011, for a minimum of 90 days to allow for effective communication and full state and user involvement during the comment period.

- MOVED CSSJR 6(TRA) OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: SJR 6

SHORT TITLE: MILITARY OPERATIONS AREAS EXPANSION

SPONSOR(S): SENATOR(S) OLSON

02/04/11	(S)	READ THE FIRST TIME - REFERRALS
02/04/11	(S)	TRA
02/08/11	(S)	TRA AT 2:30 PM BARNES 124

WITNESS REGISTER

DAVID SCOTT, Staff to Senator Donny Olson
Alaska State Legislature
Juneau, AK

POSITION STATEMENT: Introduced SJR on behalf of the sponsor.

SENATOR DONALD OLSON
Alaska State Legislature

Juneau, AK

POSITION STATEMENT: Sponsor of SJR 6.

MIKE MORGAN, Director of Operations
Warbelow's Air

POSITION STATEMENT: Testified in support of SJR 6.

LIEF WILSON, Director of Operations
40-Mile Air

POSITION STATEMENT: Testified in support of SJR 6.

JERRY ROCK, President
Alaska Carriers Association (ACA)

POSITION STATEMENT: Testified in support of SJR 6.

ACTION NARRATIVE

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CHAIR ALBERT KOOKESH called the Senate Transportation Standing Committee meeting to order at 2:35 p.m. Present at the call to order were Senators Thomas, Huggins, and Kookesh.

SJR 6-MILITARY OPERATIONS AREAS EXPANSION

[2:38:28 PM](#)

CHAIR KOOKESH announced the consideration of SJR 6 and stated his intention to pass it from committee that day.

[2:39:16 PM](#)

DAVID SCOTT, staff to Senator Donny Olson, said SJR 6 urges a 90-day extension to the public comment period for the Joint Pacific Alaska Range Complex Modernization and Enhancement Environmental Impact Statement. This relates to the proposed expansion of military airspace for training. The resolution recognizes the importance of aviation in Alaska, its contribution to Alaska's economy, and the dependence that some Alaska communities have on aviation. This industry contributes \$3.5 billion and 47,000 jobs to the Alaska economy, roughly 10 percent of the jobs in the state. Businesses that could be affected include commercial airlines, air taxis, fixed-base operators, and fuel distributors.

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SENATOR DONALD OLSON, sponsor of SJR 6, explained that in an area south of Fairbanks a military operations area (MOA) is in place for jet traffic and training above 5,000 feet. The military now wants to extend this area down to the 500 foot

level. He said that while he recognizes the importance of aviation in Alaska, he also recognizes the importance of hearing from local pilots, aircraft companies, and end-users about the difficulties they will face if the MOA is dropped to 500 feet. Training aircraft traveling several hundred miles per hour at 500 feet is a great concern when the weather closes in. Those pilots already have their hands full and the tendency is not to look for small aircraft. His concern is to have safeguards in place so that general aviation users aren't unduly inhibited by the proposed operations.

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SENATOR THOMAS asked if the 90-day extension would extend the comment period to just over six months.

MR. SCOTT said that's correct. The comment period opened December 10, 2010, it ends February 18, 2011, and the resolution asks for a 90-day extension.

At ease from 2:47 p.m. to 2:48 p.m.

SENATOR THOMAS noted that the military members visiting the capitol just today said they weren't inclined to extend the comment period. He asked if the sponsor would consider a compromise to amend the resolution to ask for a 30-day extension rather than 90 days. He pointed out that if he became aware of this today he probably wouldn't need 90 days to state his objections and concerns and he would encourage any of his constituents who have a concern to respond right away. He observed that some people were waiting to testify and perhaps they'd be willing to comment on their ability to do this.

SENATOR OLSON said this area isn't in his district and he only became aware because he's long been involved in aviation. He added that he brought the resolution forward at the request of the Aviation Advisory Board who suggested 90 days. Some of the affected communities don't have ready computer and Internet access so response time takes longer.

SENATOR THOMAS said he appreciates that.

CHAIR KOOKESH stated that the military did not inform him that they weren't willing to consider this resolution and he believes that it's incumbent to move forward.

SENATOR OLSON said he has spoken to the four senators who represent the constituency in this area and they are certainly in favor of the extension.

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MIKE MORGAN, Director of Operations, Warbelow's Air, said that as a board member of the Alaska Air Carriers Association he is on the committee with JPARC, and he completely supports the need for the military to have the airspace in which to do training. He explained that his primary concern with lowering the MOA to 500 feet relates to safety. Over the years he has spent a lot of time with the Medallion Foundation to improve aviation safety within Alaska so he is particularly concerned with the JPARC proposal number five. This proposal is to fly unmanned aerial vehicles that are not identifiable on air traffic control radar in three corridors between Fort Wainwright and Big Delta. The problem is that the main jet airway as well as civil airways for aircraft coming from Seattle descends through this area on IFR flight plans, and there will be no way of knowing and no warning of unmanned vehicles traveling in this same civil airspace. During a JFARC meeting he asked how the military could determine that one of their unmanned vehicles wouldn't collide with his airplane during flight or on descent and he was told that they would rely on spotters. He finds that unacceptable. Instead he suggests trucking these vehicles down to the army airfield so they can be operated within the existing MOA airspace. This would present no threat to aviation safety.

MR. MORGAN said the second issue is that the villages of Chalkyitsik, Circle, Central, and Eagle lie within the MOA airspace. When a military operations area is active, instrument flight rule (IFR) traffic isn't permitted so he can't get clearance to fly to any of those villages during that time. He proposed two alternatives. Adjust the MOAs somewhat so that these communities could be safely served on IFR or provide an IFR corridor to serve these communities. Also, the unmanned vehicles could be accommodated in this airspace if they could be identified on radar.

MR. MORGAN said he wants to work with the Air Force but more time is needed. He opined that a 30-day extension would be adequate.

CHAIR KOOKESH asked the testifiers to confine their comments to the resolution, whether to extend the comment period 90 days.

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LIEF WILSON, Director of Operations, 40-Mile Air, stated that it is critical for the people who operate in this area have time to find out about the proposed expansion and submit their comments. He noted that for the last 15 years he has operated within very large MOAs and he has had three very close calls with military aircraft. One of the areas the military wants to expand into covers nearly the entire Delta controlled use area, a trophy management area for sheep. Consideration should be given to the folks that want to comment, he concluded.

SENATOR THOMAS asked if a 30-day extension to the comment period would be sufficient.

MR. WILSON said yes; his comments are about ready to submit but he's trying to inform others.

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JERRY ROCK, President, Alaska Carriers Association (ACA), stated that the public comment period opened December 10, 2010, but the military didn't hold its meeting until January 6, 2011. Only six people were allowed to comment at that time and nobody knew the full impact of the expansion until after the meeting. In the last week the ACA office has fielded numerous calls on the issue and everyone involved wants time to tell the government how this will affect them.

SENATOR OLSON reiterated that this is an important issue that needs more time.

CHAIR KOOKESH asked if he had a comment on the proposal to ask for a 30-day extension rather than 90.

SENATOR OLSON said he prefers 90 days because of the numbers of people who will be directly affected, but he could accept 30 days.

CHAIR KOOKESH closed public testimony and asked the will of the committee.

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SENATOR THOMAS suggested the committee amend the resolution to 30 days, which would effectively be 40 days from today.

SENATOR OLSON reiterated his preference for 90 days but he would defer to the will of committee. He added that he was unaware of this and he considers himself an aviation community insider so he can imagine how disenfranchised many of these people feel.

3:07:04 PM

CHAIR KOOKESH restated his commitment to move the resolution today.

SENATOR THOMAS moved to amend the resolution on page 1, line 4, and page 3, line 3; strike 90 days and insert 30 days.

CHAIR KOOKESH announced that without objection the amendment passes.

SENATOR HUGGINS moved to report the amended SJR 6 from committee with individual recommendations and attached fiscal note(s). There being no objection, CSSJR 6(TRA) moved from the Senate Transportation Standing Committee.

3:08:45 PM

There being no further business to come before the committee, Chair Kookesh adjourned the meeting at 3:08 p.m.