

1 SENATE JOINT MEMORIAL 34

2 **50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011**

3 INTRODUCED BY

4 John Pinto

5
6
7
8
9
10 A JOINT MEMORIAL

11 REQUESTING AN ENVIRONMENTAL IMPACT STATEMENT PURSUANT TO THE
12 FEDERAL NATIONAL ENVIRONMENTAL POLICY ACT FOR THE PROPOSED LOW-
13 ALTITUDE TACTICAL NAVIGATION TRAINING FLIGHTS OUT OF CANNON AIR
14 FORCE BASE.

15
16 WHEREAS, the proposed area for low-altitude tactical
17 navigation training flights out of Cannon air force base would
18 cover most of northern New Mexico and southern Colorado,
19 including wild mountainous and forested terrain, wildlife
20 refuges, cultural and sacred Native American lands and private
21 farming and ranching regions; and

22 WHEREAS, the training program would utilize the proposed
23 area for an average of six hundred eighty-eight flights per
24 year, mostly after dusk, often without lights and
25 communications, at altitudes as low as two hundred feet above

.185363.2

underscored material = new
~~[bracketed material] = delete~~

underscored material = new
~~[bracketed material] = delete~~

1 the ground; and

2 WHEREAS, the training flights would employ the CV-22
3 Osprey aircraft, for which the United States department of
4 defense and the United States government accountability office
5 have recommended cancellation due to the aircraft's record of
6 crashes and cost overruns; and

7 WHEREAS, the economy of northern New Mexico relies on the
8 more than nine million tourists and visitors who annually are
9 attracted by the state's peaceful lifestyle, natural beauty and
10 cultural sensitivity and who provide an economic boost of six
11 billion five hundred million dollars (\$6,500,000,000) per year;
12 and

13 WHEREAS, the proposed training flights would negatively
14 impact the sacred historic culture and quality of life of the
15 residents of northern New Mexico by introducing noise pollution
16 and emissions pollution, as well as vibration that could harm
17 historic adobe structures, particularly the buildings of New
18 Mexico's Native American pueblos; and

19 WHEREAS, the proposed training flight area includes the
20 Pueblo of Taos, which is the only living world heritage site in
21 the United States, as designated by the United Nations
22 educational, scientific and cultural organization; and

23 WHEREAS, noise from the proposed training flights would
24 pose a threat to human emotional health, particularly the
25 emotional health of military veterans and others who suffer

.185363.2

underscoring material = new
~~[bracketed material] = delete~~

1 from posttraumatic stress disorder, autism or mental illness;
2 and

3 WHEREAS, persons who have experienced similar nearby low-
4 altitude overflights have reported feeling moderate to severe
5 trauma; and

6 WHEREAS, the proposed training flights would pose a danger
7 to domestic aircraft flying out of local airports, introducing
8 the danger of forest and grass fires caused by possible
9 aircraft crashes in traditionally dry areas; and

10 WHEREAS, the proposed training flights would require low-
11 altitude midair refueling, which would increase the danger of
12 jet fuel spillage, crashes and fires; and

13 WHEREAS, local firefighters, first responders and regional
14 hospitals are not equipped with the gear and training needed to
15 handle military aircraft crash rescues and high-intensity jet
16 fuel fires; and

17 WHEREAS, the proposed training flights would increase the
18 emission of greenhouse gases, contributing to environmentally
19 detrimental climate change; and

20 WHEREAS, training flight emissions and spillage, along
21 with the possibility of aircraft crashes and jet fuel fires,
22 would release the poisonous perchlorates and heavy metals
23 contained in jet fuel into the environment, damaging
24 watersheds, drinking water sources, wildlife, crops, livestock
25 and public health; and

.185363.2

underscored material = new
~~[bracketed material] = delete~~

1 WHEREAS, the Code of Federal Regulations prohibits the
2 unauthorized operation of aircraft at altitudes low enough to
3 result in harassment of wildlife, and the low-altitude tactical
4 navigation proposal falls within these prohibited altitude
5 levels; and

6 WHEREAS, the proposed training flight area is a flyway for
7 migrating birds, which might pose a danger of crashes due to
8 bird strikes; and

9 WHEREAS, the mating and reproductive cycles of wildlife in
10 the numerous wildlife refuges in the proposed training flight
11 area would be negatively impacted by the excessive aircraft
12 noise and vibration; and

13 WHEREAS, game animals are a significant hunter and tourist
14 attraction within the proposed training flight area; and

15 WHEREAS, the proposed training flights could negatively
16 and illegally impact species protected under the federal
17 Endangered Species Act of 1973, such as the bald eagle, the
18 whooping crane, the willow flycatcher and the least tern, as
19 well as species of concern, such as the pale Townsend's big-
20 eared bat, the occult little brown bat, the Baird's sparrow,
21 the black tern, the ferruginous hawk, the loggerhead shrike,
22 the northern goshawk, the broad-billed hummingbird, the gray
23 vireo, the peregrine falcon and the swift fox; and

24 WHEREAS, no meaningful mitigation measures have been
25 considered or suggested to protect the people, livestock,

.185363.2

underscored material = new
~~[bracketed material] = delete~~

1 wildlife and environment of northern New Mexico; and

2 WHEREAS, the state would have no binding control over the
3 air force's low-altitude flights or activities; and

4 WHEREAS, the proposed training flights have been
5 scrutinized only by a cursory environmental assessment, with
6 little and very brief opportunity for public comment; and

7 WHEREAS, a thorough and complete environmental impact
8 statement process, with sufficient time for focused expert and
9 public input and informed public awareness, has yet to be
10 authorized; and

11 WHEREAS, more than two thousand citizens from New Mexico
12 and Colorado have registered official dissent to the Cannon air
13 force base flight training area proposal via the environmental
14 assessment process;

15 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
16 STATE OF NEW MEXICO that it request a thorough and complete
17 environmental impact statement process, instituted according to
18 the federal National Environmental Policy Act standards, to
19 address and mitigate the impact of the proposed low-altitude
20 tactical navigation training flights in northern New Mexico;
21 and

22 BE IT FURTHER RESOLVED that copies of this memorial be
23 transmitted to the wing commander of Cannon air force base, the
24 director of the environmental protection agency and the members
25 of the New Mexico congressional delegation.

.185363.2