

On behalf of Talktrans/ZeroExpansion please make these comments available to all EQB members prior to the EQB meeting on January 19, 2006 and include them in the agenda/minutes for the January 19, 2006 EQB meeting concerning the FEIS for Flying Cloud Airport.

This is an open letter to members of the Environmental Quality Board and the Metropolitan Airport Commission concerning the Final Environmental Impact Statement (FEIS) for the Flying Cloud Airport.

The new information presented here impacts Flying Cloud Airport and its vicinity and has never been addressed in the EIS or the FEIS for Flying Cloud. In light of this information, we expect that the FEIS for Flying Cloud will not be approved by the EQB and will be sent back to MAC to address these issues.

The FAA's new definition of Minneapolis Class B Airspace

The FAA made a new Final Ruling on an amendment for the Modification of the Minneapolis Class B Airspace Area, which first became effective September 15, 2005. The amendment became effective November 16, 2005 and was reported in the Federal Register on November 28, 2005 (Vol. 70, No. 227, pages 71233-71236, Rules and Regulations, attached). This is new, previously unavailable, information pertaining to the Flying Cloud Airport and it will have an impact on the community.

To accommodate the new Runway 17/35 at MSP the FAA recently modified the Minneapolis Class B airspace area (effective September 15, 2005). Subsequent to that modification, FAA further analysis revealed that additional airspace would be needed to contain large turbine powered aircraft (commercial air passenger and cargo jets) conducting approaches to the new Runway 35. The FAA has amended the Airspace Designation first dated and

approved on September 1, 2005 and now has approved the amendments as of November 16, 2005. This is just to reiterate that the information presented here is a new amendment to the Minneapolis Class B airspace and unforeseen by the Flying Cloud FEIS.

What the new amendment from the FAA has done is to add another 2,000 feet to the ceiling of the arrival stream for approximately 900 large aircraft landing at MSP daily. This is an action that will enhance safety and operations at MSP, but it will also encroach on Flying Cloud Airport operations forcing more General Aviation aircraft to fly under the Class B airspace.

The new Minneapolis Class B airspace will have significant air and noise pollution impacts on Flying Cloud Airport and its immediate vicinity. Those impacts have obviously not been addressed in the EIS and consequently make the entire FEIS for Flying Cloud inadequate.

The arrival stream for MSP increases the ceiling for the MSP arrival stream from 8,000 to 10,000 feet in the Flying Cloud area. That alone, according to the AOPA, would "pose a serious operational limitation to those pilots wishing to over fly" the MSP Class B airspace area. Obviously, the AOPA is referring to smaller GA (General Aviation) aircraft that are not suited to or efficient to fly at altitudes over 10,000 feet. So, those aircraft would be forced and/ or more prone to fly below the MSP Class B airspace or around it. The floor of the new MSP Class B airspace is at 3,000 feet over Flying Cloud and is now the new "ceiling" for GA aircraft operating out of Flying Cloud - until they can fly out from under the Class B airspace.

The FAA has essentially lowered the ceiling to 3,000 feet over Flying Cloud and forced many GA aircraft that would normally over fly MSP and Flying Cloud to fly under the 3,000-foot

"ceiling". Common sense would dictate that forcing more aircraft down under this "ceiling" is going to negatively affect Flying Cloud Airport, airport operations and the vicinity around Flying Cloud. Force-feeding more aircraft to fly under this 3000-foot ceiling will increase noise and pollution levels in the surrounding community. This is what we have mentioned in the past as part of the cumulative effect of MSP and Flying Cloud sharing - or in this case - dividing up - airspace. Restricting the available airspace to GA aircraft and then forcing more GA aircraft into the lower altitudes will adversely affect noise and air pollution levels at Flying Cloud and its vicinity. These effects were never addressed in the current FEIS for Flying Cloud. The effects of 900 jets daily using a corridor over Flying Cloud to land and leave from MSP were also never figured into the cumulative effects of the Flying Cloud expansion. The absence of this information makes the FEIS for Flying Cloud inadequate.

An argument could also be made that this newly expanded flight corridor makes Flying Cloud a "less convenient" airport for GA pilots since FCM is in area C and over run by a major corridor for "900 high performance aircraft" daily - essentially shutting off any GA operations over 3,000 feet. The operating space of Flying Cloud over the 3,000-foot level has been severely marginalized. Expanding an airport like Flying Cloud that has been so thoroughly overrun by a neighboring airport (MSP) seems to be based more on wishful thinking rather than on good information - especially since the operations of Flying Cloud have been in decline for over 10 years and show no sign of turning around - except in the wishful thinking of the aviation industry.

Whether or not our evaluation of the FAA's new definition of Minneapolis Class B Airspace is considered correct or not is not the issue. The issue is that the airspace surrounding Flying Cloud has been redefined, affecting the operations of all General Aviation aircraft out of Flying Cloud and affecting access to Flying Cloud.

These issues were never considered in the FEIS. Additional, cumulative effects at Flying Cloud coming from the 900 large aircraft daily approaching and leaving MSP should also be reconsidered. The redefined Minneapolis Class B airspace has not been considered in the FEIS and it should be - otherwise the FEIS is inadequate.

Please see the attached document from the Federal Register from November 28, 2005.

Attachment:

- 11-28-05 Federal Register FAA Docket 15471, Modification of the Minneapolis Class B Airspace Area; MN

The FAA's new policy on Pavement Based Weight Restrictions

Formerly, the strength of a runway (measured in weight bearing capacity) was one of the factors that determined the size of the aircraft that could use a runway. That is no longer the case. Nationwide, the aircraft-runway pavement weight bearing capacity restrictions (PWBR) that were formerly in place have been changed to reflect the FAA's new policy, which eliminates aircraft-runway restrictions based on pavement weight bearing capacities. The FAA has ruled that PBWR's are discriminatory and should not be used to restrict aircraft from using runways. For example, this allows a 100,000 lb plane formerly restricted from a 60,000 lb weight bearing capacity runway because of its weight, to now land on that runway.

Contrary to the FAA position, MAC and the City of Eden Prairie have an agreement that limits the size of aircraft at Flying Cloud to the weight bearing capacity of the runway - which will be built for a 60,000 lb capacity. The FAA has not signed off on the Agreement between the City of Eden Prairie and MAC. This

ambiguity allows the FAA to tacitly allow the City of Eden Prairie and MAC to retain their agreement (limiting FCM to aircraft below the 60,000 pounds the runways will be built for) and it allows the FAA to retain its new, nationwide understanding that allows aircraft, weighing far more than pavement based weight capacities would formerly allow them, to use runways across the country. If the FAA signed off on the current Eden Prairie/MAC Agreement, it would establish a new, nationwide precedent allowing airports across the country to discriminate aircraft on the basis of the weight bearing capacity of their runways. The more likely scenario is that the FAA will wait until the runway has been expanded and then rule that the Eden Prairie/MAC Agreement cannot contain any provisions restricting aircraft from Flying Cloud because of the weight bearing capacity of the runways.

In light of the Eden Prairie/MAC Agreement and the FAA's refusal to sign it, it must be assumed that aircraft weighing far more than the 60,000 lbs the runway was designed for and the FEIS did its research for, will be allowed to use the Flying Cloud airport. These larger aircraft were not incorporated in the EIS models and studies for noise pollution or air pollution at Flying Cloud. This new, FAA nationwide policy is not reflected in the EIS models and research and makes the Flying Cloud FEIS inadequate.

Attachments:

- FAA Proposed Policy Regarding Weight Based Restrictions at Airports, Letter dated 09-22-03
- Federal Register 07-01-03 FAA Docket 2003 - 15495 Weight Based Restrictions at Airports: Proposed Policy
- Airport Report Express 07-09-03, page 2 article, FAA To Update Airport Pavement Policy

Thank you for your consideration,

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