

# PROPOSED DUKE LOW MOA -- BACKGROUND INFORMATION

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*This document was developed by the Policy Office of the Pennsylvania Department of Conservation & Natural Resources to provide background information in regards to the proposed Duke Low MOA.*

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## ACRONYMS

AGL: Above Ground Level  
ANG: Air National Guard  
ATC: Air Traffic Control  
DEA: Draft Environmental Assessment  
DoD: Department of Defense  
EA: Environmental Assessment  
MOA: Military Operations Areas  
MSL: Mean Sea Level  
NGB: National Guard Bureau  
NEPA: National Environmental Policy Act  
NOTAM: Notice to Airmen



## ABOUT MILITARY OPERATIONS AREAS (MOAs)

A military operations area (MOA) is airspace designated outside of Class A airspace, to separate or segregate certain nonhazardous military activities from instrument flight rules (IFR) aircraft traffic and to identify for visual flight rules (VFR) aircraft traffic where these activities are conducted. (Note: In Class A airspace, all operations must be conducted under IFR, and all aircraft are subject to air traffic control (ATC) clearance. All flights are separated from each other by ATC. An example of Class A operations are commercial airline flights which are conducted in this airspace.) According to the [FAA](#), MOAs are recommended to be located:

- Within 100 miles of the user's base of flight origin;
- Outside terminal airspace just before an airport, federal airways, charted terminal VFR routes, and know high volume VFR flyways; and
- Within radar and communications coverage of an ATC or military radar unit.

MOAs may be used for different types of aircraft training at different altitudes and may have designated "high" and "low" areas. If regular training exercises are needed, FAA recommends a permanent MOA be established. MOAs can be active ("hot") which means training is in progress or inactive ("cold") meaning the airspace is not currently in use.

MOAs often have different types of aircraft training at different altitudes and may have designated "high" and "low" areas. When training is active within the MOA, the airspace is considered "hot".

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## EXISTING DUKE MOA

The existing Duke MOA provides airspace beginning at 8,000 ft mean sea level (MSL) and extending to 17,999 feet MSL. The airspace is currently controlled by two different Air Traffic Control Centers: Cleveland and New York Center. Air Traffic Control Assigned Airspaces (ATCAAs) over the Duke MOA allow military training up to 45,000 feet MSL. ATCAAs are airspaces of defined vertical/lateral limits assigned by ATC for the purpose of providing air traffic segregation between specified military training activities conducted within the assigned airspace and other IFR air traffic. ATCAAs are not permanent airspaces, but are assigned by ATC when needed. Many aircraft and units use the airspace from all over the United States. However, the primary need for this MOA is coming from the 175th Wing, Maryland Air National Guard which flies the A-10C and 177th Fighter Wing, New Jersey National Guard, which flies the F-16C.

## PROPOSED DUKE LOW MOA

In August 2019, the National Guard Bureau announced its proposal to create a low MOA with a smaller footprint than the existing Duke MOA specifically for the Maryland ANG, 175th Wing (175 WG) stationed at Martin State Airport near Baltimore, to train their pilots in A-10 Warthogs. The mission of the A-10 is ground attack against tanks, armored vehicles and installations, and close air support of ground forces.

The proposed action would create a low-flying airspace that would:

- Reduce the altitude limits from 7,999 feet MSL to 100 feet AGL.
- Authorize training opportunities approximately 170 days per year with expected activation of two hours per day, one hour at a time. The Duke Low MOA would be activated Tuesday - Friday between 10:00am-12:00pm / 2:00pm-4:00pm. Weekend and nighttime operations (announced through Notice of Airman) at low-altitude would be limited.
- Prohibit supersonic operations, release of chaff and flares (defensive countermeasures), ordnance deployment, or allow any weapons to be fired.
- Mitigate altitude over sensitive areas:
  - No lower than 500 feet AGL over state parks
  - No lower than 1000 feet AGL over designated Wild Areas
  - No lower than 1000 feet above Bald Eagle nesting areas.

The creation of this low airspace would provide opportunities for other ANG Wings to schedule low-flight flight training for a variety of aircraft. In developing this proposal, the ANG notified the additional three units that utilize the existing Duke MOA to determine potential usage.

These Wings include:



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The Duke Low MOA is the only option that the ANG is considering other than the No Alternative option which, per NEPA, is required for review.

### THE NATIONAL ENVIRONMENTAL POLICY ACT

The National Environmental Policy Act (NEPA) of 1969 established a national policy promoting the enhancement of the environment.

- The essential purpose of NEPA is to ensure that environmental factors are weighted equally when compared to other factors in the decision-making process undertaken by federal agencies.
- The NEPA process provides the means for federal agencies to assess the potential environmental impacts of their proposed actions and to identify ways to minimize and mitigate those impacts.
- There are two levels of NEPA analysis: the Environmental Impact Statement (EIS) and the Environmental Assessment (EA).
- The purpose of an EA is to determine the significance of the proposal's environmental outcomes and to look at alternatives of achieving the agency's objectives. An EA is supposed to provide sufficient evidence and analysis for determining whether to prepare an EIS and to aid an agency's compliance with NEPA when no EIS is deemed necessary.

### DRAFT ENVIRONMENTAL ASSESSMENT

The ANG plans to release a draft environmental assessment (DEA) in late summer or early fall of 2021. The DEA will be available on the [175<sup>th</sup> wing's website](#), in local libraries, and emailed to key stakeholders. If you are interested in receiving the DEA directly, please contact Major Jeffrey M. Andrieu at <mailto:jeffrey.andrieu.4@us.af.mil> to request a copy when available.

### ENVIRONMENTAL IMPACT STATEMENT

Is an Environmental Assessment adequate? The existing Duke MOA was established decades ago and there has been no information that indicates an EIS was developed to study the impacts of the existing airspace. However, if the Duke MOA was created after the passage of NEPA 1969, an EIS was required. It is not clear whether and how completely the environmental impacts of the existing MOA were evaluated since no background documents for this MOA have been provided.

The Duke Low MOA would build off the existing MOA and extend the existing floor from 8000 feet MSL to 100 feet AGL. The proposed Low MOA will likely increase the impacts as the

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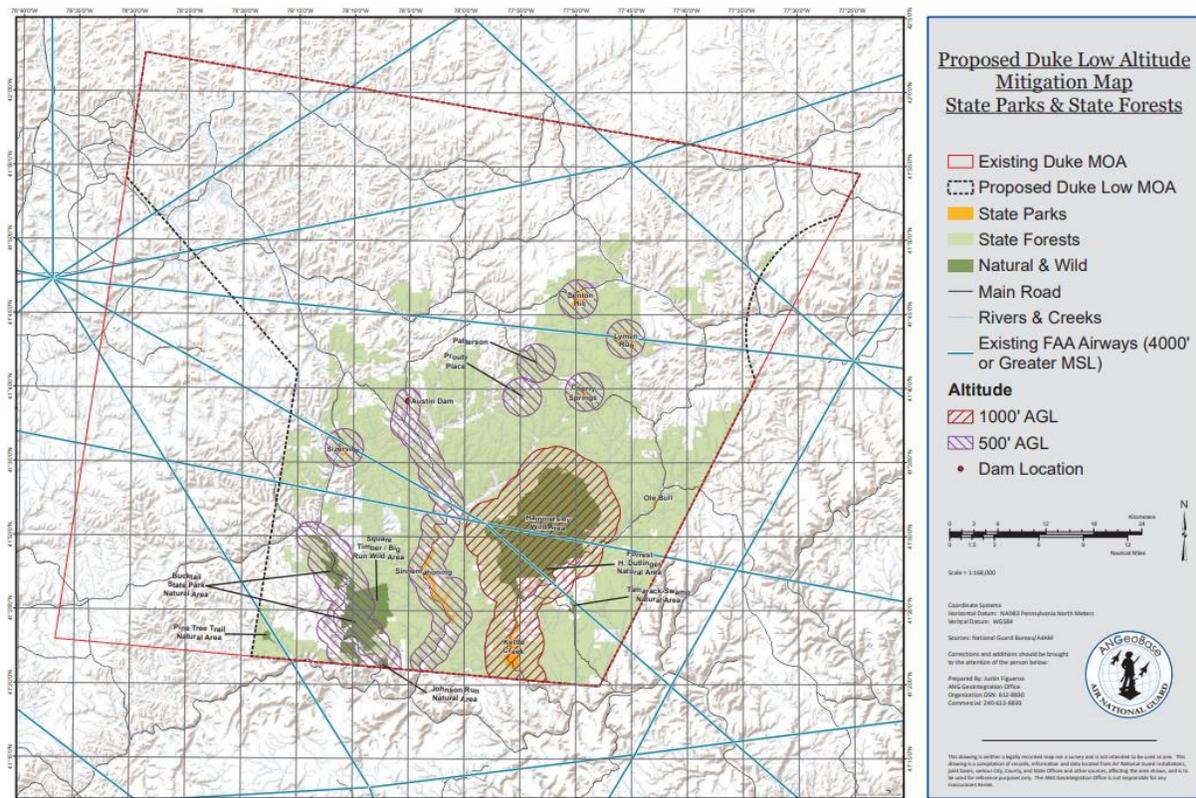
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training activity will be significantly closer (lower altitude) to residential areas, recreational areas, wildlife habitat and wilderness areas, state parks and forests, business operations (including dairy farms), etc.

An Environmental Impact Statement may be necessary to evaluate the full economic, community, and environmental impacts of this proposal. According to the ANG, if the environmental assessment shows the proposed action may have a significant impact that cannot be mitigated to less than significant, than an EIS must be prepared.

## ADDITIONAL RESOURCES

- [175<sup>th</sup> Wing Website](#)
- [Bullet Background Paper on Proposed Duke Low MOA](#)
- [Frequently Asked Questions](#)
- [What is the Environmental Policy Act \(Environmental Protection Agency\)](#)



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