



**DEPARTMENT OF THE AIR FORCE
AIR EDUCATION AND TRAINING COMMAND**

1 April 2024

Mr. Christopher P. Toale
Director, Community Initiatives Team
56th Fighter Wing
14185 West Falcon Street
Luke AFB AZ 85309-1629

Mr. Jose A. Macias
City of El Mirage Community & Development Services
10000 N. El Mirage Road
El Mirage AZ 85335

Re: CUP24-0204 Cactus Redi-Mix (APN: 501-45-018L)

Dear Mr. Macias

Thank you for the opportunity to provide comments on the conditional use permit application for Acoma Concrete/Cactus Redi-Mix. The request for a Conditional Use Permit (CUP) is for the operation of a concrete redi-mix free-standing batch plant and conveyor, with outdoor sand and gravel storage. The maximum height of the proposed batch plant would be 55-60 feet. The proposed location is approximately 3.18-acres generally near the southeast corner of El Mirage Road and Peoria Avenue in El Mirage, AZ. The parcel is located inside the Luke AFB 1988 JLUS 65Ldn "high noise or accident potential zone" as identified by A.R.S. § 28-8461 and is within the "territory in the vicinity of a military airport" also defined by A.R.S. § 28-8461.

We continually appreciate the opportunity to provide comments, acknowledging that we are not the approval authority. Given the location of this development project, we have identified actual and/or potential mission risks and hazards should the development encompass the following:

- a. Impairment of pilot's visibility – Any production that would release substances into the air that would impair visibility or otherwise interfere with operating aircraft such as: steam, dust or smoke. Maximum dust control measures should be applied at all times.
- b. Bird Strike Hazard – Construction ponds or standing water on the property increase the potential for the congregation of fowl which are a hazard to flight safety and therefore the community. Mitigation measures to detract fowl from congregating on the property are highly encouraged.

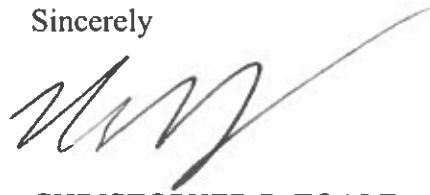
The risks and hazards as addressed above should be considered as further maturation of the development occurs and on through project completion.

Since the development will be located within the “territory in the vicinity of a military airport,” it will be subjected to approximately 170 over flights a day. We recommend you review the sound attenuation requirements found in A.R.S. § 28-8482. In addition, a strong notification program on the part of the applicant is essential to inform potential occupants about Luke AFB operations.

If applicable, it should be noted that certain investments and real estate transactions within the military installation footprint of Luke AFB may be subject to review by the Committee on Foreign Investment in the United States (CFIUS) to determine the effect of such transactions on the national security of the United States. The CFIUS regulations, Foreign Investment Risk Review Modernization Act of 2018 (FIRRMA) provisions, and related resources can be found on the Department of the Treasury’s website: <http://www.treasury.gov/cfius>.

If you have any questions, please contact Senior Planner, Ms. Jenn Rahn at (623) 856-9981.

Sincerely



For

CHRISTOPHER P. TOALE

cc:

Colonel Keagan L. McLeese, Deputy Commander, 56th Fighter Wing
Ms. Demetria Themistocles, General Law Attorney, 56th Fighter Wing