

**Resolution**  
**Burlington respectfully tells its tenant that F-35 basing**  
**will not be permitted at Burlington airport during first F-35 basing round**

Whereas, the City of Burlington owns the Burlington International Airport, is actively involved in its operation for commercial aircraft, and shares runways and other facilities with its tenant, the Vermont Air National Guard and the United States Air Force; and

Whereas, the Air Force is considering basing F-35 jets at the Burlington International Airport during its first round of operational basing; and

Whereas the citizens of Burlington are deeply divided about the wisdom of basing F-35s at the Burlington International Airport; and

Whereas planes based at the Burlington International Airport fly over the most dense population center of Vermont; and

Whereas the mishap and crash rate of these new planes will decline over time; and

Whereas the crash of an F-35 jet is likely to have a far greater impact than an F-16 crash due to the combustible composite plastic that makes up 42% of the airframe weight which produces a toxic, carcinogenic pollutants when burned; and

Whereas, as landowner, Burlington has authority to bar the basing of aircraft that cause injury to neighbors, and neither federal preemption nor state sovereign immunity would protect Burlington from liability if it fails to do so; and

Whereas, as landowner, the City of Burlington has responsibility, authority, and ability to avoid harms to people and property as well as avoid the enormous risk of liability to the City inherent in permitting F-35 first-round basing; and

Whereas, the Air Force did not provide satisfactory answers to questions included in the June 2012 Resolution adopted by the Burlington City Council regarding:

- Whether buyers will be able to receive federally guaranteed loans (FHA and VA)
- What kind of “special approvals” will be necessary in order to receive federally guaranteed loans
- What additional disclosures will sellers within the 65 DNL contour need to sign in order to sell their homes
- Whether any residents will be in the “Accident Potential Zone”
- Whether there will be any risk of hearing impairment for adults, children and infants due to F-35 training; and

Whereas, in view of severe negative impacts on Winooski described in the Air Force revised draft EIS, on July 12, 2013 the City Council of Winooski unanimously passed a resolution that

“formally requests that the Burlington Air Guard Station be removed from consideration of current basing of the F-35A.”

Whereas, in the Final EIS, the Air Force wrote that for the first basing round that is the subject of this resolution, "At this time, the Air Force anticipates that F-35s would start arriving at the basing locations in 2015" (page E1233); and

Whereas, the Air Force has to find bases for over 1500 F-35 aircraft as they are produced by Lockheed-Martin Corporation over many years, and, as was the case with previous fighter aircraft, there will be many more F-35 basing rounds after the first basing round, and in the case of the F-35, which leaves plenty of opportunity in future rounds after the F35 aircraft has been proven and the crash rate declined; and

Whereas, a decision by the City of Burlington to prevent F-35 basing during the first basing round leaves open the possibility of F-35 basing during any of these 30 future basing rounds and gives the Air Force the opportunity to actually answer the questions it so far has not satisfactorily answered;

**Now therefore be it resolved** that the City of Burlington, as owner of the lands at the Burlington International Airport that are used by the Vermont Air National Guard pursuant to leases and joint use agreements, will use its authority as landowner to block the basing of F-35 jets at its airport during the first basing round; and

**Be it further resolved** that the Office of the Clerk-Treasurer is directed to send a copy of this resolution and the attached memorandum to United States Secretary of Defense Chuck Hagel, United States Acting Air Force Secretary Eric Fanning, United States Air Force Secretary nominee Deborah Lee James, Chief of Staff of the Air Force Mark Welsh III, Vermont National Guard Adjutant General Major General Steve Cray, the Vermont Congressional Delegation, Governor Peter Shumlin, Chittenden County Senators, Burlington, South Burlington, Winooski, Williston, and Colchester Representatives, neighboring city councils, and to the Air Force personnel at Langley AFB that were seeking comment to the revised draft Environmental Impact Statement.