

UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

DALLAS/FORT WORTH INTERNATIONAL AIRPORT

FINAL ENVIRONMENTAL IMPACT STATEMENT FOR THE NORTHWEST
CORRIDOR LIGHT RAIL LINE TO IRVING/DFW AIRPORT

DALLAS COUNTY, TEXAS

RECORD OF DECISION

January 2009

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A. SECTION 1 – INTRODUCTION

This Record of Decision (ROD) provides Final Federal Aviation Administration (FAA) approval for the planned revisions to the Dallas/Fort Worth International Airport's (DFW) Airport Layout Plan (ALP) described in the Federal Transit Administration's (FTA) Final Environmental Impact Statement (EIS) for the Northwest Corridor Light Rail Transit (LRT) Line to Irving/DFW Preliminary Engineering. The FAA served as a cooperating agency for the development of this EIS.

The subject of this EIS is a 9.3 mile LRT project that extends northwest from the Bachman Station to the proposed Belt Line Station. Approximately 1.4 miles of the LRT line and the Belt Line Station would be located on DFW Airport property. This project is sponsored by the Dallas Area Rapid Transit (DART) Authority. The role of the FAA is limited to disclosing and evaluating the environmental consequences of the portion of the project located on airport property.

SECTION 2 – PROCEDURAL BACKGROUND

2.1 Federal Transit Agency Actions, NEPA Process, and Decisions

On May 11, 2005, in accordance with the requirements of the National Environmental Policy Act (NEPA), the FTA published a Federal Register notice of intent to prepare an environmental impact statement addressing the environmental consequences of the proposed Northwest Corridor LRT line to Irving and DFW Airport. The FTA was the lead agency, with FAA serving as a cooperating agency upon the December, 2005, request of FTA.

Public scoping hearings were held on March 10, 2005, and June 29, 2005, in Irving, Texas. An interagency scoping meeting was held on May 25, 2005, in Dallas, Texas. The FAA took an active role in development of the EIS, particularly in regard to those project components submitted to the DART project team that were associated with DFW International Airport. Comments were accepted during the scoping process from May 11, 2005, to July 1, 2005. A scoping report was released by DART and made available to the public in September, 2005. DART advertised the release of the report on its project website, and with individual email or postal mail to interested stakeholders and agencies.

The Draft EIS was released and circulated for public review on January 25, 2008. A notice of availability of the Draft EIS was published in the Federal Register on January 25, 2008. A public hearing was held on February 28, 2008, in Irving, Texas and comments on the Draft EIS were accepted until March 11, 2008. In addition, a website was established to facilitate public involvement in the NEPA process. The Draft EIS and information regarding the proposed actions and the NEPA process were published on the website at: <http://www.dart.org/about/expansion/orangeline.asp>. Public and agency comments and their associated responses are presented in Chapter 7 of the Final EIS.

On April 8, 2008, the DART Board of Directors identified the 9.3 mile LRT line as the preferred alternative for the Final EIS. The Final EIS was issued on August 1, 2008. A

notice of availability of the Final EIS was published in the Federal Register on September 26, 2008; in this notice FAA announced its adoption of the Final EIS. No comments bearing on FAA's decisions were received on the Final EIS.

The FTA issued its Record of Decision (ROD) for the Final EIS in September, 2008.

Ample opportunities were given for public and agency participation and comment throughout the EIS process.

2.2 FAA's Role as Cooperating Agency, FAA Action, and FAA ROD

The FTA is the lead Federal agency for the proposed actions. The FAA is a cooperating agency issuing a separate ROD for modifications at DFW Airport that are required to accommodate the proposed project. The FAA's proposed Federal action is approval of the revised ALP depicting the LRT station at Belt Line Road. The FAA's responsibility is to ensure the proposed alterations to land use and construction of the LRT station at DFW Airport do not adversely affect the safety, utility or efficiency of the airport, and to disclose, evaluate and mitigate, minimize or avoid potential adverse environmental impacts resulting from the LRT project.

This public Record of Decision is issued in accordance with the requirements of the Council on Environmental Quality (CEQ), 40 CFR 1505.2. The principal features include:

- A statement of the agency's decision;
- An identification of all the alternatives considered by the agency in reaching its decision, with a specification of the alternative that is considered to be environmentally preferable;
- The means adopted (mitigation measures) to avoid or minimize environmental harm from the alternative selected.

In reaching the FAA's determination, careful consideration has been given to:

- The aviation safety and operational objectives of the project in light of the various aeronautical factors and judgments presented;
- The anticipated environmental impacts of the proposed action and alternatives;
- Consideration of alternatives to the proposed action, including the environmentally preferred alternative; and
- Mitigation measures to minimize or avoid harm from the proposed action, including the means to monitor and enforce mitigation measures through conditions of approval set forth in the ROD.

Through this FAA ROD, the FAA approves the proposed revisions to the Dallas/Fort Worth International Airport's ALP that are associated with the proposed actions described above. These revisions are further described in the Final EIS; the anticipated changes to the ALP are best depicted in Figure 2-15.

Detailed descriptions and analyses of the Federal actions and proposed actions are provided in the Final Environmental Impact Statement, Northwest Corridor LRT to

Irving/DFW document.

The FAA's decision is based on the information contained in the Final EIS and all other applicable documents available to the FAA and considered by it, which constitute the administrative record. Based on this review, the FAA has determined that the locally preferred alternative is also the environmentally preferred alternative.

Making the required changes to DFW's ALP to reflect this project will be the responsibility of the Airport. Neither the FAA nor the airport shall be held responsible for funding of airport modifications resulting from implementation of the proposed project.

SECTION 3 – PURPOSE AND NEED

The purpose and need for the proposed Northwest Corridor rail line to DFW International Airport are discussed in Section 1 of the Final EIS.

Current and projected on-road travel patterns indicate that a significant burden will be placed on the region's transportation network in the coming years. Traffic volumes on area freeways have increased 5 -10% per year since 1995. These high volumes have resulted in a poor Level of Service (LOS) reflecting increasing congestion. The proposed Northwest Corridor rail line parallels State Highway (SH) 114, which is one of the most congested corridors in the region, and the entire study area has been identified by the North Central Texas Council of Governments (NCTCOG), the Metropolitan Planning Organization for the Dallas/Fort Worth metroplex, as an area of severe peak-period congestion by 2025. Regional demand for travel in this corridor is increasing, and additional capacity is needed to meet the demand.

The increase in traffic volumes and resultant increase in congestion causes travel delays for drivers as well as for on-road transit riders. The proposed Northwest Corridor rail line to DFW Airport is intended to reduce travel times in the corridor and increase transit effectiveness and connectivity. By offering an alternate to single-occupancy vehicles, the implementation of the Northwest Corridor rail line should result in more reliable transit performance in the corridor and will offer shorter travel times than the current all-bus transit network.

The need for a fixed guideway system in this corridor has been apparent in transportation planning documents since the early 1980s. The evolution and development of the project as it is currently proposed is detailed in Section 1.2 of the Final EIS.

DFW Airport is one of the world's busiest airports, handling nearly 2000 flights per day and serving 57 million passengers each year. Access to the airport is provided by SH 114 and SH 183, two of the most congested highways in the Dallas/Fort Worth area, and by DART bus service. Access to the airport will be improved with the implementation of this project.

SECTION 4 – PROPOSED AGENCY ACTIONS AND APPROVALS

The purpose of the FAA action in connection with the FTA's proposed implementation of

the Northwest Corridor rail line is to ensure the proposed alterations to the airport do not adversely affect the safety, utility, or efficiency of the airport. FAA action is necessary in connection with FTA's proposed rail project involving DFW Airport because, pursuant to 49 USC § 47107(a)(16), the FAA Administrator (under authority delegated from the Secretary of Transportation) must approve any revision or modification to an ALP before the revision or modification takes effect. The Administrator's approval includes a determination that the proposed alterations to the airport, reflected in the ALP revision, do not affect adversely the safety, utility, or efficiency of the airport. In this case, the DFW ALP will be updated to depict the LRT Belt Line station and portion of the rail line to be located on DFW Airport property.

Alternatives are described in Section 2 of the Final EIS, and further discussed in this ROD below.

This FAA ROD approves the required ALP revisions reflecting the proposed Northwest Corridor LRT line, including the Belt Line station, based on the analysis of the alternatives contained in the Final EIS.

SECTION 5 – ALTERNATIVES ANALYSIS

5.1 Alternatives Analyzed

Although prior processes have considered several options to address increasing congestion and transportation needs in this corridor, the Final EIS considers in detail two alternatives: the No-build Alternative and the LRT Alternative.

The No-Build Alternative includes committed transportation projects and bus service improvements that have a reasonable expectation of funding and are programmed for implementation in the area's long-range transportation plan, and is used as a basis for determining the potential environmental impacts that may be associated with the proposed LRT Alternative.

Under the No-Build Alternative, transit service coverage would expand as population and employment expanded, although increasing on-road traffic would decrease the reliability of bus transit.

The LRT Alternative, the proposed action, is a 9.3 mile light rail transit project derived from the locally preferred investment strategy. A portion of this proposed project (approximately 1.4 miles of rail track and a passenger station) is planned for implementation on DFW Airport property. An extension from the Belt Line station to the DFW Airport central terminal area will be evaluated at a later date and is not part of this Final EIS. The alternatives analyzed in the Final EIS included the No-Build Alternative and the LRT Alternative.

The LRT Alternative project parallels SH 114 from a junction with the Farmers Branch/Carrollton line near Bachman Station to the vicinity of Belt Line Road and Valley View Lane in Irving. Eight stations are proposed, terminating at the Belt Line Station, although two stations will be deferred for later development. The LRT Alternative would operate in a separate fixed guideway not subject to traffic congestion delays, thus

increasing the reliability of transit service and providing travel-time savings to passengers during peak demand hours.

Preliminary Engineering plan and profile drawings of the LRT Alternative are included in Appendix C of the Final EIS, and detailed transportation impacts are discussed in Section 4.

5.2 Preferred Alternative

The FTA identified the proposed action described in the Final EIS as the LRT Alternative as its preferred alternative. This decision was based on a comprehensive analysis contained in the Draft EIS, the Final EIS, and the comments of Federal, state, and local agencies, members of the public and elected officials. Selection of the LRT Alternative as the preferred alternative represented a balance of impacts, in which certain factors were weighed against others. In summary, the build alternative would allow the FTA to meet its mission requirements, while the no-build alternative would not.

Likewise, in connection with its decision to approve the proposed ALP revisions, the FAA considered the build and no-build alternatives for the improvements at DFW Airport, including the information from the *DFW International Airport Rail Planning and Implementation Study* (NCTCOG, 2002). This document is summarized in the Draft and Final versions of the EIS. The airport rail planning study was a multi-agency effort to determine the feasibility of providing a rail option to access the airport. The FAA determined that: (1) there would be no significant environmental impacts at DFW resulting from the build alternative; (2) the proposed LRT line and station would not interfere with the safe and efficient aeronautical operations at DFW; and (3) the enhanced access to DFW Airport is in the national interest. Accordingly, the FAA has determined that the build alternative, described in the Final EIS as the LRT Alternative, is its preferred alternative.

5.3 Environmentally-Preferred Alternative

In connection with its decision to approve the proposed ALP revisions, the FAA considered the environmental impacts from the Build and No-Build Alternatives for the improvements at DFW Airport. In summary, the environmental impacts of project implementation would be offset by mitigation and environmental monitoring program commitments. The FAA determined that (1) all practicable means to avoid or minimize environmental harm from the preferred alternative have been adopted; (2) there would be no significant environmental impacts resulting from the proposed LRT line and station at DFW Airport; (3) the proposed project would not jeopardize safe and efficient operations at DFW; and (4) enhanced access to DFW is in the national interest. Accordingly, the FAA has determined that the Build Alternative is the environmentally preferred alternative.

SECTION 6 - PUBLIC AND AGENCY INVOLVEMENT

In accordance with Federal regulations, the Draft EIS served as the public disclosure document for the proposed Northwest Corridor project by analyzing the potential environmental impact of the Build and No-Build Alternatives. It was made available to the general public and local, state and Federal agencies via placement in area libraries, distribution to individuals by request, and by posting on the internet. The availability of the Draft EIS was noticed in the *Federal Register* as well as in local newspapers on January 25, 2008. Public and agency involvement is presented in Section 7 of the Final EIS.

Significant outreach efforts were established in the development of this project, beginning with a pre-scoping meeting with stakeholders and the general public in March 2005 and formal agency and public scoping meetings following in May and June of 2005. Scoping is a process designed to inform the public, interest groups, and involved agencies about the proposed project, and to present the proposed actions, alternatives and issues for public and agency review. The goal of the scoping process is to encourage active participation early in the decision-making process.

A Staff Work Group (SWG) consisting of representatives of DART, FTA, DFW Airport, FAA, Texas Department of Transportation, City of Dallas and City of Irving, was developed during a related Major Investment Study (MIS) of the northwest corridor to assist in effective communication between DART and agency representatives at the local, state and Federal level. In addition, DART coordinated a weekly team meeting attended by representatives of DART, the City of Irving and the NCTCOG.

A Community Work Group (CWG) was also formed. CWG members were self-nominated at the project's initial scoping meeting for the related MIS process and included representation from communities, businesses and other stakeholder groups. From this process, it was decided that the existing Irving Citizens Advisory Committee (ICAC) would serve as the CWG specifically for the Northwest Corridor LRT project. The ICAC focuses on transportation issues and meets bi-monthly. It is open to any interested party.

Several public meetings were conducted by DART from 2004 to 2008, culminating in a public hearing on the Draft EIS in on February 28, 2008; details of these meetings can be found in Section 7 of the Final EIS.

In addition to the general public, several agencies were consulted during the EIS process, including:

- U.S. Army Corps of Engineers
- U.S. Bureau of Land Management
- U.S. Department of the Interior
- U.S. Environmental Protection Agency
- U.S. Fish and Wildlife Service
- Federal Emergency Management Agency
- Texas Historical Commission
- Texas Department of Transportation

- Texas Commission on Environmental Quality
- City of Irving
- City of Dallas

A complete list of agencies consulted is in Section 7.2 of the Final EIS. Draft and Final EIS recipients can be found in the Final EIS in Appendix A. Throughout the EIS process, the general public and agencies were given ample opportunity for input and comment. A summary of the comments received on the Draft EIS is available in Section 7.4.1 of the Final document. A complete list of public meeting dates and locations can be found in the Final EIS in Table 7-1.

SECTION 7 – COMMENTS ON THE FINAL EIS

No comments were received on the Final EIS.

SECTION 8 – IMPACT CATEGORIES, IMPACTS, AND MITIGATION MEASURES

8.1 Impact Categories

Both the build and no-build alternatives were analyzed in the EIS for impacts to the resource categories required by FAA Orders 1050.1E and 5050.4B. The eastern two-thirds of the proposed project is located largely within existing public right-of-way; consequently, there are limited environmental impacts due to the character of surrounding land use. The western third of the project is located in a combination of new right-of-way, reserved transportation right-of-way, or on DFW Airport property.

Impacts by resource category for both the Build and No-Build Alternatives are presented throughout Section 5 of the Final EIS, and are summarized in Table ES-1 of the Final EIS.

This Record of Decision is based on the impact associated with development on DFW Airport Property.

8.2 Impacts (Build Alternative)

The proposed LRT line and Belt Line station would be located on the eastern edge of DFW Airport property but would not penetrate the operational area. Table 5-24 in Section 5 of the Final EIS lists impacts associated with the portion of the project located on DFW Airport property. The only identified impact to the environment within DFW Airport property is to the floodplain associated with the South Fork of Hackberry Creek, which is also a potentially jurisdictional water. The project will cross this minor tributary with a culvert, and re-channel it for about 200 feet in an area outside the floodplain. The modifications will improve flow and capacity, but will not impact any wetlands or floodplains. The project will bridge over the floodplain which will necessitate the placement of columns in the floodplain. The project will be designed to ensure the integrity of the 100-year floodplain and will not result in an increase in either floodplain elevation or the velocity of floodwater. The minimal impacts to the floodplain will be mitigated to result in no impact. Prior to implementation, any required U.S Army Corps of Engineers (USACE) permits will be secured. The impact to jurisdictional waters and

floodplains will be mitigated; no adverse affects are anticipated.

The FAA analyzed potential effects on the Airport's Instrument Landing System in May, 2007. The resultant document is included in the Final EIS in Appendix E. This Math Modeling Study concludes that there will be no significant effect on the performance of the Runway 31 R localizer from the installation of power wires and rail cars on DFW Airport property.

Due to late discovery of a site historically used as a dairy near the proposed Belt Line Station on DFW Airport, possible impacts to this site were not addressed in the Draft or Final EIS. An archeological survey was subsequently performed and submitted to the Texas Historical Commission (THC) for evaluation. In a letter dated December 17, 2008, the THC concluded that the site is neither historically significant nor eligible for inclusion in the National Register of Historic Places.

8.3 Impacts (No-Build Alternative)

Under the No-Build Alternative, the insignificant impacts of the Build Alternative would be avoided. However, failure to build the proposed facilities would result in increased traffic congestion on the area's roadways and would limit accessibility of the DFW Airport.

8.4 Mitigation

As discussed above, the minimal impacts to the floodplain will be mitigated to result in no impact as a result of the final design. Since there are no jurisdictional wetlands on airport property, no adverse impacts to jurisdictional or non-jurisdictional wetlands would occur. FTA, through DART, will coordinate the final design with the USACE, FEMA and DFW Airport to ensure neither the 100-year base flood elevation nor floodwater velocity is increased as a result of re-channeling about 200 feet of a minor tributary (Water 16) and bridge support columns in the floodplain needed to construct a bridge over the water.

SECTION 9 - THE AGENCY FINDINGS

In accordance with applicable laws and FAA Order 5050.4A, Airport Environmental Handbook, par. 94b, the FAA makes the following independent determinations for this project, based upon all of the available information and data, which are contained in the Final EIS and the administrative record.

9.1 Adoption of the FEIS

CEQ regulations provide that an agency may adopt a Federal Draft or Final Environmental Impact Statement, or portion thereof, provided that the statement or portion thereof meets the standards for an adequate statement under CEQ regulations 49 CFR § 1506.3(a). If the actions covered by the original environmental impact statement and the proposed action are substantially the same, the agency adopting another agency's statement is not required to recirculate it except as a Final statement per 49 CFR § 1506.3(b). A cooperating agency may adopt without recirculating the

environmental impact statement of a lead agency when, after an independent review of the statement, the cooperating agency concludes that its comments and suggestions have been satisfied; see 49 CFR § 1506.3(c).

As a cooperating agency, the FAA has conducted an independent review of the Final EIS for the Northwest Corridor project, and our comments have been satisfied. We are adopting the Final EIS of the FTA on the Northwest Corridor LRT Line to Irving and DFW Airport project.

9.2 Conformance with 49 U.S.C. §47107 (Airport Improvement)

The FAA finds that approval of the revised Airport Layout Plan for DFW Airport, depicting the proposed changes described in the EIS, is consistent with the requirements of 49 USC § 47107(a)(16) and that the proposed alterations will not affect adversely the safety, utility, or efficiency of DFW.

9.3 Conformance with Executive Order 11990 (Avoidance and Minimization of Harm to Wetlands)

It is not anticipated that jurisdictional wetlands would be impacted by the proposed LRT line or station at DFW Airport. However, the final design will be coordinated with the USACE, and any mitigation measures necessary will be implemented in accord with permit requirements.

The FTA/DART recognize that all necessary USACE permits must be obtained prior to proceeding with any construction activities related to the Northwest Corridor project, including compliance with any requirements for mitigation imposed by the USACE, and will take all practicable measures to minimize, mitigate or avoid harm to wetlands that may result from this project.

The FAA concurs with FTA's determinations, and finds that the proposed actions are in compliance with Executive Order 11990, as amended.

SECTION 10 – MITIGATION AND COMMITMENTS

Although no significant impacts were identified in connection with the proposed LRT line or station on the DFW Airport property, some mitigation measures will be implemented as part of the design for work required in the area of a minor tributary (Water 16) discussed above in section 8.4 of this ROD. FTA, through DART, will coordinate the final design with the USACE, FEMA and DFW Airport to incorporate measures recommended by the two resource agencies and considerations of DFW Airport.

Accordingly, having considered (1) the policies set forth at 49 USC §§ 40104 and 47101; (2) the ability of the alternatives to meet the identified FTA purpose and need; and (3) the administrative record which concerns these development projects, the FAA hereby approves changes to the ALP for DFW Airport to allow the implementation of the preferred alternative as described, disclosed, and analyzed in the Final EIS, subject to the Conditions of Approval established in this FAA ROD and subject to commitments related to mitigation described in Section 10 of this ROD.

The FAA's approval of the preferred alternative in this FAA ROD signifies that the project meets FAA standards for agency approval. It does not however, signify an FAA commitment to provide financial support for this project. The funding commitment rests solely with the FTA.

The FTA/DART shall honor the following commitments regarding the proposed projects at DFW Airport:

- The FTA/DART shall not initiate construction activities on or near DFW Airport property until the FAA has completed aeronautical evaluations of the construction plan;
- The FTA/DART shall not initiate construction activities at DFW Airport in floodplain areas or potential U.S. Waters (Water 16 identified in Chapter 5 of the FEIS) until final design of the project for this portion of the work at DFW Airport is to the satisfaction of USACE, FEMA and DFW Airport.
- In the event that further cultural resources are discovered on DFW Airport property during construction, the FTA/DART shall ensure that activities cease in the immediate area and that the FAA and State Historic Preservation Officer are promptly notified.

SECTION 11 - CONDITIONS OF APPROVAL

This FAA ROD approves the changes to the DFW ALP in order to effect FTA's proposed actions necessary for implementation of the Build Alternative identified as the LRT Alternative in the Final EIS subject to commitments for mitigation described in Section 10 of this ROD. The FAA finds that all practical means to avoid or minimize environmental harm have been adopted through appropriate mitigation planning and the FTA commitments specified in Section 8 of this ROD.

SECTION 12 – DECISION AND ORDER

In the Final EIS and this ROD, the FTA and the FAA identified the proposed action as the environmentally preferred alternative. Having determined that the agencies' preferred alternative is the only reasonable and practicable alternative which meets the stated purpose and need, the remaining decision is whether to approve or not approve the agency actions necessary for implementation of the proposed action. Approval would signify that the FTA could proceed with the proposed development, subject to the Conditions of Approval discussed above. Not approving these agency actions would prevent the FTA from proceeding with development in a timely manner.

I have carefully considered the FAA's goals and objectives for the air transportation system, including safety considerations, and potential impacts to the environment as identified in the FTA's Final EIS. This process included evaluation of the purpose and need for the proposed action; alternative means to the proposed action, including the No-Build Alternative; environmental impacts of the proposed action and the alternatives; and mitigation necessary to avoid or minimize environmental impacts. After careful and thorough consideration of the facts contained herein and following consideration of the views of those Federal agencies having jurisdiction by law or special expertise with

respect to the environmental impacts described, the undersigned finds that the proposed Federal action is consistent with existing national environmental policies and objectives as set forth in section 101(a) of the National Environmental Policy Act.

Based upon the administrative record of this project, I find that the proposed FAA action is reasonably supported and should be approved, subject to commitments for mitigation described in Section 10 and 11 of this ROD.

I, therefore, direct that action be taken to carry out the approval of the revised Airport Layout Plan for DFW depicting the proposed changes described in the Final EIS, including:

- approximately 1.4 miles of railroad track for Light Rail Transit
- a passenger boarding station for the Light Rail Transit train
- associated support equipment for the LRT line and station.

This action is directed to be taken under the authority of 49 USC §§ 40104, 44502, 40113, 44701, 46110, and 49 USC, Chapter 471. This decision constitutes an order of the Administrator subject to review in the Circuit Court of Appeals in accordance with the provisions of 49 USC § 46110.



1 | 7 | 2009

FOR

Kelvin L. Solco
Manager, Airports Division
Southwest Region

Date

Right of Appeal

This order constitutes Final agency action under 49 USC § 46110. Any party to this proceeding having a substantial interest may appeal the order to the courts of appeals of the United States or the United States Court of Appeals for the District of Columbia upon petition, filed within 60 days after entry of this Order.