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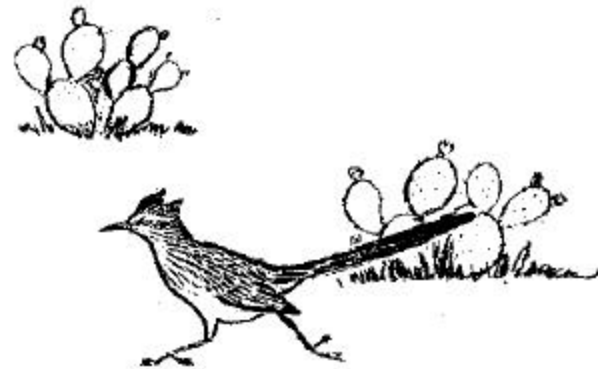
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PUBLIC'S GUIDE TO FEDERAL AVIATION ADMINISTRATION ENVIRONMENTAL REQUIREMENTS AND RESPONSIBILITIES



THE GREAT SOUTHWEST

**U.S. Department of Transportation
Federal Aviation Administration
Southwest Region
Airports Division**

PREFACE

National and worldwide interest in preserving the quality of our environment has increased significantly. Public concerns regarding potential environmental impacts resulting from the construction and expansion of airports have also increased significantly. The Federal Aviation Administration (FAA) is responsible for analyzing environmental impacts of any Federal action involving airports. This brochure has been prepared to provide the public with general information on Federal environmental requirements and responsibilities for Federally approved Airport Layout Plans (ALP) and funded airport development projects. Specific requirements are contained in agency policy and procedural guidelines.

LEGISLATION

In 1969, Congress passed the National Environmental Policy Act (NEPA). The purpose of this act is to establish a national policy for the environment, which protects the human environment and improves the quality of life. NEPA requires all Federal agencies to assess and disclose significant environmental impacts relating to Federal or Federally funded actions and develop measures to protect and enhance the environment.

The FAA is also guided by the provisions of the Clean Water Act, the Clean Air Act, the Noise Pollution and Abatement Act, the National Historic Preservation Act, the Endangered Species Act, the

Farmland Protection Policy Act, the guidelines of the Council for Environmental Quality (CEQ) and various Executive Orders, to cite but a few.

NEPA REQUIREMENTS AND FAA RESPONSIBILITIES

The FAA Airports Program is responsible for analyzing the environmental impacts of proposed Federal actions involving airports (e.g., ALP approval for construction of new airports, extension of runways, etc.) and to avoid or minimize negative environmental impacts that might occur from proposed Federal actions in ways which are consistent with the FAA's principal mission of promoting safe and efficient civil aviation.

ENVIRONMENTAL ACTION CHOICES

A Federal action may fall within one of three general environmental categories: a Categorical Exclusion (CE), an Environmental Assessment (EA), and an Environmental Impact Statement (EIS).

EAs and EISs are disclosure documents. A CE is a decision document as is a Finding of No Significant Impact (FONSI) and a Record of Decision (ROD). Both disclosure and decision documents must be prepared in accordance with the CEQ regulations.

Categorical Exclusion

A CE is a decision that the proposed action has no impact on the environment and does not require

review via an EA or EIS. The FAA Southwest Region has implemented a “CE-Proof” process that coordinates with the Corps of Engineers, U.S. Fish & Wildlife Service, the State Historic Preservation Officer and any other resource agency with a potential concern in an effort to substantiate a CE decision or determine the necessity for an EA.

Environmental Assessment

An EA is a document, which analyzes various environmental impacts and is used to determine whether any impacts are significant enough to warrant preparation of an EIS. When environmental impacts are found that cannot be mitigated below a level of significance, further analysis is required and an EIS is prepared. When no significant impacts are found, a FONSI is prepared.

Environmental Impact Statement

The EIS presents detailed analysis of various environmental impacts. The EIS process provides for full public disclosure of significant environmental impacts and practicable alternatives, which avoid or minimize adverse impacts.

Finding of No Significant Impact

A FONSI is a document prepared by the FAA following the preparation of an EA summarizing how a proposed action would not result in any significant environmental impacts. The FONSI, depending on the complexity of the proposed action, may range in

content from a simple conclusion (supported with pertinent facts that the action would not have a major impact to the environment) to a detailed summary of the most pertinent aspects of the EA in the decision-making process.

Record of Decision

The ROD is a comprehensive summary prepared by the FAA following an EIS that states the agency's decision regarding the project, the agency's evaluation, analysis of the environmentally preferred alternative, and includes any mitigation measures that are a condition of the approval of the EIS.

CONTENTS OF ENVIRONMENTAL DISCLOSURE DOCUMENTS

All EAs and EISs will contain, as a minimum, the following sections:

- Purpose and need for the proposed action,
- Alternatives, including the proposed action and doing nothing,
- Affected environment, (existing conditions), and
- Environmental impacts (the scientific and analytic basis of the study).

Specific impact categories analyzed in EAs and EISs include:

- Noise

- Compatible Land Use
- Social Impacts
- Induced Socioeconomic Impacts (including Environmental Justice)
- Air Quality
- Water Quality
- Section 4(f) (public lands, parks, etc.)
- Historic, Architectural, Archaeological and Cultural Resources
- Biotic Communities
- Threatened and Endangered Species
- Wetlands
- Floodplains
- Coastal Zone Management Program
- Coastal Barriers
- Wild and Scenic Rivers
- Prime and Unique Farmland
- Energy Supply and Natural Resources
- Light Emissions
- Solid Waste Impacts
- Construction Impacts
- Hazardous Wastes

EAs and EISs also analyze the cumulative impacts of a proposed project with other past, present, and reasonably foreseeable actions occurring in the vicinity.

THE ENVIRONMENTAL PROCESS

The typical Federal environmental process begins with the airport sponsor identifying a need (e.g., a need to increase capacity to accommodate aviation demand). Once the need has been identified, the

airport sponsor submits a proposal to resolve the problem (e.g., extension or construction of a runway). The airport sponsor prepares an EA and submits it to the FAA for review. The environmental assessment is also reviewed and commented upon by other Federal, state, and local governmental agencies. The public may also be involved in the review process. Upon completing its review, the FAA will federalize the document and determine whether the action requires preparation of a FONSI or an EIS. A FONSI is appropriate if the proposed action will not significantly affect any of the environmental impact categories analyzed. However, an EIS is required if there is the potential for significant environmental impacts.

The FAA is responsible for the development of an EIS. The FAA will solicit views and concerns from all interested parties such as federal, state, and local agencies as well as the public through a scoping process.

Once all issues of concern have been identified through scoping the FAA, in partnership with the airport sponsor, will prepare a draft EIS taking those concerns into consideration. The draft EIS is released to the public for further review and comment. A public hearing is also offered to gain additional input.

After public review and comment, a final EIS is developed. The final EIS addresses any remaining concerns and identifies the FAA's preferred alternative. Circulation of the final EIS provides

the FAA with an opportunity to address or resolve any remaining issues. The final EIS is used by the FAA decision-maker in deciding whether to proceed with the proposed action.

Public Participation

Public participation and input are strongly encouraged. Comments from individuals and community groups are considered in preparing all environmental documents. Environmental issues and concerns raised by the public which are applicable to the proposal are documented and included in EAs, FONSI, EISs and RODs. All interested or affected individuals are afforded the opportunity to express their views and concerns.

EAs and EISs can normally be reviewed at FAA regional and field offices, the airport's offices and other locations accessible to the public (typically local libraries or city hall).

Environmental Process Timeframe

Normally, an EA takes anywhere from 9 to 12 months. The process encompasses EA preparation, agencies' and public review and comment, and the final determination of either issuing a FONSI or doing an EIS. If a FONSI is appropriate, a project may typically begin immediately upon issuance of the Federal determination.

An EIS may take one to two years to complete depending on the complexity of issues. This process

involves solicitation of views to determine what issues should be included in the document, preparation of the draft EIS, agencies' and public review and comment, preparation and release of the final EIS, and the issuance of the ROD.

NEPA requires a minimum 45-day review period by the public and Federal agencies for draft EISs and a 30-day review period for final EISs. In any case, no Federal decision can be made by the FAA for a minimum of 90 days after the draft EIS is announced in the Federal Register. The project may begin upon issuance of the ROD.

Lifespan of an Environmental Document

All EAs and EISs are valid for a period of 3 years. If the project has not begun within the 3 year timeframe, a written reevaluation may be performed to ascertain if all discussions of impacts are still accurate. If the environmental document remains accurate, a determination may still be made or restated. If significant changes have occurred, the FAA will start the environmental process over.

The Approving Official

In the Southwest Region, the Manager of an Airports Development Office has the authority to approve a FONSI. The Assistant Administrator for Airports has approval authority for EISs that involve new airports in a metropolitan area, new runways, or major runway extensions at commercial service airports in metropolitan areas, or projects

that are opposed on environmental grounds by Federal, state, or local government agencies. However, approval authority can be delegated for such projects to the regional Airports Division Manager on a case-by-case basis.

In processing an environmental action, the approving official considers the environmental impacts of the various alternatives, including the preferred alternative and other nonenvironmental impacts such as economic and technical factors. In doing so, the approving official tries to achieve a balance between minimizing the extent of environmental impacts and providing a solution to a specific aviation problem (e.g., increasing capacity at airports). Approval of an environmental action does not assure Federal funding of the proposed project.

The lead agency or the agency responsible for preparing the FONSI or ROD is also responsible for implementing any mitigation plans and other conditions that are outlined in the EA or EIS.