

CHAPTER 3. COASTAL BARRIERS

1. **INTRODUCTION AND DEFINITION.** Barrier islands are geologically unstable formations and cannot support development. Yet, they protect the mainland by buffering storm or hurricane-driven winds or waves. As a result, these islands protect fish, wildlife, human life, and property along coasts and shorelines.

2. **APPLICABLE STATUTES AND IMPLEMENTING REGULATIONS.**

APPLICABLE STATUTES AND IMPLEMENTING REGULATIONS	SUMMARY DESCRIPTION	OVERSIGHT AGENCY
The Coastal Barrier Resources Act of 1982 (CBRA), as amended by the Coastal Barrier Improvement Act of 1990, 16 USC Sections 3501-3510.	Section 5 of this Act bans Federal agencies from providing financial support for almost all actions occurring on any unit of the Coastal Barrier Resource System. Section 6 provides minimal exceptions (48 Federal Register 37036). CBRA Advisory Guidelines provide more information (48 FR 45664 and 57 FR 52730).	U.S. Fish and Wildlife Service (FWS) or Federal Emergency Management Agency (FEMA)

Adapted from FAA Order 1050.1E, Appendix A, Section 3. For information about coral reefs, see Chapter 2 of this Desk Reference addressing biotic resources.

b. **The Coastal Barrier Resource System (CBRS).** The Department of the Interior (DOI), through the FWS and the National Park Service (NPS), develops and maintains maps entitled "Coastal Barrier Resource System." Barrier islands occur along all coastlines of the United States, but the longest, best defined chains occur along the coasts of the Atlantic Ocean, the Gulf of Mexico, and the Great Lakes. Contact regional FWS offices for maps dated October 24, 1990 (or later if the DOI Secretary revises them). FEMA regional office "Flood Insurance Maps" also show CBRS elements.

3. **APPLICABILITY TO AIRPORT DEVELOPMENT ACTIONS.**

a. **An action involving the CBRA.** Facilities built in the CBRS harm barrier island geology and ecology. They are prone to storm or hurricane damage. In passing the CBRA, Congress minimized the loss of human life by discouraging development in storm-prone, high-risk areas. In doing so, it also prevented impacts to ecologically fragile coastal barriers comprising the CBRS and stopped wasteful Federal funding for actions occurring on the islands comprising the CBRS.

(1) **Banned actions.** FWS identified examples of Federal program expenses and financial support not allowed within the CBRS. Financial assistance, including Federal expenditure and financial assistance for development within the CBRS, includes FAA grants for airport planning and development (48 FR 45664). Similarly, without specifically mentioning the FAA, financial assistance that is prohibited includes grants (57 FR 52730).

Banned actions further include approving Federal money to buy any road or airport (among other facilities) within the CBRS. Banned actions do not include financial support for environmental studies, planning, or assessments that FAA requires to comply with other requirements.

(2) Excepted actions. As noted in Section 2 of this chapter, Section 6 of the CBRA provides for exceptions to that Act. Section 6 allows Federal agencies to provide funding for navigational equipment (among other actions), but the expenditure must be consistent with the CBRA. Therefore, FAA may provide financial support to set up, operate, or maintain navigational aids and devices that are parts of the nation's air navigation system. Excepted actions include access to those aids or devices. FAA may also provide financial support for environmental studies or planning for those aids or devices to comply with FAA Orders 1050.1E or 5050.4B.

(3) Required consultation. As needed, the airport sponsor or responsible FAA official should review CBRS maps to determine if an action under consideration would occur within the CBRS. Consultation with FWS to determine if the action would involve the CBRS is prudent. However, before approving a request for a grant financing an excepted action, the responsible FAA official must ensure consultation with FWS or FEMA has occurred. Those agencies must be provided the opportunity to comment on the action before FAA makes a decision on the action. FWS will determine if the action is consistent with the CBRA.

(4) Actions not involving Federal financial support. The CBRA addresses Federal expenditures only. It does not appear to address Federal actions that do not involve expenditures. However, if a sponsor requests a Federal action that would not include Federal funding (e.g., Airport Layout Plan (ALP) approvals), ARP urges sponsors and responsible FAA officials to meet the requirements of this chapter. ARP recommends this approach to meet the spirit of the CBRA and promote environmental stewardship.

4. PERMITS, CERTIFICATIONS, AND APPROVALS. None required. If a sponsor proposes an action that would involve an element of the CBRS, the sponsor must provide proof of consultation with FWS.

5. ENVIRONMENTAL COMPLIANCE PROCEDURES – ENVIRONMENTAL ANALYSIS. To complete the analysis, the environmental document should contain the following information listed below.

- a. Unit identification.** Identify the CBRS unit where the excepted action would occur.
- b. Describe the action.** Describe the action and any alternatives so the reviewer understands clearly the proposed action and why it qualifies as an excepted action.
- c. Funding.** Provide the dollar amount and source of Federal funding for the proposed action.

d. **Risks.** Evaluate risks to coastal resources and human safety or property associated with the excepted action. Do this by providing the following information:

(1) **Risks to human safety.** Describe the risks to human safety that would result if a severe storm or hurricane struck the barrier island.

(2) **Risks to facilities.** Describe the storm or hurricane-induced damage risks to the facility that would be maintained, replaced, rebuilt, or repaired.

e. **Proof of consultation.** FAA environmental documents should contain information verifying that consultation with FWS or FEMA has occurred. The document should include FWS or FEMA recommendations that would prevent or reduce an excepted action's effects on the barrier island's ecology or measures needed to protect human life or property. The document should also contain a sponsor's commitment to carry out that mitigation.

6. **DETERMINING IMPACTS.** To avoid repeating information on impacts to coastal biotic life or historic, cultural, or recreational resources, refer the reader to those chapters of the environmental document that discuss the affected coastal resources in detail. Preparers should place a note in the environmental assessment's (EA) Coastal Barrier chapter telling the reader to review the chapters in the EA discussing the affected resources found on the coastal barrier.

7. DETERMINING IMPACT SIGNIFICANCE.

a. **General.** After consulting the appropriate FWS or FEMA office and completing the analyses discussed above, the responsible FAA official should use the significance threshold in column 1 of the following table. Consider factors in column 2 when determining if an action meets a threshold. The responsible FAA official should consider those factors in consultation with FWS or FEMA.

ORDER 1050.1E THRESHOLD	FACTORS TO CONSIDER
None.	<p>FAA Order 1050.1E, Appendix A, Section 3, does not provide a threshold. However, after consulting with the jurisdictional FWS or FEMA office, the responsible FAA official should determine if the proposed action would cause either of the following conditions:</p> <ul style="list-style-type: none"> • An unacceptable risk to human safety or property. • Adverse effects to the barrier’s environmental resources that cannot be satisfactorily mitigated.

From: Table 7-1, FAA Order 5050.4B.

b. Agency recommendations. During the environmental review process, FWS or FEMA will likely provide letters on coastal barrier impacts. Those letters may include recommended measures to mitigate those impacts. An appendix to the environmental document should include copies of those letters. The environmental document should summarize the most important information in those letters and accurately cross-reference the appendix and pages in that appendix for further information. If the sponsor or FAA does not adopt any recommended mitigation, the environmental document should explain clearly why the mitigation was not adopted.

8. ENVIRONMENTAL IMPACT STATEMENT CONTENT.

a. General. When a significant impact to coastal barrier resources would occur, FAA must prepare an EIS if mitigation will not reduce impacts below the significance threshold. The EIS should contain the information noted below as well as the applicable information discussed throughout this chapter. That information should address funding exceptions and consultation with FWS or FEMA. The EIS’s Coastal Barrier section should refer the reader to any significant impacts reported in other EIS sections specifically addressing affected resources found on the coastal barrier.

b. Mitigation. Describe proposed mitigation when FWS or FEMA provide that information. FAA should fully consider the mitigation and balance its benefits against those of the proposed action. Explain why the sponsor or FAA did not adopt any mitigation FWS or FEMA recommends. If feasible, provide an estimated schedule for undertaking accepted mitigation.