



REGIONAL GUIDANCE LETTER (RGL)— AIRPORTS DIVISION

- NUMBER:** 5050.25
- DATE:** December 23, 2009
- SUBJECT:** Documentation of Condensed Environmental Assessment (EA)
- REFERENCES:** [1] FAA Order 1050.1E (“Environmental Impacts: Policies and Procedures”)
[2] FAA Order 5050.4B (“National Environmental Policy Act (NEPA) Implementing Instructions for Airport Actions”)
[3] Policy & Procedures Memorandum 5050.15 (“Environmental References”)

IMPORTANT NOTE ON THE CURRENCY OF THIS REGIONAL POLICY

This RGL is based on current regulatory and policy considerations, which may change from time to time based on statutory changes and case law. Moreover, certain resource categories are affected by state laws as much as Federal. The FAA will make all reasonable efforts to keep this regional policy current. However, sponsors and their consultants are urged to verify the currency of referenced documents, particularly in cases where the FAA is not the designated oversight agency and/or the proposed project may impact the associated resource.

Background

The CEQ states that an EA is a “concise document” that takes a “hard look” at expected environmental effects of a proposed action. Depending on project scope and complexity, the EA should be no more than 15 pages. To achieve this page limit:

- a.** The EA should summarize the most important facts and conclusions surrounding the proposed action and its reasonable alternatives, if any.
- b.** The EA should incorporate by reference the correspondence, relevant data, inventories, assessments, appendices, or other technical documents supporting those facts and conclusions. All appendices and references must be available to anyone wishing to review them, unless another law prohibits disclosure of certain information or contains confidentiality provisions.

Purpose of an EA. FAA may prepare an EA on any action at any time to assist agency planning and decision making (40 CFR 1501.3(b)). The responsible FAA official uses the EA to meet the requirements of this Order and NEPA as the basis for recommending the issuance of a Finding of No Significant Impact (FONSI) or the preparation of an environmental impact statement (EIS). If the approving FAA official determines that an EIS is needed, the responsible FAA official may use the EA prepared for the proposed action as a source of information during FAA's preparation of an EIS for that action.

When to prepare an EA. An EA, at a minimum, must be prepared for a proposed action when the initial review of the proposed action indicates that:

- (1) It is not categorically excluded.
(see FAA Order 1050.1E, paragraphs 303 and 307-312);
- (2) It is normally categorically excluded but, in this instance, involves at least one extraordinary circumstance that may significantly impact the human environment
(see FAA Order 1050.1E, paragraph 304 and the applicable section in Appendix A);
- (3) The action is not one known normally to require an EIS.

Accordingly, it shall be the policy of the Airports Division, Great Lakes Region that any Airports District Office (ADO) reviewing Federal Actions for compliance with NEPA shall evaluate the applicability of using a condensed environmental assessment form contained in this RGL.

Actions Normally Requiring and Environmental Assessment (EA).

The following actions are examples of actions that normally require an EA. Some FAA projects involve actions by multiple FAA program offices. The overall significance of these actions, when viewed together, governs whether an EA or an EIS is required.

Federal financial participation in, or unconditional airport layout plan approval of, the following categories of airport actions:

- (1) New Airport location;
- (2) New runway;
- (3) Major runway extension;
- (4) Runway strengthening having the potential to increase off-airport noise impacts by DNL 1.5 dB or greater over noise sensitive land uses within the day-night level (DNL) 65 dB noise contour;
- (5) Construction or relocation of entrance or service road connections to public roads which substantially reduce the Level of Service rating of such public roads below the acceptable level determined by the appropriate transportation agency (i.e., a highway agency).
- (6) Land acquisition associated with any of the items in FAA Order 1050.1E, paragraph 401k(1) through 401k(5).

In order to properly use the Condensed EA Form, the sponsor or consultant must consult with the FAA before using, include proper documentation to support each of the findings and complete coordination with the appropriate Federal, State and local agencies as well as the public, if applicable.

This Condensed EA Form is designed to prompt consideration of the full range of environmental issues, regulatory processes, potential impacts, and extraordinary circumstances that must be considered before deciding to support a Finding of No Significant Impact. It is not intended to serve as the sole documentation in this decision. An indication of "Yes" on any single issue or factor is an indication that prompts the need for additional documentation before issuing a finding of no significant impact.

Under no circumstances does this RGL or the Condensed EA Form eliminate the need for full and proper documentation, agency coordination, any required Federal or state environmental or other permits, or full compliance with all applicable Federal and state laws, regulations and policies.

Planning Documentation

Before proceeding with any environmental review process, it is crucial that all associated planning be completed to the fullest extent possible. If the project plans or justification change after environmental review has begun, it could be necessary to restart the environmental review process.



Acting Airports Division Manager
Great Lakes Region