

**DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
EASTERN REGION**



**WRITTEN RE-EVALUATION AND RECORD OF DECISION
FOR THE ENVIRONMENTAL ASSESSMENT FOR THE
RUNWAY/TAXIWAY EXTENSION AND TERMINAL AREA DEVELOPMENT
PROJECT AT WATERTOWN INTERNATIONAL AIRPORT**

HOUNSFIELD, NEW YORK

MARCH 31, 2020

Introduction

In 2015, Jefferson County requested that the Federal Aviation Administration (FAA) approve the Airport Layout Plan (ALP) and provide federal assistance for the Runway/Taxiway Extension and Terminal Area Development Projects at Watertown International Airport (ART). The airport prepared and issued an Environmental Assessment (EA) and the FAA issued a Finding of No Significant Impact/Record of Decision (FONSI/ROD) approving such projects on August 25, 2015.

The 2015 EA analyzed the environmental impacts of several airport development projects, including fee acquisition of approximately 8.4 acres and avigation easement acquisition of approximately 112.5 acres across several identified parcels. Since the issuance of the FONSI/ROD, two parcels where avigation easements were to be acquired became subject to legal proceedings under the New York State Eminent Domain Procedure Law. This changed the land acquisition from avigation easement to land-in-fee for the 52.63-acre and 2.83-acre parcels off the departure end of Runway 28. In addition, the County decided to acquire newly-identified 5-acre parcel within the Runway 10 Departure Surface.

In response to the County's changes to the Proposed Action contained within the 2015 EA, the FAA reviewed the March 2020 Technical Report: *Watertown International Airport Land Acquisition*, which assessed the changes in potential impacts from those depicted in the 2015 EA and the 2015 FONSI/ROD. This Written Reevaluation and Record of Decision (WR/ROD) of the 2015 EA was prepared to evaluate the potential changes in environmental impacts associated with the changes to the proposed action discussed in the 2015 EA and to determine if a supplement to the 2015 EA should be prepared. This WR/ROD identifies the FAA's decision and the associated Federal Actions. The 2015 EA and FONSI/ROD and the Technical Report are incorporated by reference.

FAA Written Re-Evaluations

To ensure compliance with NEPA, the FAA evaluates the potential change in environmental impacts, regarding the proposed changes, in order to determine if a supplemental EA is required. This WR/ROD is based on guidance provided by FAA Environmental Orders 1050.1F and 5050.4B. Both orders reference re-evaluating NEPA documents when there are new circumstances or information relevant to environmental concerns that are presented after the FAA has issued an EA or Environmental Impact Statement (EIS).

The FAA orders, mentioned above, provide guidance for circumstances under which it is necessary to supplement an EA. FAA Order 1050.1F, paragraph 9-2 provides that when there are changes in the proposed action, or new information relevant to environmental concerns, the FAA may prepare a written re-evaluation that will either conclude the contents of previously prepared environmental documents remain valid or that significant changes require the preparation of a supplement of new EA.

FAA Order 1050.1F, paragraph 9-2(c) states "A new of supplemental EA or EIS need not be prepared if a written re-evaluation indicates that:

- (1) The proposed action conforms to plans or projects for which a prior EA and FONSI have been issued or a prior EIS has been filed and there are no substantial changes in the action that are relevant to environmental concerns;
- (2) Data and analyses contained in the previous EA and FONSI or EIS are still substantially valid and there are no significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts; and
- (3) Pertinent conditions and requirements of the prior approval have been, or will be, met in the current action.”

Per FAA Order 5050.4B, paragraph 1402(b): A supplement to the Final EA for a project is required if:

- “(1) The airport sponsor or FAA makes substantial changes in the proposed action that could affect the action’s environmental effects; or
- (2) Significant new changes, circumstances or information relevant to the proposed action, its affected environment, or its environmental impacts becomes available”

Background

The FAA issued a FONSI/ROD on August 25, 2015, which approved the following projects associated with Runway 28:

- 1) Construct 1,000 foot extension to Runway 28 and Parallel Taxiway “A” Extension with associated markings, edge lighting and drainage improvements;
- 2) Construct Taxiway “A” connector (400’X 50’), approximately 2,800 feet from the existing Runway 28 end, prior to the intersection of Runway 10-28 and Runway 7-25;
- 3) Upgrade Runway 10-28 runway lights to high intensity runway lights;
- 4) Relocation of Runway 28 PAPI and REILs 1,000 feet to the east on previously disturbed airport property on the left side of Runway 28;
- 5) Install ILS and MALSR Approach Lighting System to Runway 28;
- 6) Clearing Grubbing: 0.4 +/- acres of trees at the Runway 10 end Object Free Area (OFA); and 1.8 +/- acres trees at the Runway 28 end OFA, Obstruction Removal: 28.4 +/- acres to Runway 10 end Runway Protection Zones (RPZ) for Runway 10 approach end, and 28.6 +/- acres to the Runway 28 end RPZ for the Runway 28 approach end;
- 7) Fee acquisition of 0.4 +/- acres to the Runway end 10 OFA, and 8.0 +/- acres to the Runway 28 end OFA and relocation of the perimeter access road. Easement acquisition of 49.8 +/- acres to the Runway 10 RPZ for the Runway 10 approach end, and 62.7 +/- acres to the Runway 28 RPZ.
- 8) Remove 1,000 linear feet (LF) of existing 8’ fence, and install 1,800 LF of new 8’ fence, with 3 rows of barbed wire, around proposed runway 28 end; and
- 9) Construct perimeter access road around Runway 28 extension (2,500 LF x 15 LF).

The FONSI/ROD also approved the following airport projects:

- 1) Expand terminal building approximately 20,000 square feet, including installation of a self-contained (packaged) sanitary treatment plant on airport property in northwest corner along Route 12F;
- 2) Expand paved parking for approximately 300 vehicle parking spaces (passengers, car rental and employee);
- 3) Construct airport access road (3,000 LF x 24 LF) from Route 12F;
- 4) Expand general aviation apron 358,000 square feet;
- 5) Construct 75' x 60' snow removal equipment (SRE) building;
- 6) Construct (2) 60' x 60' conventional hangar;
- 7) Construct 10-bay T-hangar with taxilane;
- 8) Install above ground 100 LL fuel tank;
- 9) Improve Runway 10-28 Runway Safety Area (RSA) including grading 409,000 square feet (SF) and upgrading drainage;
- 10) Redesign and publication of new approach procedures to the Runway 28 end (<3/4-mile visibility minimum).

Description of the Changes to the Proposed Action

The land acquisitions have since undergone minor changes from the 2015 EA and FONSI/ROD. Two parcels of 52.63 acres and 2.83 acres off the departure end of Runway 28 have been changed from avigation easement to land-in-fee and the acquisition of a new 5-acre parcel has been included. The land will be acquired through a land-in-fee agreement and would provide the ability to maintain safety and security of the Runway 28 RPZ and to give the County the ability to remove obstructions within the Runway 10 departure surface. The basis for FAA's WR/ROD is the Technical Report prepared by Jefferson County. The Technical Report analyzes and compares potential impacts associated with the changes to the proposed action in comparison to the potential impacts of the projects approved in the 2015 EA. A copy of the Technical Report is located in Appendix A of this WR/ROD.

Proposed Agency Actions

The FAA actions involved in the implementation of the Proposed Action for the ART Runway/Taxiway Extension and Terminal Area Development include the following:

1. Unconditional Approval of the updated ALP to depict the Proposed Action, including changes to land acquisition at ART, pursuant to §47107(a)(16);
2. Determinations and approvals of the effects of this Proposed Action upon the safe and efficient utilization of navigable airspace pursuant to 49 U.S.C. § 40103(b), 49 U.S.C. §44718, and 14 C.F.R. Parts 77 and 157;
3. Approval for relocation, installation, and/or upgrade of various navigational aids;
4. Designation of controlled airspace and revised routing, including navigational aids and flight procedures (14 C.F.R. Part 71);
5. Maintaining continued close coordination with Jefferson County, and appropriate FAA program offices, as required, for safety during construction;

6. Determination under 49 U.S.C. § 47107 relating to the eligibility of the Proposed Action for federal funding under the Airport Improvement Program (AIP), and/or approval of an application to use Passenger Facility Charges (PFCs) under 49 U.S.C. §40117 (this WR/ROD does not determine eligibility or availability of potential funds);
7. Determination that Proposed Action conforms to FAA design criteria, federal regulations, and grant agreements (14 C.F.R. Parts 77, 150, 152);
8. Determination under 49 U.S.C. §§ 4010I(d)(1) and 47105(b)(3) as to whether the Proposed Action maintains and enhances safety and security, and meets applicable design and engineering standards set forth in FAA Advisory Circulars;
9. Determination under 49 U.S.C. § 44502(b) that the Proposed Action is reasonably necessary for use in air commerce or in the interests of national defense; and
10. Approval of appropriate amendments to the ART Airport Certification Manual (ACM), as required, pursuant to 49 U.S.C. § 44706.

Summary of Changes to Environmental Impacts and Mitigations

This section describes the affected environment and anticipated impacts associated with the Proposed Design Changes.

Affected Environment

The 2015 EA described the existing environment and conditions. The environmental setting has not changed since the 2015 EA

Environmental Consequences of the Proposed Action

The potential changes to impacts depicted in the 2015 EA associated with the changes to the Proposed Action are presented in Chapter 4 of the attached Technical Report. The impacts associated with the Proposed Action incorporating all changes to land acquisition are similar in nature to those impacts presented in the 2015 EA. Thus, impacts to all resources will remain essentially the same as those that were presented in the 2015 EA and FONSI/ROD.

Mitigation Measures

The changes to the Proposed Action analyzed in the Technical Report will not materially change the impacts as described in the 2015 EA. As no significant adverse impacts will result upon implementation of the Proposed Action incorporating all changes to land acquisition, no changes to the mitigation measures identified in the 2015 EA are proposed.

Public Involvement

Public Involvement activities were conducted in accordance NEPA, 42 U.S.C. §4321 et seq., and the CEQ regulations, 40 C.F.R. parts 1500-150, and are summarized below.

A Notice of Availability and Request for Comment for the Technical Report was made available to the public for 30 days, starting November 18, 2019, until December 17, 2019. The public

notice was published in the Watertown Daily Times newspaper. No public comments were received. More information regarding the public notice is made available in Appendix D of the Technical Report.

Conclusion

In response to Jefferson County's request, the FAA reviewed and analyzed the March 2020 Technical Report on Land Acquisition at ART. The Technical Report analyzed potential impacts associated with changes to the Proposed Action for the Runway/Taxiway Extension and Terminal Area Development in comparison to those depicted in the original 2015 EA and FONSI/ROD. Subsequent to this review and analysis, the FAA prepared this WR/ROD.

Based on FAA Order 1050.1F, paragraph 9-2(c), the FAA concludes that a new or supplemental EA need not be prepared; this WR/ROD indicates that:

“(1) The proposed action conforms to plans or projects for which a prior EA and FONSI have been issued and there are no substantial changes in the action that are relevant to environmental concerns;

(2) Data and analyses contained in the previous EA and FONSI are still substantially valid and there are no significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts; and

(3) Pertinent conditions and requirements of the prior approval have been, or will be, met in the current action.”

Based on FAA Order 5050.4B, paragraph 1402 b., FAA concludes that a supplement to the EA for this project is not required since the airport sponsor did not make substantial changes to the proposed action that could affect the action's environmental effects and there are no significant new changes, circumstances or information relevant to the proposed action, its affected environment, or its environmental impacts.

Therefore, as discussed above and in accordance with FAA Order 1050.1F, *Policies and Procedures for Assessing Environmental Impacts*, and FAA Order 5050.4B, *NEPA Implementing Instructions for Airport Actions*, preparation of a new or Supplemental EA is not required.

Federal Agency Findings

The 2015 EA and FONSI/ROD contained eight Federal Findings pertaining to the Runway/Taxiway Extension and Terminal Area Development Projects that were approved. Those findings were:

A: The Proposed Action is reasonably consistent with existing plans of public agencies for development of areas surrounding the airport. (49 U.S.C. §47106(a)(1));

B: The interest of the communities in or near where the Proposed Action may be located were given fair consideration. (49 U.S.C. §47106(b)(2));

C: The airport sponsor has taken, and will continue to take all necessary actions, including the adoption of zoning laws, to ensure the land uses in the airport vicinity are compatible with airport operations. (49 U.S.C. §47107(a)(10));

D: The FAA has given this Proposed Action the independent and objective evaluation required by the Council on Environmental Quality (40 C.F.R. Section 1506.5);

E: The Proposed Action conforms with requirements of the Clean Air Act (CAA) and its amendments (42 U.S.C. 7401-7671); its emissions are *dem minimis*, and a General Conformity Determination (40 C.F.R. Parts 51 and 93) is not required;

F: The FAA finds that the Proposed Action conforms to the Avoidance, Minimization, and/or Compensation of Harm to Wetlands in accordance with Executive Order 11990 and the Clean Water Act;

G: and the Proposed Action does not include a direct physical or constructive use of any resources protected under 49 U.S.C. §303(c) (Section 4(f) of the DOT Act), including any resources subject to the requirements of Section 106 of the National Historic Preservation Act; and

H: The Proposed Action does not result in any harm to Federal or state threatened and endangered species or their habitat, (Section 7(c) of the Endangered Species Act of 1974, U.S.C § 1531, as amended).

As this WR/ROD for the Proposed Action demonstrates, there are no substantial changes relevant to environmental concerns to the project that was the subject of the 2015 EA. Additionally, the proposed land acquisition changes do not result in any significant new circumstances or information relevant to environmental concerns. Therefore all eight Findings of the August 2015 FONSI/ROD remain valid.

Decision and Order

This WR/ROD was prepared pursuant to FAA Orders 1050.1F, *Environmental Impacts: Policies and Procedures*, and 5050.4B, *National Environmental Policy Act Implementing Instructions for Airport Actions*, Paragraph 1401. This WR/ROD along with the FAA's 2015 FONSI/ROD constitute the FAA's decisions with regard to the Runway/Taxiway Extension and Terminal Area Development Projects at ART. The FAA has independently evaluated the information contained in the 2015 EA and the March 2020 Technical Report and takes full responsibility for the scope and content that addresses the FAA actions.

I have carefully and thoroughly considered the facts contained in the 2015 EA and FONSI/ROD, the March 2020 Technical Report, and this Written Re-evaluation of the 2015 EA and FONSI/ROD. Based on that information, I find the proposed Federal Actions are consistent with existing national environmental policies and objectives of Section 101(a) of the *National Environmental Policy Act of 1969* (NEPA). I also find the proposed Federal Actions with the required mitigation as presented in the August 2015 EA and FONSI/ROD and the March 2020 Technical Report will not significantly affect the quality of the human environment or include any condition requiring any consultation pursuant to Section 102(2)(C) of NEPA.

Accordingly, pursuant to the authority delegated to me by the Administrator of the FAA, I find that the actions summarized in this WR/ROD are reasonably supported and approved. I hereby direct that action be taken together with the necessary related and collateral actions, to carry out the agency actions noted above. Specifically:

1. Unconditional Approval of the updated ALP to depict the Proposed Action, including changes to land acquisition at ART, pursuant to §47107(a)(16);
2. Determinations and approvals of the effects of this Proposed Action upon the safe and efficient utilization of navigable airspace pursuant to 49 U.S.C. § 40103(b), 49 U.S.C. §44718, and 14 C.F.R. Parts 77 and 157;
3. Approval for relocation, installation, and/or upgrade of various navigational aids;
4. Designation of controlled airspace and revised routing, including navigational aids and flight procedures (14 C.F.R. Part 71);
5. Maintaining continued close coordination with Jefferson County, and appropriate FAA program offices, as required, for safety during construction;
6. Determination under 49 U.S.C. § 47107 relating to the eligibility of the Proposed Action for federal funding under the Airport Improvement Program (AIP), and/or approval of an application to use Passenger Facility Charges (PFCs) under 49 U.S.C. §40117 (this WR/ROD does not determine eligibility or availability of potential funds);
7. Determination that Proposed Action conforms to FAA design criteria, federal regulations, and grant agreements (14 C.F.R. Parts 77, 150, 152);

8. Determination under 49 U.S.C. §§ 4010I(d)(1) and 47105(b)(3) as to whether the Proposed Action maintains and enhances safety and security, and meets applicable design and engineering standards set forth in FAA Advisory Circulars;
9. Determination under 49 U.S.C. § 44502(b) that the Proposed Action is reasonably necessary for use in air commerce or in the interests of national defense; and
10. Approval of appropriate amendments to the ART Airport Certification Manual (ACM), as required, pursuant to 49 U.S.C. § 44706.

Approved:

David Fish
Airports Division Manager
Federal Aviation Administration
Eastern Region

Date

Disapproved:

David Fish
Airports Division Manager
Federal Aviation Administration
Eastern Region

Date

Right of Appeal

This Written Re-evaluation/Record of Decision (WR/ROD) presents the Federal Aviation Administration's findings, final decision and approvals for the actions identified, including those taken under the provisions of Title 49 of the United States Code, Subtitle VII, Parts A and B. This decision constitutes a final order of the Administrator.

Any Party having substantial interest may appeal this order to the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business, upon petition filed within 60 days after entry of this order in accordance with 49 U.S.C § 46110.

Any party seeking to stay the implementation of this ROD must file an application with the FAA prior to seeking judicial relief, as provided in Rule 18(a) of the Federal Rules of Appellate Procedure.