

**DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
CENTRAL REGION
FINDING OF NO SIGNIFICANT IMPACT/RECORD OF DECISION**

**THE EASTERN IOWA AIRPORT
CEDAR RAPIDS, IOWA**

PURPOSE AND NEED:

The purpose is to reduce The Eastern Iowa Airport's revenue dependency on airline related activities by securing a release of certain airport property from the Federal Aviation Administration (FAA) from aeronautical use conditions, better facilitating development and increased long-term income diversification for the airport.

The project is needed as eighty-seven percent of the airport's existing revenue is fully dependent upon airline operations. Current federal land use conditions restrict economic development opportunities and revenue diversification.

If not addressed, the financial viability of the airport will remain overly-reliant upon airline revenue, posing a threat to the airport's long-term economic strength amidst airline industry uncertainty. The unaddressed condition also restricts the airport's overall revenue potential and subsequent capital for the ongoing improvement, maintenance and operation of the airport, as required by FAA standards and sponsor assurances.

The Sponsor intends to seek release of property from aeronautical use restrictions, allowing the property to be used for non-aeronautical purposes. As required by FAA Order 5190.6B, FAA Airport Compliance Manual, potential environmental impacts of releasing the property from aeronautical purposes will be assessed.

PROPOSED ACTION:

The Federal Action is providing environmental approval for the Proposed Action which consists of the following, as shown on the September 23, 2014, conditionally approved Airport Layout Plan (ALP) and as described in detail in the Environmental Assessment (EA). The action assumes the property will be developed for commercial and light-industrial uses. Since there is no actual development plan, a theoretical development was used to assess potential environmental impacts of future site development activities.

The theoretical development considered compatibility with current airport (aeronautical) function, surrounding land uses, and the City of Cedar Rapids zoning ordinance. The Sponsor will retain ownership of the property. The Sponsor's theoretical Proposed Action is depicted on Figure 1.4 of the EA (Theoretical Proposed Development Map).

The Sponsor's theoretical development plan to create additional airport revenues will occur through the following actions:

- Release of property from aeronautical use to non-aeronautical use
- Site grading for new development
- Construction of buildings, parking lots, storm water controls, and landscaping
- Mitigate wetland fill (if impacted through development process)

ALTERNATIVES CONSIDERED:

[Reword as necessary.] The following alternatives were considered:

- **The No Action Alternative:** Under the No Action Alternative, the portion of Airport property will remain reserved for future aeronautical uses. Farming of the land will continue until future construction of a third runway parallel to Runway 9/27 is necessary to provide increased airfield capacity.

The No Action Alternative does not meet the project purpose and need; however, in addition to being a Council on Environmental Quality/National Environmental Policy Act (CEQ/NEPA) requirement, it does serve as a baseline for a comparison of impacts to the preferred alternative and is therefore retained for analysis.

- **The Preferred Alternative:** As discussed above, the Proposed Action is for FAA to release a portion of the Airport property currently obligated for aeronautical use. The land release will allow non-aeronautical uses and will permit development of the property for commercial and light industrials uses. Lease agreements resulting from the development will reduce the Airports dependency on airline related revenue, increasing long-term income diversification and economic stability.

This alternative was selected as the Proposed Action because this alternative best meets the purpose and need, is feasible, and results in minimal environmental impacts.

- **Reasonable Alternatives** Airport development alternatives evaluated during the Master Plan Update (May 2014) included consideration of several goals to direct future expansion. These goals included accommodating the future needs of the City of Cedar Rapids and surrounding service area to support economic development activity, compatible land uses, and encouraging public and private investment in land and facilities.

The Master Plan Update evaluated alternatives including areas programmed for future non-aviation related development. The alternatives evaluation considered existing infrastructure and present condition and adequacy to accommodate future demand, as well as compliance with FAA design considerations.

All of the alternatives evaluated in the Master Plan Update identified the Proposed Action land area located to the north of the airport for future development of non-aviation related land uses. No other alternative locations on the airport property were identified as being able to provide adequate support of the theoretical development plan due to insufficient public roadways and infrastructure, vehicular access restrictions, and the amount of contiguous land acreage necessary to allow construction of the theoretical development plan. Due to the size and nature of the Proposed Action, no other reasonable alternatives meeting the purpose and need were identified.

PUBLIC OUTREACH:

The Environmental Assessment was made available for a 30-day public comment period with a notice of opportunity for public hearing published. No comments or requests for a public hearing were received.

ASSESSMENT:

The attached EA addressed the applicable environmental impact areas in accordance with Federal Aviation Administration (FAA) Orders 1050.1 and 5050.4 and analyzed the potential for significant impacts. The attached EA and any correspondence were reviewed by the FAA to determine whether each of the affected impact categories exceeded an established threshold of significance. The sponsor's Proposed Action will not significantly affect environmental resources as discussed and analyzed in the attached EA's Environmental Consequences section, which contains detailed discussions and analyses of all affected impact categories. Statements of consistency with community planning from state and local governments are highlighted in the attached EA. However, the most important environmental issues related to the proposed project are summarized in the following text:

Resources Not Affected: The No Action and Proposed Action would not affect the following resource categories:

- Coastal Resources
- Department of Transportation Act, Section 4(f)

Air Quality: The Proposed Action is not anticipated to have a significant impact on this resource.

Biological Resources: Lists of protected species of flora and fauna were analyzed. Surveys were conducted and no applicable habitat or species were found.

Listed species that are known to occur near the project area include the northern long-eared bat (*Myotis septentrionalis*). The FAA made a determination may affect, but not likely to adversely affect (NLAA) determination for the northern long-eared bat. The determination was based on minimal impacts to suitable roosting habitat and

implementation of winter clearing as a conservation measure (September 30 through April 1). Based on the avoidance and mitigation measures outlined above, the Proposed Action would have no significant impact on biological resources.

Climate: Combustion of fossil fuels associated with the built development will vary depending on the type of facilities constructed and operated at the proposed development. Increases in fossil fuel combustion are anticipated from employee and passenger vehicles, freight trucks, and potential emissions from the facility buildings.

As discussed in Section 4.3 of the EA, facilities constructed in connection with the Proposed Action may require an air permit from the Linn County Health Department, Air Quality Division. At this time, the FAA has not established a significance threshold for GHG emissions. The Proposed Action is not anticipated to have a significant impact on this resource.

Farmlands: Development of the Proposed Action would result in farmland being converted for nonagricultural purposes. The total score on Form AD-1006, Farmland Conversion Impact Rating, is 156 which falls below the 160 threshold requiring further consideration of alternatives that would avoid this loss. The Proposed Action would have no significant impact on this resource.

Hazardous Materials, Solid Waste, and Pollution Prevention: No hazardous materials are located within the affected area.

Commercial or light industrial facilities would generate solid wastes and may require discharge permits for industrial wastewater and storm water. Solid waste generators in Iowa are regulated by the Iowa Department of Natural Resources and the Environmental Protection Agency Region 7. The Cedar Rapids Linn County Solid Waste Agency is a permitted landfill with authority and capacity to receive solid wastes generated by the commercial and light industrial businesses. Industrial wastewater discharges would require permit agreements with the City of Cedar Rapids Water Pollution Control wastewater treatment plant. Where applicable, storm water discharges associated with an industrial activity would require permit coverage and compliance with the Iowa NPDES program.

The Proposed Action will not have a significant impact on this resource.

Historic, Architectural, Archeological or Cultural Resources: A Phase I Cultural Resource Investigation was completed. No impacts to historical, architectural, archaeological, and cultural resources were found. A No Historic Properties Affected finding was issued by FAA. No mitigation measures will be required.

Five Tribes were invited to participate as consulting parties. One tribe responded that the proposed project will not adversely affect any known archeological, historical, or sacred sites and/or properties of cultural significance. Four tribes did not respond.

Land Use: The Proposed Action will not result in significant impact on land use compatibility. The proposed development is consistent with existing and planned land uses in the vicinity of the Airport. Development of the proposed project aligns with the community development plans. The City of Cedar Rapids supports future development of the area and is willing to facilitate changes in zoning as required to meet future development plans.

Natural Resources and Energy Supply: No significant impacts to energy generation or natural resources in short supply are anticipated under the Proposed Action.

Noise and Compatible Land Use: Surrounding land use is primarily agricultural and not considered noise sensitive. No significant impacts to noise or noise-compatible land use would be anticipated from development of the Proposed Action.

Socioeconomic, Environmental Justice, and Children's Environmental Health and Safety Risks:

This project does not involve relocation of people and/or businesses.

The no action alternative will not address the purpose of reducing the Airport's revenue dependency on airline related activities and allowing development of the land to increase long-term revenue diversification and economic stability for the airport and surrounding community.

The Proposed Action will provide revenue diversification and stability for the Airport and long-term positive impacts would include facilitating economic and business development, increased employment opportunities, increased community tax base, and enhancement of the surrounding roadways and transportation networks.

The Proposed Action would not have significant negative impacts on socioeconomics, environmental justice, and children's environmental health and safety.

Visual Effects: Plans for site development will require review and approval through the City's development plan approval process to ensure compliance local zoning and ordinances. With consideration of the visual context of adjoining and surrounding land uses, development of the Proposed Action will be compatible with existing characteristics of the vicinity. The Proposed Action will not have a significant impact on this resource.

Water Resources: The area of the Proposed Action contains 27.92 acres of wetlands and approximately 3,101 lineal feet of Waters of the United States (WUS). The majority of the wetlands and WUS are located on the northeast portion of the area. On February 8, 2017, the USACE issued an Approved Jurisdictional Determination (JD) identifying the presence of wetlands and WUS within the Proposed Action area.

There are no wild and scenic rivers or floodplains in the area of the Proposed Action.

Future project designs will be developed in a manner to avoid the discharge of

dredged or fill materials into the identified Waters of the United States. No significant impact to wetlands or Waters of the U.S. will result from the Proposed Action.

MITIGATION MEASURES:

Conceptual mitigation measures that are part of the sponsor's preferred alternative are discussed in the attached EA's Mitigation section, which explains why the preferred alternative will not cause significant environmental impacts. If the sponsor undertakes the project, the sponsor must complete the mitigation measures as described in the attached EA and as summarized in the following text:

Air Quality: Use best management practices to mitigate any potential construction impacts to air quality. Obtain construction and/or operating permits for portable equipment and processing plants. Follow State requirements on open burning, fugitive dust, and opacity (visible omissions) in Iowa Administrative Code 567 - Ch. 23.2, 23.3(2)"c", and 23.3(2)"d" respectively.

Take reasonable precautions to prevent the discharge of visible emissions of fugitive dusts (per Iowa Administrative Code 567-23.3(2)"c") beyond the lot line of property during construction, alteration, repairing, or demolishing of buildings, bridges, or other vertical structures or haul roads.

Construction and operation of commercial and light industrial facilities may result in air emissions requiring a permit. Air permits are administered by the Linn County Health Department, Air Quality Division. Depending on the type of operation, new facilities constructed under the Proposed Action may be required to apply for permit coverage and must be designed to meet emission standards and not result in a violation of ambient air quality standards.

Biological Resources: Before construction, verify that no new species were added to the Threatened and Endangered Species list. If species were added, re-coordinate with USFWS and Iowa Department of Natural Resources (IDNR).

Seasonal restriction on tree cutting: The northern long-eared bat 4(d) rule prohibits incidental take that may occur from tree removal activities within 150 feet of a known occupied maternity roost tree during the pup season (June 1 to July 31) or within a 1/4 mile of a hibernation site, year round.

If tree removal plans are modified or tree clearing cannot be completed during these dates, conduct a survey per USFWS and contact the USFWS for further consultation.

Avoid future development impact to the potential prairie remnant. Incorporate into project designs to protect suitable habitat for the prairie bush clover and western prairie fringed orchid. If avoidance is not possible, additional studies are to be performed to evaluate if these species are present within the area and mitigation requirements.

Build detention basins to allow a maximum 48-hour detention period for the design storm and remain totally dry between rainfalls. Where constant flow of water is anticipated or where any portion of the basin bottom may remain wet, include a concrete or paved pad and/or ditch/swale in the bottom to prevent vegetation that may provide nesting habitat. To facilitate the control of hazardous wildlife, use steep-sided, rip-rap lined, narrow, linearly-shaped basins. Eliminate all vegetation in or around the basin that provide food or cover for wildlife. See FAA Advisory Circular (AC) 150/5200-33 for more details.

While no longer listed as threatened or endangered, the bald eagle remains protected under the Bald Eagle Protection Act as is listed as a special concern in Iowa. If a bald eagle nest is located within or adjacent to the project area, follow USFWS National Bald Eagle Guidelines to protect eggs and nests.

The Migratory Bird Treaty Act (MBTA) applies to Federal agency actions. The MBTA prohibits the taking, killing, possession, and transportation (among other actions) of migratory birds, their eggs, parts, and nests, except when specifically permitted by regulations. Work closely with US Fish and Wildlife Service biologists to identify available protective measures prior to/during construction activities.

Avoid clearing or grubbing of migratory bird nesting habitat during the nesting season from April 1 to July 15. If clearing, grubbing, or tree trimming takes place during this period, conduct a field survey of the affected habitats and structures to determine the presence of active nests. Immediately contact the USFWS for further guidance if a field survey identifies the existence of one or more active bird nests that cannot be avoided temporally or spatially by the project.

Climate: Facilities constructed in connection with the Proposed Action may require an air permit from the Linn County Health Department, Air Quality Division.

Farmlands: Use best management practices to preserve and mitigate any potential impacts to farmlands. Use mitigation recommended by the Natural Resources Conservation Service (NRCS). Use NCRS Code 342 Critical Area Practice for seeding on all disturbed areas to establish permanent vegetation and to control erosion.

Historic, Architectural, Archeological or Cultural Resources: If construction work uncovers buried archeological materials, cease work in the area of discovery and immediately notify the State Historic Preservation Office (SHPO) and the FAA. The FAA will contact concerned tribes.

Land Use: The Sponsor Land Use Letter provided in the EA states that appropriate action, including the adoption of zoning laws, has been or will be taken, to the extent reasonable, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including the landing and takeoff of aircraft. This applies to both existing and planned land uses.

Socioeconomic, Environmental Justice, and Children’s Environmental Health and Safety Risks:

Employ best management practices (BMPs) to restrict children from the construction site, which may include the posting of signs around the construction site, prohibiting access, fencing, warnings posted around areas of open excavation, and site policing.

Water Resources:

Surface and Ground Water: Design storm water detention areas per FAA Advisory Circulars 150/5320-5C, *Surface Drainage Design and 150/5200-33B, Hazardous Wildlife Attractants On or Near Airports* for a maximum 48 hour detention and to remain dry between storm events.

Use best management practices to minimize impacts to water quality during construction. Since construction activities will disturb more than 1 acre, obtain a National Pollutant Discharge Elimination System (NPDES) permit prior to construction. Apply to the Iowa Department of Natural Resources (IDNR) for the permit.

The IDNR has also developed guidance to minimize impacts within watersheds. Within the design and construction phase, make reference to the *Iowa Stormwater Management Manual* and *Iowa Construction Site Erosion Control Manual*. Also include reference to Chapter 7, Erosion and Sediment Control-Statewide Urban Design and Specifications (SUDAS) Manual.

Wetlands: With the identified wetland areas, mitigation measures are required during construction. Incorporate project design standards and implement Best Management Practices.

In the event that avoidance is not possible, Department of the Army, Section 404 permitting, and mitigation will be completed in accordance with all applicable local, state, and federal regulatory requirements.

Construction Impacts: Temporary environmental impacts may occur as a result of construction activities. Use Best Management Practices (BMPs) to minimize impacts. Incorporate in project design specifications recommendations established in FAA Advisory Circular 150/5370-10, Standards for Specifying Construction of Airports, Item P-156, Temporary Air and Water Pollution, Soil Erosion and Siltation Control.

APPROVING FAA OFFICIAL'S STATEMENT OF ENVIRONMENTAL FINDING:

I have carefully and thoroughly considered the facts contained in the attached EA. Based on that information, I find the proposed Federal action is 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 action with the required mitigation referenced above 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. As a result, FAA will not prepare an EIS for this action.

DECISION AND ORDER:

This decision constitutes the Federal approval for the actions identified above and any subsequent actions approving a grant of Federal funds for the project. This decision document is an order subject to the exclusive judicial review under 49 USC 46110 by the U.S. Circuit Court of Appeals for the circuit in which the person contesting the decision lives or has a principal place of business.

APPROVED:  8/21/17
Manager, FAA Airports Division Date

DISAPPROVED: _____
Manager, FAA Airports Division Date

