

Updates on FAA Order 1050.1F



Federal Aviation
Administration

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Agenda

- **Communicate FAA Order 1050.1 Updates**
 - Educate attendees on the changes to FAA Order 1050.1



Federal Aviation
Administration

Overview of NEPA Orders



Introduction

Purpose of FAA Order 1050.1F

- Provides FAA NEPA requirements and implementing procedures
- Supplements NEPA and CEQ Regulations
- Defines basic terms



Introduction

Purpose of the Desk Reference

- **Desk Reference complements FAA Order 1050.1F**
 - Provides explanatory guidance for environmental impact analysis performed to comply with NEPA
 - Incorporates and expands the information contained in Appendix A of Order 1050.1E
 - Helps integrate applicable special purpose laws
 - Can be easily updated because it is a separate document



Introduction

FAA Order 1050.1F Updates

- **FAA 1050.1F is divided into 11 chapters**
 - Reorganized content to be clear and concise
 - Numbering and structure follows Order 1320.1, *FAA Directives Management*
 - Consistent with FAA's plain language guidelines in Order 1000.36, *FAA Writing Standards "Writing User-Friendly Documents: A Handbook for FAA Drafters"*
 - Language no longer includes **shall** but uses **should** or **must**



Order 1050.1E		Order 1050.1F	
Chapter	Contents	Chapter	Contents
Chapter 1	General	Chapter 1	General
Chapter 2	NEPA Planning	Chapter 2	NEPA Planning & Integration
Chapter 3	Advisory, Emergency, & CATEX	Chapter 3	Levels of NEPA Review
Chapter 4	Environmental Assessments	Chapter 4	Impact Categories, Significance & Mitigation
Chapter 5	Environmental Impact Statements	Chapter 5	Categorical Exclusions
Appendix A	Analysis of Environmental Impact Categories	Chapter 6	Environmental Assessments & FONSI
		Chapter 7	Environmental Impact Statements & RODs
		Chapter 8	FAA Actions Subject to Special Procedures
		Chapter 9	Time Limits, Written Re-evaluations, Supplemental NEPA Documents
		Chapter 10	Review and Approval of NEPA Documents
		Appendix B	FAA Requirements [Noise & Section 4(f)]
		Separate Desk Reference	Impact Categories Analysis

Chapter 2: NEPA Planning/Integration

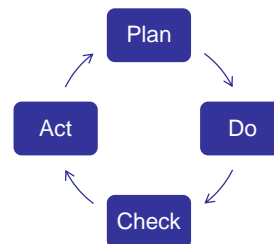
EMS Integration/Approach

- **EMS Framework**

- Provides the organizing framework for NEPA efforts
- Plan Do Check Act

- **EMS Data**

- Provides input to NEPA documents:
 - Affected environment
 - Potential impacts
 - Mitigation measures



- **Action with Mitigation**



- EMS can help monitor whether the mitigation has been successful, thus providing data to future similar projects



Chapter 3: Levels of NEPA Review

Programmatic NEPA Documents and Tiering

- **Order 1050.1F Updates**
 - Adds discussion of programmatic documents and tiering
- **Use of Programmatic NEPA Documents/Tiering**
 - Reduces/eliminates redundant and duplicative analyses
 - How to effectively address cumulative effects

Tier	Study Area	Focus
Tier 1: Programmatic Document		Broad program actions or general plans for an area where subsequent actions will take place
Tier 2: Tiered Document		Leverages research and analysis from the PEIS as project details are designed and projects are ripe for decision

Incorporates by reference



Environmental Impact Categories





-  Considers GHGs and climate change
- Integrates construction impacts and secondary impacts with individual impact category discussions
- Water Resources combines Floodplains, Surface and Ground Water, and Wetlands.

Exhibit I-1. Location of Impact Category Discussion in this Desk Reference

Chapter	Impact Category
1	Air Quality
2	Biological Resources
3	Climate 
4	Coastal Resources
5	Department of Transportation Act, Section 4(f)
6	Farmlands
7	Hazardous Materials, Solid Waste, and Pollution Prevention
8	Historical, Architectural, Archeological, and Cultural Resources
9	Land Use 
10	Natural Resources and Energy Supply
11	Noise and Noise-Compatible Land Use
12	Socioeconomics, Environmental Justice, and Children's Environmental Health and Safety Risks
13	Visual Effects
14	Water Resources 
15	Cumulative Impacts
16	Irreversible and Irretrievable Commitment of Resources



Chapter 4: Impact Categories

Significance and Significance Thresholds

- **Significance Thresholds**

- Actions that require an EIS

- **Factors to Consider**

- Factors that could be considered significant depending on context and intensity
- Not an exhaustive list; other things may trigger significance

How to Consider Significant Impact

- *Use of the 1050.1F Desk Reference*
- *Consultation with AEE and AGC*



Chapter 4: Impact Categories

Consideration and Analysis of Impacts

- **Relevance of an Impact Category**

- Addressing non-relevant impact categories
 - *e.g., Write-up to address the limited wetlands analysis related to hangar construction at an existing airport with no wetlands present*
- Discussing impacts in proportion to significance
 - *e.g., Detailed analysis and discussion included in the EA for an airspace re-design project*



Chapter 4: Impact Categories

New Appendix B

- **New Appendix B of Order 1050.1F contains**
 - FAA requirements for Noise and Noise-Compatible Land Use
 - FAA requirements for Section 4(f) of the DOT Act
- **Requirements are discussed further in the Desk Reference**



Chapter 4: Mitigation & Monitoring

Order 1050.1F Updates

- **Updates FAA policy to be consistent with CEQ guidance**
 - Mitigation incorporated in project design
 - Mitigation as a condition of approval
 - Use of a mitigated FONSI
- **Clarifies which projects warrant monitoring and the extent of monitoring required**



Chapter 4: Mitigation & Monitoring

Implementation and Effectiveness

- **Monitoring**
 - Determine when monitoring is required
 - Develop a monitoring program
 - Implement mitigation commitments
 - Determine the level of monitoring required
- **Implementation and Effectiveness**
 - Measures being implemented?
 - Producing the expected outcomes?



Chapter 5: Categorical Exclusions

Extraordinary Circumstances

- **Extraordinary circumstances exist when the proposed action**
 - Involves any of the circumstances described in Subparagraph 5-2.b of the Order; and
 - May have a significant impact
- **Circumstances listed are evaluated for their potential for significance**
- **Permit requirements do not necessarily preclude the use of a CATEX**



Chapter 5: Categorical Exclusions

CATEX Documentation Requirements

- **Order 1050.1F clarifies if and to what level of documentation is needed**
 - Simple document to file to indicate CATEX is being used
 - Lists actions that normally do not individually or cumulatively have a significant effect
 - Actions for which there is no reasonable expectation of any change in use or other change that could cause an environmental impact are designated with an asterisk (*) (Paragraph 5-6)
 - Additional documentation needs
- **Tailored to the type of action involved and potential for extraordinary circumstances**



Bad Example: Documented CATEX



Chapter 5: Levels of NEPA Review

Categorically Excluded Actions

- **FAA Order 1050.1F Updates**

- Adds a few new CATEXs and revised several existing CATEXs
- Includes the 2 legislative CATEXs
- List of CATEXs (Paragraph 5-6)

New	Modified
ARP: 4	ARP: 4
ATO-Tech Ops: 2	ATO-Tech Ops: 0
ATO-Mission Support Services : 1	ATO-Mission Support Services: 0



Chapter 5: Categorical Exclusions

New CATEXs

- **5-6.3.i. Approval of an Airport Layout Plan (ALP), Federal financial assistance for, or FAA projects for: the installation of solar or wind-powered energy equipment, provided the installation does not involve more than three total acres of land (including the land needed for easements and rights-of-way associated with building and installing the equipment, and any trenching and cabling that would connect the installed solar or wind equipment to other parts of the airport or an existing electrical grid) and would not have the potential to cause significant impacts on bird or bat populations. Construction contracts or leases for this equipment must include requirements to control dust, sedimentation, storm water, and accidental spills.**



Chapter 5: Categorical Exclusions

New CATEXs

- 5-6.4.bb. Airport Layout Plan (ALP) approval and/or Federal financial assistance for actions related to a fee-simple purchase of land or the purchase of an aviation easement to establish a runway protection zone (RPZ) or for other aeronautical purposes provided there is no land disturbance and does not require extensive business or residential relocations. (ARP)
- 5-6.4.cc. Approval of an Airport Layout Plan (ALP) and/or Federal financial assistance to permanently close a runway and use it as a taxiway at small, low-activity airports, provided any changes to lights or pavement would be on previously developed airport land. (ARP)



Chapter 5: Categorical Exclusions

New CATEXs

- 5-6.4.dd. FAA construction, reconstruction, or relocation of a non-Radar, Level 1 airport traffic control tower (a tower that does not use radar) at an existing visual flight rule airport, or FAA approval of an Airport Layout Plan (ALP) and/or Federal funding to do so, provided the action would occur on a previously disturbed area of the airport and not: (1) cause an increase in the number of aircraft operations, a change in the time of aircraft operations, or a change in the type of aircraft operating at the airport; (2) cause a significant noise increase in noise sensitive areas; or (3) cause significant air quality impacts. (ARP, ATO)



Chapter 5: Categorical Exclusions

Modified CATEXs

- 5-6.4e. Federal financial assistance, licensing, or Airport Layout Plan (ALP) approval for the following actions, provided the action would not result in significant erosion or sedimentation, and will not result in a significant noise increase over noise-sensitive areas or result in significant impacts on air quality. ~~Provided the action will not create environmental impacts outside of an airport or launch facility property.~~
 - Construction, repair, reconstruction, resurfacing, extending, strengthening, widening of a taxiway, apron, loading ramp, or runway safety area, including an RSA using Engineered Material Arresting System (EMAS); or
 - Reconstruction, resurfacing, extending, strengthening, or widening of an existing runway.

This CATEX includes marking, grooving, fillets, and jet blast facilities associated with any of the above facilities.



Chapter 5: Categorical Exclusions

Modified CATEXs

- 5-6.4.f. Federal financial assistance, licensing, Airport Layout Plan (ALP) approval, or FAA construction or limited expansion of accessory on-site structures, including storage buildings, garages, hangars, t-hangars, small parking areas, signs, fences, and other essentially similar minor development items.
- 5-6.4.i. Demolition and removal of FAA buildings and structures, or financial assistance for or approval of an Airport Layout Plan (ALP) for the demolition or removal of non-FAA owned, on-airport buildings or structures, provided no hazardous substances or contaminated equipment is present on the site of the existing facility. This CATEX does not apply to buildings and structures of historic, archeological, or architectural significance as officially designated by Federal, state, or local government.



Chapter 5: Categorical Exclusions

Modified CATEXs

- 5-6.4.h. Federal financial assistance, licensing, or Airport Layout Plan (ALP) approval for construction or expansion of facilities – such as terminal passenger handling and parking facilities or cargo buildings, or facilities for **non-aeronautical uses** at existing airports and commercial space launch sites – that do not substantially expand those facilities (see the FAA's presumed to conform list 72 Federal Register 41565 (July 30, 2007)).

**The presumed to conform criteria evaluated in the FR notice includes expansion of existing buildings with a construction footprint less than 185,891 square feet. In addition, it must not increase any of the following:

- the number of passengers boarding any scheduled flight;
- the number of aircraft operations the airport or launch facility serves;
- the tonnage of cargo the airport or launch facility handles;
- the cargo payload placed on a scheduled flight; or
- the size of the aircraft that the airport or launch facility can serve.



Chapter 5: Categorical Exclusions

Modified CATEXs

- 5-6.4.u. **Approval of an Airport Layout Plan (ALP) for installation of on-airport, aboveground storage tanks (ASTs) or underground storage tanks (USTs) or installation at an airport, or repair or replacement of USTs or ASTs at FAA facilities.** These actions must comply with FAA Order 1050.15, Fuel Storage Tanks at FAA Facilities, and EPA regulations, 40 CFR parts 112, 280 and 281, as applicable. This CATEX includes the closure and removal of a fuel storage tank and remediation of contaminants resulting from a fuel storage **tank at an FAA facility** or on an airport, provided these actions occur in accordance with the order and regulations noted above. The establishment of bulk fuel storage and associated distribution systems is not within the scope of this CATEX. Those actions are subject to Paragraph 3-1.2.b.(5) of this Order.



Chapter 6: Environmental Assessments

Order 1050.1F Updates

- **Simplifies section on format of an EA to concentrate on concise documentation**
 - Details moved to the EIS section
 - Cross-references the EIS section



Chapter 6: Environmental Assessments

Order 1050.1F Updates

Revises list of actions normally requiring an EA

Paragraph 3-1.2.b.(10). Federal financial participation in, or unconditional Airport Layout Plan (ALP) approval of, the following categories of airport actions:

- Location of a **new airport that would serve only general aviation**;
- Location of a **new commercial service airport that would not be located in a Metropolitan Statistical Area (MSA)**;
- A **new runway at an existing airport that is not located in an MSA**;
- **Runway strengthening having the potential to significantly increase off-airport noise impacts (see Exhibit 4-1)**;
- **Construction or relocation of entrance or service road connections to public roads that 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); and**
- **Land acquisition associated with any of the items in (10)(a)–(f).**



Chapter 7: EISs

Order 1050.1F Updates

- Expands section on format of an EIS to include the detail originally under an EA
- Identifies certain categories of projects as ‘normally requiring an EIS’



Chapter 7: EISs

Actions Now Requiring an EIS

New actions identified as normally requiring an EIS are

- Location of a new commercial service airport in an MSA
- New runway to accommodate air carrier aircraft at a commercial service airport in a MSA
- Major runway extensions



Chapter 8: Special Procedures

Actions Subject to Special Procedures

- **Order 1050.1F Updates**
 - Clarifies and expands on requirements relating to FAA **adoption** of other agencies' NEPA documents
 - Clarifies an alternative process to consider environmental impacts before taking **emergency actions**
 - Adds discussion of FAA policy with respect to consideration of **transboundary impacts**
 - Clarifies communication process for **international actions** for consistency with DOT Order 5610.1C



1050.1F Desk Reference

Consideration and Analysis of Impacts

- **Provides current guidance and updated technical information**
 - References to current requirements
 - Information about permits, certificates, forms of approval, and reviews
 - Responsibilities in data collection, assessing impacts, agency consultation, and public involvement
 - Significant impact thresholds
 - Evaluating significance of impact when there is no threshold



Next Steps

- The Order is at Council on Environmental Quality for final approval
- Publish in the Federal Register
- Post the Order and Desk Reference on FAA's website
- Update Desk Reference as Appropriate



Questions



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