FINDING OF NO SIGNIFICANT IMPACT (FONSI)

DART Orange Line
DFW Airport Extension IRVING-3

September 2011

I. INTRODUCTION

The Federal Transit Administration (FTA) and Dallas Area Rapid transit (DART) propose to extend the Orange Line Light Rail Transit line on Dallas/Fort Worth International Airport (DFW Airport). The proposed extension will connect the Belt Line Station, located in the southeast corner of the airport to the airport terminal area. Potential environmental impacts associated with the proposed action were evaluated in the DART Orange Line DFW Airport Extension Irving-3 Environmental Assessment in accordance with the requirements of the National Environmental Policy Act (NEPA).

The Federal Aviation Administration (FAA) is a cooperating agency with FTA in the preparation of the DART Orange Line DFW Airport Extension Irving-3 Environmental Assessment under the National Environmental Policy Act (NEPA) because of its statutory responsibility for promoting safe flight of civil aircraft in air commerce. The proposed federal action for the FTA would be federal grant assistance for the project from FTA’s Urbanized Area Formula Program authorized by 49 USC §5307. The purpose of FAA action in connection with the proposed construction of the DART Orange Line Light Rail transit line project is to ensure that the proposed alterations to the airport do not adversely affect the safety, utility, or efficiency of the airport. FAA action is necessary in connection with proposed use of airport residual property because, pursuant to 49 USC §47107(a) (16), the FAA Administrator (under authority delegated from the Secretary of Transportation) must approve any revision or modification to an Airport Layout Plan (ALP) before the revision or modification take effect. The Administrator's approval includes a determination that the proposed alterations to the airport, reflected in the ALP revision or modification, do not affect adversely the safety, utility, or efficiency of the airport. Another proposed federal action for the FAA would be in connection with the relocation of a high-mast pole hosting one Low Level Windshear Alert System (LLWAS NE # 4) and one Airport Surface Detection Equipment (ASDE-X) Remote Unit (RU) #2 in order to accommodate the proposed LRT alignment. The relocation of the LLWAS and ASDE-X RU #2 will also require changes to the Terminal Doppler Weather Radar System (TDWR), the Integrated Weather Information System (ITWS). The DART contractor would establish the new high-mast pole infrastructure and have the FAA install and integrate the associated electronic equipment.
Because the sensor relocation is a direct result of the DART proposed action, all of the costs incurred as a result of the relocation, including costs associated with mitigating impacts to other airport facilities, systems, equipment and/or their infrastructures will be paid by DART as part of their mitigation commitments under this EA.

The FAA federal action requires an environmental determination that meets the requirements of FAA Order 5050.4B: National Environmental Policy Act (NEPA) Implementing Instructions for Airport Projects and FAA Order 1050.1E: Policies and Procedures for Considering Environmental Impacts. Appendix A of the FAA Order 1050.1E requires the evaluation of specific resource categories as part of an EA. Each of these impact categories has been evaluated against FAA’s thresholds of significance as indicated in the order.

The draft DART Orange Line DFW Airport Extension IRVING-3 EA was issued on March 26, 2011, a public hearing was held on June 2, 2011 and the final EA was accepted by FAA on August 23, 2011.

II. PURPOSE AND NEED

DART is proposing to implement the final line section of the Northwest Corridor LRT Line to Irving/DFW (referred to by DART as the DFW Airport Extension) from Belt Line Station, the current terminus of LRT service on the DART Orange Line, to the DFW Airport Terminal A-B area. The purpose of Phase I of the DFW Airport Extension and the FTA/DART action is to increase regional connectivity and offer an alternative to single-occupancy vehicle travel, provide a seamless interface to DFW Airport Central Terminal Area (CTA), and to improve mobility in the northwest region of the DART Service Area. The purpose of Phase II of the DFW Airport Extension is to provide direct opportunities for regional connectivity serving both the western and eastern portions of the Dallas/Fort Worth (DFW) Metroplex. Both phases are intended to increase the people carrying capacity in the transportation corridor and support increased economic development opportunities through improved accessibility and regional connectivity, as well as linking major activity centers.

The needs fulfilled by the proposed action include needs related to regional connectivity, capacity, economic development, and transportation demand.

*Regional Connectivity* - The proposed action would provide a direct link between the airport and the DART Service Area by extending the Orange Line (currently under construction). This link would also enhance regional connectivity. Currently, DART and the Fort Worth Transportation Authority (The T) connect via the Trinity Railway Express (TRE). The Denton County Transportation Authority (DCTA) is constructing a commuter rail line that would interface with DART at the Downtown Carrollton Station.

*Capacity* - The proposed action would increase transit capacity to DFW Airport. Currently, DART bus routes provide service to the periphery of
DFW Airport with Terminal Link, and an on airport shuttle bus, providing internal circulation between the terminals and ancillary airport facilities.

Economic Development - The proposed project would increase access for residents and visitors to employment, education, and entertainment centers throughout the region. This increased accessibility would strengthen economic conditions at existing activity centers and provide an opportunity for further economic development in the project area.

Transportation Demand - DFW Airport is a destination for a varied group of travelers, including airport and airline employees, business and vacation travelers, and contractors working on airport property. The proposed action provides an alternative to using a single occupancy vehicle to a broad range of people from every social and economic class. By connecting to regional transit services, that choice is also provided to commuters traveling from one side of the DFW Metroplex to the other. Preliminary analysis using the North Central Texas Council of Governments (NCTCOG) new regional transportation model estimates that by the year 2030, 14,600 rail passengers a day would pass through the DFW Airport LRT Station. Approximately 3,680 passengers would transfer between LRT at Terminal A and The T’s Rail line at Terminal B.

The purpose of FAA action in connection with the proposed construction of the DART Orange Line Light Rail transit line project is to ensure that the proposed alterations to the airport do not adversely affect the safety, utility, or efficiency of the airport. FAA action is necessary in connection with proposed use of airport residual property because, pursuant to 49 USC §47107(a) (16), the FAA Administrator (under authority delegated from the Secretary of Transportation) must approve any revision or modification to an Airport Layout Plan (ALP) before the revision or modification take effect.

In order to accommodate the proposed LRT alignment, it is necessary to relocate a high-mast pole hosting one Low Level Windshear Alert System (LLWAS NE # 4) and one Airport Surface Detection Equipment (ASDE-X) Remote Unit (RU) #2. The proposed project would require the establishment of a new high-mast pole with associated electronic equipment, tested and operationally integrated into the existing networks, prior to the removal of the existing high-mast pole. The relocation of the LLWAS and ASDE-X RU #2 will also require changes to the Terminal Doppler Weather Radar System (TDWR), the Integrated Weather Information System (ITWS). The proposed relocation site would be co-located at an existing FAA communications facility, the Remote Transmit Receiver (RTR) 1E, as shown in figure 1-3. The DART contractor would establish the new high-mast pole infrastructure and have the FAA install and integrate the associated electronic equipment. Because the sensor relocation is a direct result of the DART proposed action, all of the costs incurred as a result of the relocation, including costs associated with mitigating impacts to other airport facilities, systems, equipment and/or their infrastructures will be paid by DART as part of their mitigation commitments under this EA.
III. PROPOSED ACTION AND FEDERAL ACTION

As stated, under the proposed action, the Federal Transit Administration (FTA) and Dallas Area Rapid transit (DART) propose to extend the Orange Line Light Rail Transit line on Dallas/Fort Worth International Airport (DFW Airport). The proposed extension will connect the Belt Line Station, located in the southeast corner of the airport to the airport terminal area. The proposed federal action for the FTA would be federal grant assistance for the project from FTA’s Urbanized Area Formula Program authorized by 49 USC §5307.

The proposed federal action for the Federal Aviation Administration (FAA) would be approval of a revision to the DFW Airport Layout Plan (ALP) to reflect the extension of the light rail line to the terminal and necessary relocation of NAVAIDs as discussed as discussed in Chapter 3 of the EA. Pursuant to 49 USC §47107(a)(16), the FAA Administrator (under authority delegated from the Secretary of Transportation) must approve any revision or modification to an ALP that FAA believes may adversely affect the safety, efficiency, or utility of the airport before the revision or modification takes effect. Any FAA determination to approve revision of the ALP to accommodate the proposed alterations to the airport for the LRT project would have to take into consideration the effect such changes would have on the safety, utility, or efficiency of the airport. As a result, FAA has been invited to participate as a cooperating agency.

A second proposed federal action is the relocation of a high-mast pole hosting one Low Level Windshear Alert System (LLWAS NE # 4) and one Airport Surface Detection Equipment (ASDE-X) Remote Unit (RU) #2 in order to accommodate the proposed LRT alignment. As a result of the relocation, the DART contractor would establish the new high-mast pole infrastructure and FAA would install and integrate the associated electronic equipment. The establishment of a new high-mast pole with associated electronic equipment tested and operationally integrated into the existing networks, prior to the removal of the existing high-mast pole.

The relocation of the LLWAS and ASDE-X RU #2 will also require changes to the Terminal Doppler Weather Radar System (TDWR), the Integrated Weather Information System (ITWS). Adequate time must be planned to allow for the development of the Software Adaptation, testing and integration for the LLWAS, TDWR, ITWS and ASDE-X system. The high-mast pole would be relocated approximately 2,000 feet east southeast of the existing location on North Airfield Drive. The proposed relocation site would be co-located at an existing FAA communications facility, the Remote Transmit Receiver (RTR) 1E, as shown in figure 1-3. The proposed location for the high-mast pole would meet FAA’s requirements for wind coverage and detection of wind shears. The existing and proposed sites are along the northeastern boundary of the airport with access from North Airfield Drive.

Because the sensor relocation is a direct result of the DART proposed action, all of the costs incurred as a result of the relocation, including costs associated with mitigating impacts to other airport facilities, systems, equipment and/or their infrastructures will be paid by DART as part of their mitigation commitments under this EA.
IV. ALTERNATIVES

Development and Evaluation of Alternatives

As discussed in Chapter 2 of the EA, the DFW Airport Extension is a culmination of planning efforts to bring LRT service to DFW Airport that began in the spring of 1998. The first step was the Northwest Corridor MIS completed in October 2000. The Northwest Corridor LRT Line to Irving/DFW Airport Final Environmental Impact Statement (EIS) was completed in July 2008. This volume documented LRT planning and preliminary engineering for the DART Orange Line from where it diverges from the DART Green Line to an interim terminus at Belt Line Station.

The Fort Worth Transportation Authority (the T) is also planning a passenger rail service on the DART-owned Cotton Belt rail corridor in Tarrant County, the TEX Rail formerly the Southwest to Northeast (SW2NE) Southwest-to-Northeast Rail Corridor (SW2NE Rail). When completed, the two rail projects will be incorporated into the overall public transportation program at DFW Airport and would provide service to employees, air passengers, and other commuters in the North Central Texas region.

Coordinating these two capital investments in transportation infrastructure became a topic of regional focus during the spring and summer of 2009. In an effort to respond to transportation needs expressed by the community and political representation and fully consider and provide for regional travel patterns, five alternative concepts were proposed that incorporated the DFW Airport Extension with the TEX Rail project. These build concepts alternatives are as follows:

Terminal A-B Concept

This concept includes an LRT line that connects directly to the DFW Airport Terminal A by traveling roughly parallel to SH 114 before turning south to the terminal. In this concept TEX Rail terminates at the DFW Airport Terminal B.

DFW Airport North Concept

This concept responded to the need for regional connections and proposed that LRT, commuter rail service and DART rail service along the Cotton Belt rail corridor would terminate at a DFW Airport North Station. From this station, passengers and airport employees would access the terminal areas by using a shuttle service provided by DFW Airport. A transfer from LRT or commuter rail service would be required to reach the airport.

DFW Airport North/Terminal B Concept

This concept mirrored the alignments proposed in the DFW Airport North Concept. However, the shuttle connecting passengers from the DFW Airport North Station to the terminal area would include an LRT line which would terminate at Terminal B. Both LRT and commuter rail passengers arriving at the DFW Airport North Station would be required to transfer to the LRT shuttle.
Shuttle Concept

In this option, LRT does not extend all the way to the proposed DFW Airport North Station; rather it terminates on DFW Airport property south of SH 114. A shuttle would connect these two termini to the CTA. In this concept, all passengers would be required to transfer to the shuttle in order to reach the airport. Passengers would also be required to use the shuttle service to transfer between commuter rail and LRT service.

LRT Cotton Belt Approach Concept

This concept proposed one single continuous LRT line that travels from the Belt Line Station northward to the Cotton Belt rail corridor, stopping at the aforementioned DFW Airport North Station. Passengers from TEX Rail and DART Express Rail along the Cotton Belt rail corridor would be required to transfer to LRT service to continue their trip into the airport.

From December 2008 through June 2009, several multi-agency meetings were held to discuss the relative merit of the various alternative concepts to serve DFW Airport. Representatives from DART, the T, NCTCOG, DFW Airport, and interested DART member cities attended these meetings. Also during this time, DART also met with FTA and FAA, individually and collectively, to discuss airport service.

Each of the proposed concepts was evaluated based on utility, operational scenarios, and associated costs. Consideration was also given to other issues such as airport development, member city preferences, and public acceptance. The DART Board of Directors was briefed on four occasions and a public meeting was held on June 17, 2009. Representative of member cities and the general public also provided input for a June 23, 2009 DART Board Meeting.

These concepts proposed various methods of providing system linkages between the TEX Rail project, the DFW Airport Extension, and a future DART Express Rail alignment along the Cotton Belt rail corridor. Concepts that required LRT passengers to transfer before reaching the CTA were deemed unacceptable by the DART member cities and the community in general. Concepts involving a fixed guide-way shuttle were considered to be too expensive.

The evaluation concluded that the Terminal A-B Concept met the immediate need of direct service into DFW Airport, but did not adequately address the longer term needs for east-west travel across the north end of the metropolitan area. The LRT Cotton Belt Approach appeared to address the deficiencies of the Terminal AB Concept, but added unnecessary travel time and operational expense in the short term. Ultimately, a concept that would initially provide direct service into DFW Airport while providing for future regional connectivity along the Cotton Belt Corridor emerged. The Phased Approach, described in detail below, was determined to best meet the purpose and need for the project by combining elements of the Terminal A-B Concept and the LRT Cotton Belt Approach.

On June 23, 2009 the DART Board of Directors approved a Phased Approach Concept, which included portions of the Terminal A-B Concept (Phase I) and the LRT Cotton Belt Approach.
Belt Approach Concept (Phase II). The two phases, which FTA and DART determined have independent utility, are planned to operate concurrently once both phases are complete. This long-term strategy is intended to serve the transportation needs of the region, today and in the future.

Phase I includes an LRT line that connects directly to the DFW Airport Terminal A by traveling roughly parallel to SH 114 before turning south to the terminal. Phase I would extend 5.17 miles from Belt Line Station to its DFW Airport Terminal A-B area. TEX Rail terminates at the DFW Airport Terminal B.

Phase II spurs from the Phase I alignment near Freeport Road to extend to the Cotton Belt before turning south to rejoins the Phase I alignment before the DFW Airport LRT Station. DART Cotton Belt rail corridor passengers would be required to transfer to LRT service to continue their trip into the airport. The Phase II alignment measures approximately 4.5 miles. Phase II is a future project with independent utility to be implemented in conjunction with the Cotton Belt rail corridor and not part of the proposed action. A separate environmental review would be prepared for Phase II at the appropriate time.

Phase I would be designed to accommodate future implementation of the Phase II project. By providing LRT service both directly into the airport and providing an option for passengers to directly transfer between LRT, TEX Rail and DART Express Rail along the Cotton Belt rail corridor, regional transportation patterns are served and more choices are offered to transit patrons.

Only the first phase of this approach is addressed in this EA because the second phase is a future project to be implemented in conjunction with the Cotton Belt rail corridor, providing a future LRT extension to a multi-modal station along the Cotton Belt rail corridor. According to the current transit system plan, this multi-modal station is anticipated in 2030. Chapter 1 of the environmental assessment further defines the phased approach approved by the DART Board of Directors.

The EA carried forward for further detailed impact analysis the following alternatives:

No-Build Alternative

The No Build Alternative would include no additional transportation investments in the corridor and would require no FAA ALP approval. Orange Line LRT service would terminate at the DART Belt Line Station. Transit access to DFW Airport would continue to be provided only by DART’s bus service to remote parking lots and the DFW Airport’s Terminal Link shuttle service. Neither the relocation of the high-mast pole hosting the LLWAS #4 and ASDE-X RU #2 nor the associated changes to the LLWAS, ASDE-X system, TDWR or ITWS would need to be done.

The No-Build would not meet the regional connectivity, capacity and transportation demand needs of the corridor.
Proposed LRT Alternative
The FTA/DART proposed build alternative being reviewed for FAA ALP approval is a 5.17-mile LRT double track alignment that extends northwest from the Belt Line Station (current terminus of the Orange Line) before turning south along International Parkway to end near Terminal A. The LRT line would connect directly to the DFW Airport Terminal A by traveling roughly parallel to SH 114 before turning south to the terminal, which is more particularly described in Chapter 2 of the EA. The proposed action would also include relocation of the high-mast pole hosting the LLWAS #4 and ASDE-X RU #2 and the associated changes to the LLWAS, ASDE-X system, TDWR or ITWS at DFW International Airport as described in more detail in Chapter 3 of the EA.

V. ENVIRONMENTAL CONSEQUENCES

The FAA evaluated the potential impacts associated with the Proposed Action by following the guidance in FAA Order 1050.1E, Environmental Impacts: Policies and Procedures and FAA Order 5050.4B, the National Environmental Policy Act (NEPA) Implementing Instructions for Airport Actions in accordance with NEPA and CEQ regulations. FAA Orders require the evaluation of specific environmental impact categories. Because of FAA’s status as a co-operating agency, the FAA focused its efforts on those issues and subject areas in the EA pertaining to and related to airport planning and potential effects on the airport. Paragraphs 3.2.2 – 3.2.3 (pages 27 – 35) of the EA provide an analysis of anticipated environmental impacts resulting from the proposed action, including operations and facilities at DFW International Airport. In accordance with NEPA, the FAA compared the Proposed Action to the no build alternative in evaluating potential impacts. Implementation of the Proposed Action has the potential to impact the following resource categories:

• **Air Quality**

Potentially significant air quality impacts associated with an FAA project or action would occur if the project exceeded one or more of the National Ambient Air Quality Standards (NAAQS) for any time periods analyzed. This project has been included in the previous 2006-2008 Transportation Improvement Plan (TIP), and the current TIP conformity analysis. The analysis results indicate the proposed action would not cause or contribute to any new localized air quality violations or increase the frequency or severity of existing violations in the nine-county ozone nonattainment area. Therefore, the proposed action conforms to the goals set forth in the Clean Air Act Amendments of 1990 and is in conformity with the State Implementation Plan (SIP).

• **Compatible Land Use**

A portion of two business properties is needed to provide adequate right-of-way for LRT operations along Airfield Drive between Esters Road and Freeport Parkway. The two properties are a Federal Express facility and a warehouse.
building located at 3010 North Airfield Drive currently occupied by IAS Air. The cities of Dallas and Fort Worth own the land occupied by these two business facilities. The DFW Airport Board has authority granted by the two cities to enter into long term leases for the properties. The Federal Express facility and warehouse at 3010 North Airfield Drive are under a long term lease to AFCO and Aeroterm, respectively. These two firms specialize in the leasing and management of airport properties. AFCO and Aeroterm have leasehold interests giving them controlling interest in the land and improvements until the lease expiration at which time DFW Airport becomes the owner of leasehold improvements.

AFCO currently subleases its facility to Federal Express and Aeroterm subleases its facility to IAS Air. Federal Express is a logistics service company that uses the impacted property for employee parking and tractor trailer storage. This impact will be mitigated by providing replacement parking. IAS Air is also a logistics service company that has used the 3010 North Airfield Drive property to provide mail handling services to the United States Post Office on a contract basis. IAS Air has informed DART that they currently do not have a contract and the facility is not being used. As discussed in section 4.2 of the EA, an independent appraisal of the properties will be conducted to determine legal rights and interests of each of the parties involved.

No aviation-related noise changes or associated compatible land use are anticipated as a result of the proposed action.

- **Construction Impacts**
  Construction impacts would be temporary and limited in duration and therefore not result in any significant impacts. DART would institute best management practices (BMPs) in its construction activities to minimize any undesirable affects.

- **Floodplains**
  Minor encroachment into floodplain by the proposed action would be anticipated. Due to the linear nature of the proposed LRT alignment and the constraints on ROW availability due to the adjacent airfield or the requirements for safe airfield operation, no practicable alternatives were available for connecting the DART Orange Line to the DFW Airport Terminal A. The design of the proposed LRT alignment would ensure that neither the 100-year base flood elevation nor the floodwater velocity is increased by-spanning all floodplain areas and placing only support columns within the floodplain. Additional details regarding the location and lengths of floodplain encroachment can be found in section 4.16.3, Impacts to Floodplains. The FAA finds that he proposed action would not have a high probability of loss of human life, would have no effect on any vital transportation facility and would not cause substantial impacts to the natural or beneficial values of the floodplain.
- **Light Emissions and Visual Effects**

  Light emissions from the proposed project would not create an annoyance to interfere with normal activity. Potential impacts from aerial structure, Traction Power Substations (TPSS), and the storage yard have been identified and are discussed in detail in section 4.6 of this EA. Three areas for visual effects were identified.

  Possible visual impacts were identified where new elevated structures for LRT infrastructure would be constructed near the Hawthorn Suites hotel. Vegetation is currently employed at that location to screen views of the airfield and any disturbance of the existing screening material would be replaced once construction activities are complete.

  A second area where a visual impact is possible is at the location of the rail storage facility adjacent to the northbound service road of International Parkway. Construction of the rail storage facility would constitute a change in visual conditions in the area. DFW Airport has requested that DART provide visual screening of the facility by preserving existing vegetation in the area and incorporating screening methods consistent with DFW Airport guidance. DART will include DFW Airport image elements into the final design and comply with DFW Airport Design Criteria.

  While not considered potentially significant, DFW Airport has requested that DART provide screening of TPSS sites near public areas such as roadways by installing chain link fencing with PVC slats.

- **Water Quality**

  The proposed LRT alignment crosses streams or water bodies in six locations as listed in Table 4-27 in section 4.16, Water Resources. These six crossings are of three different creeks and primary tributaries of those creeks: Grapevine Creek, Hackberry Creek, and Mud Springs Creek. Coordination with the United States Army Corp of Engineers (USACE) and Texas Commission on Environmental Quality (TCEQ) began during the initial environmental evaluation for the project and has been ongoing through project design. According to information provided by TCEQ, Grapevine Creek is an impaired water body due to bacterial contamination. The proposed action does not include activities which will contribute bacterial materials or nutrients for such organism and therefore will not affect the water quality status of Grapevine Creek.

  During construction activities, there would be the potential to create impacts to the three creeks due to runoff from grading activities, other dirt moving activities, or incidental/accidental spills of mechanical fluids. As directed by the DART Design Standards, a baseline Storm Water Pollution Prevention Plan (SW3P) shall be prepared in accordance with the most current Construction Storm water regulations (Federal National Pollutant Discharge Elimination System [NPDES] or Texas Pollutant Discharge Elimination System [TPDES]) and reflect the General Construction Storm Water Permit Checklist, published by the Environmental
Protection Agency (EPA). All construction and related activities shall comply with the requirements of NPDES or TPDES. All temporary and permanent erosion controls shall comply with the latest revision of Storm Water Quality Best Management Practices Manual for Construction, prepared by NCTCOG (7-77). These measures for erosion control, sedimentation control and control of total suspended solids would be incorporated into the project design in order to minimize impacts to water quality.

Once in operation, the proposed LRT alignment would result in impacts to surface water quality due to the creation of impervious surfaces including the track alignment and ballast, bridges and associated support structures, TPSS sites, and one station platform and associated pedestrian areas. Storm water runoff from these areas would be directed by site grading into swales and appropriately dispersed according to BMPs and site conditions.

The proposed action would not threaten any public drinking water supply, sole source aquifers, or waters of national significance. The construction of the proposed project would be conducted with TPDES requirements.

- **Wetlands**
  
  FAA Order 1051.1E requires FAA to make a finding that there is no practicable alternative to construction in wetlands, and that all practicable measures to minimize harm have been included. The proposed project does not encroach into wetlands as defined in 33 Code of Federal Regulations (CFR) 328; therefore, no wetland resources would be impacted as a result of the project. Four waters of the U.S. are crossed by the proposed LRT alignment. Two of those crossings are located nearby areas determined as wetlands. Both wetland areas are associated with crossings of Grapevine Creek. Neither crossing impacts the wetland areas negatively because the areas are avoided completely. In both cases, the water channel is spanned by elevated sections of the LRT infrastructure and support column placement would avoid these areas as shown in the 10% design plans found in Appendix J. The proposed action would not alter the hydrology needed to sustain the functions and values of the nearby wetlands, would not reduce the ability of nearby wetlands to retain floodwaters or storm-associated runoff, would not negatively affect the maintenance of natural systems that support wildlife and fish habitat or other environmental resources within the nearby wetlands.
• **Waters of the U.S.**

Within the proposed LRT alignment, there are four bodies of water that could be considered potentially jurisdictional waters of the U.S., while only one of the four waters of the U.S. would potentially include wetlands. Based on the 10 percent design plans, the proposed alignment would span all water resources except for ED-1. At this location, approximately 2,632 square feet of waters of the U.S. (0.06 acres) would be impacted due to the placement of support columns within this water (columns would be located at Civil Stations 643+00, 644+00 and 645+00 as depicted in the EA on page 106, figure 4-16. This area is an ephemeral drainage area and not a wetland.

As detailed under Mitigation Measures in section 4.16.2 of the EA, any avoidance alternative would be costly and would likely result in greater environmental impacts. At this highly constrained location, direct impact to ED-1 could not be avoided. Placing the rail on aerial structure minimizes harm by limiting the impact to a few column locations. Additionally, column locations were adjusted during preliminary design in order to further minimize the area of the water impacted.

Due to the small area of the impact (less than one half of an acre), construction activities meet the criteria for a USACE Nationwide Permit 14.

VI. **PUBLIC INVOLVEMENT**

The DFW Airport Extension IRVING-3 Public and Agency Involvement Plan divided the project into four milestones.

• Milestone 1 included project inception through the scoping process.
• Milestone 2 included the 5% design and administrative draft EA. In this milestone, public meetings were held to facilitate engagement in the planning process.
• Milestone 3 included the 10% design and public comment period for the draft PE/EA. During this milestone, a formal public hearing was held on June 2, 2011 to inform the public of the contents of the draft EA and provide an opportunity for interested parties to comment on the project.
• Milestone 4 consisted of finalization of the EA document completed in August, 2011.

Additional coordination efforts occurred through periodic meetings to update DFW Airport Extension stakeholders and discuss potential issues and solutions throughout the project process. Chapter 6 of the EA describes in detail the public involvement process.
VII. CONDITIONS

FTA has made a commitment in the EA that the Orange Line DFW Airport Light Rail Transit Extension Project will be built in a manner consistent with the EA. The EA, including Table 3-1, makes a commitment that DART will implement at its expense the mitigation measures described in the EA. The FAA’s FONSI and ALP approval is conditioned on DART obtaining necessary environmental permits and fulfilling commitments and mitigation measures set forth in the EA and FAA’s FONSI. Chapter 3 of the EA, Table 3-1, also identifies aeronautical mitigation measures DART agrees to pay for in connection with addressing impacts to airport facilities and operations.

Additional conditions for ALP approval associated with this project are listed below.

A. Solid and hazardous wastes must be collected and disposed of at an approved facility as mandated by the county, state and Federal requirements. Discussion of hazardous materials and solid waste can be found on page 30 of Chapter 3 in the EA.

B. All practicable measures to avoid and minimize harm to all wetlands and waters (jurisdictional or otherwise) of the United States will be included in implementation of the proposed project, and the design and construction of any new wastewater components must be in accordance with USACE and state design guidelines and standards as described in section 4.16.2 of the EA.

C. During construction, appropriate measures and actions specified by Part 6. Temporary Traffic Control of the Texas Manual on Uniform Traffic Control Devices (TMUTCD) and Part 6. Temporary Traffic Control of the federal Manual on Uniform Traffic Control Devices shall be implemented to prevent, minimize, and mitigate potential impacts to surrounding land uses and businesses due to construction activities with an emphasis on maintaining access to and signage for businesses during the construction period. Specifics related to these mitigation measures are described in section 5.1 of the EA.

D. DFW Airport staff will be afforded the opportunity to review and approve visual elements resulting from construction of the proposed action as described in section 4.6 of the EA.

E. Because of the unique ownership and lease structure of the two impacted business properties, an independent appraisal of the properties will be conducted to determine legal rights and interests of each of the parties involved as described in Section 4.2 of the EA. This appraisal will be conducted in accordance with the DART Board of Directors’ Real Estate Policy and Procedures, as amended, and the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA) of 1970 (42USC 4601).
Mitigation measures for displacements resulting from the proposed project will include fair compensation for the property acquired, relocation assistance, or other assistance, in accordance with the URA. Relocation benefits will be afforded to eligible businesses (owner occupants and tenants) that would be displaced by the proposed action. DFW Airport and DART are currently developing a Memorandum of Agreement (MOA) to govern any property displacements or disputes.

A mitigation plan has been developed to alleviate impacts to business operations at the Federal Express facility. DART has devised a recommended plan for reconfiguring the remainder of the existing Federal Express parking area to accommodate all trailer storage needs. Additional parking to accommodate the displaced employee parking will be provided.

As there is no current activity at 3010 North Airfield Drive facility, no mitigation plan has been developed for the business impact. DART will work with DFW Airport to ultimately determine the practicality of salvaging a portion of the structure.

F. The EA in Table 3-1 Aeronautical Assessment Areas of Concern identifies 18 issues to avoid adversely affecting airport or aircraft operations. Details of this mitigation, which are to be paid for by DART, are further discussed in Appendix L of the EA. These issues must be addressed to FAA’s satisfaction, and formalized in a document such as a Memorandum of Agreement, prior to project implementation.

VIII. DECISION CONSIDERATIONS AND ADDITIONAL FINDINGS

Throughout the development of the airport, including the proposed improvements described above, the FAA has made every effort to adhere to the policies and purposes of NEPA, as stated in CEQ Regulations for Implementing NEPA 40 CFR § 1500-1508.

The FAA has concentrated on the truly significant issues related to the action in question. In its determination whether to prepare an Environmental Impact Statement (EIS) or process the EA as a FONSI, the FAA weighed its decision based on an examination of the EA, comments from Federal, state, and local agencies, as well as all other evidence available to the FAA.

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) and other applicable environmental requirements. 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.

RECOMMENDED FOR APPROVAL: ____________________________ DATE: Oct 11, 2011

J. Michael Nicely
Manager, Texas Airports Development Office

APPROVED: ____________________________ DATE: 10/11/11

Kelvin L. Solco
Manager, Southwest Region Airports Division