



Federal Aviation Administration

Finding of No Significant Impact (FONSI) & Record of Decision (ROD)

For the Optimization of Air Traffic Routes Serving McCarran International Airport, Henderson Executive Airport, and North Las Vegas Airport

September 2012

I. INTRODUCTION

This document serves as the Federal Aviation Administration's (FAA) Finding of No Significant Impact and Record of Decision (FONSI/ROD) and provides final agency determinations and approvals for the Proposed Action, namely the optimization of air traffic routes serving McCarran International Airport (LAS), Henderson Executive Airport (HND), and North Las Vegas Airport (VGT), referred to as Las Vegas Area Optimization or LAS Optimization. LAS Optimization is intended to improve the efficiency and reduce the complexity of the air traffic routes serving the three airports (collectively referred to as the EA Airports). The changes in air traffic routes would occur within airspace under the control of the Las Vegas Terminal Radar Approach Control (TRACON) and the Los Angeles Air Route Traffic Control Center (ARTCC). This FONSI/ROD is based on the information and analysis contained in the Final Environmental Assessment (Final EA) dated September 2012 attached hereto.

Furthermore, this FONSI/ROD:

- Completes the FAA's required environmental review and decision-making process. It is prepared and issued to announce and document certain Federal actions and decisions in compliance with the National Environmental Policy Act of 1969 (NEPA) [42 U.S.C. Section 4321, et seq.], the implementing regulations of the Council on Environmental Quality (CEQ) [Title 40 CFR Parts 1500-1508], and FAA directives [Order 1050.1E, Change 1, Environmental Impacts: Policies and Procedures (Mar. 20, 2006)]. This FONSI/ROD is also used by the FAA to demonstrate and document its compliance with the several procedural and substantive requirements of aeronautical, environmental, programmatic, and other statutes and regulations that apply to FAA decisions on proposed actions;
- Provides the final Federal determinations and approvals based on environmental analysis and findings in the attached Final EA. The FAA's decisions are based on the information and analysis contained in the Final EA and all other applicable documents which were available and considered, and which constitute the administrative record; and
- Approves certain Federal actions associated with the implementation of the proposed LAS Optimization. Implementation of the Proposed Action will result in no airport-related development and will not change flight patterns in the immediate vicinity of any airport.

In reaching its determination, FAA has considered transportation laws governing the safety, efficiency, and the public interest when controlling the use of navigable airspace and regulating civil and military operations in that airspace in the interest of safety and efficiency of both of these operations, per 49 U.S.C. 40101(d)(4). Additionally, consideration has been given to 49 U.S.C. 40103(b)(2), which authorizes and directs the FAA Administrator to prescribe air traffic rules and regulations governing the flight of aircraft, for the navigation, protection, and identification of aircraft, and the protection of persons and property on the ground, and for the efficient utilization of the navigable airspace, including rules as to safe altitudes of flight and rules for the prevention of collisions between aircraft, between aircraft and land or water vehicles, and between aircraft and airborne objects.

Furthermore, the FAA has given careful consideration to the aviation safety and operational objectives of the project in light of the various aeronautical factors and judgments presented; the need to enhance efficiency of the national air transportation system, and the potential environmental impacts of the project.

II. PROPOSED ACTION

The Proposed Action considered in this FONSI/ROD is the implementation of instrument procedures for optimized arrival and departure routes serving air traffic flows into and out of the EA Airports as well as optimization of the supporting airspace management structure. The primary components of the Proposed Action include:

- Adding terminal airspace entry points and independent Area Navigation (RNAV) Standard Terminal Arrival Routes (STARs) to LAS that are separated from RNAV STARs to HND and VGT and include runway transitions to final approaches to runway ends at the EA Airports in the RNAV STARs.
- Adding terminal airspace exit points and independent LAS RNAV Standard Instrument Departures (SIDs) that are separated from VGT and HND RNAV SIDs, with new RNAV SIDs providing adequate segregation between arrival and departure procedures and including runway transitions from the EA Airport runway ends to the exit points.

LAS Optimization, the Proposed Action addressed in this FONSI/ROD, would not increase the number of aircraft operations at the EA Airports, but would improve the efficiency and reduce the complexity of the air traffic routes serving the EA Airports. The Proposed Action does not involve physical construction of any facilities, such as additional runways or taxiways, and does not require any state or local actions. The implementation of Las Vegas Area Optimization would not require physical alterations to any environmental resource identified in FAA Order 1050.1E or changes to any Airport Layout Plan (ALP), the scaled drawings of airports that depict existing and future facilities and property necessary for their operation and development.

III. PURPOSE AND NEED FOR THE PROPOSED ACTION

The overall purpose of the FAA's Proposed Action is to improve the efficiency and reduce the complexity of the air traffic routes serving the EA Airports, which are affected by physical constraints within the Las Vegas area and procedures (i.e., the routes along which aircraft operate) that are based on point-to-point ground-based navigation. The inefficiency of the procedures was demonstrated through a simulation analysis, which showed that by optimizing air traffic routes using RNAV technology, a technology that allows for the development of procedures with more direct routings than procedures based on point-to-point ground-based navigation, airspace throughput (i.e., the number of aircraft that can operate through the airspace in an hour in a safe manner) can be balanced between two of the most frequently used runway operating configurations at LAS. Runway operating configurations are established to define optimal combinations of two or more runways to accommodate arriving and departing aircraft under differing conditions such as weather, prevailing winds, type of traffic (i.e., predominately arrivals or departures), and amount of traffic. The existing imbalance between frequently used runway operating configurations results in FAA's air traffic controllers being unable to maintain a sustained throughput (i.e., the number of aircraft operations per hour that can be accommodated for successive hours without eventually resulting in delays along the air traffic routes serving the EA Airports). The analysis indicates that optimizing the standard instrument arrival and departure procedures, without improvements to the LAS runway system, would help maintain a predictable and sustained throughput. Although the EA Airports are served by RNAV procedures, FAA's increased experience with the technology and the increased number of aircraft equipped with RNAV technology, means that more efficient routes can be developed to serve the EA Airports by taking full advantage of RNAV capabilities.

The Proposed Action of optimizing air traffic routes is needed to alleviate or reduce factors inherent with the existing routes that result in inefficient operations in the airspace serving the EA Airports. Those causal factors include:

- Procedures lack the flexibility to efficiently transfer aircraft between the en route airspace and the terminal airspace.
- Aircraft departing from and landing at the three EA Airports share entry and exit points and arrival/departure routes that limit air traffic controller flexibility to manage EA Airport traffic.
- Complex converging interactions between arriving and departing flights that impede efficiency in the terminal airspace.
- Current standard instrument procedures do not take full advantage of RNAV capabilities that can provide more predictable flight routing.
- Lack of published standard instrument procedures to direct aircraft to and from the EA Airport runways increases complexity.

IV. ALTERNATIVES

FAA conducted a thorough and objective review of reasonable alternatives to the Proposed Action in accordance with NEPA implementing regulations (40 CFR 1500 et seq.) and FAA Order 1050.1E. In consideration of these regulations, FAA rejected alternatives if they did not meet the Purpose and Need or offered no prospect of being implemented. The range of alternatives considered included:

- Increase use of other airports
- Improve airport infrastructure
- Implement air travel demand management programs
- Increase use of alternative modes of transportation and telecommunication
- Use of improved air traffic control technology
- Optimize air traffic routes by implementing new air traffic procedures (Proposed Action)
- Maintain existing air traffic routes (No Action Alternative)

The use of other airports or improvements to airport infrastructure would not meet the Purpose and Need and would likely exacerbate the problem by increasing the number of airports and runways that would be served within the airspace and along the existing air traffic routes, while not addressing the factors causing the existing air traffic routes to be inefficient and complex. Further, improvements would be needed at other airports to accommodate the traffic served at the EA Airports and those improvements would be within the jurisdiction of the airport sponsor rather than the FAA.

Air travel demand management programs could be implemented to limit the number of operations at the EA Airports during peak periods. However, demand management would be based on airspace limitations rather than removing the constraints that prevent the air traffic routes from operating efficiently. The increased use of alternative modes of transportation and telecommunication, while potentially reducing some demand for air travel, would not address the constraints of the existing air traffic routes and therefore would not meet the Purpose and Need. The use of improved air traffic control technology is an element of the Proposed Action. However, the use of improved technology alone without redesigning the routes would not meet the Purpose and Need as it would not address the complexities associated with the design of the existing routes.

Of the remaining two alternatives, only the Proposed Action would have the potential to meet the Purpose and Need and was carried forward for further analysis. Although the No Action Alternative would not meet the Purpose and Need, it was carried forward for further analysis in accordance with NEPA implementing regulations (40 CFR 1500 et seq.).

V. AFFECTED ENVIRONMENT

The Generalized Study Area (GSA) was defined to allow for a reasonable evaluation of potential impacts associated with the aircraft flight changes considered under the Proposed Action. The GSA was defined following the methodology described in Section IV and Appendix F-1 of the attached Final EA. Radar data from flight paths were collected to help to define the GSA, consistent with FAA Order 1050.1E, Appendix A, Paragraph 14.5e, which requires consideration of impacts of airspace actions from the ground up to 10,000 feet above ground level (AGL) if the study area is larger than the immediate vicinity of the airport or involves more than one airport. The GSA was designed to capture all flight paths identified in radar data collected for the preparation of the EA as well as the designed Proposed Action routes out to the point at which 95 percent of aircraft are above 10,000 feet AGL, accounting for the terrain in and around the Las Vegas region. In other words the GSA encompasses the area in which 95 percent of the aircraft arriving at or departing from the EA Airports under the Proposed Action or No Action Alternative would be at elevations between the ground and 10,000 feet AGL. The lateral extent of the GSA was concisely defined to focus on areas of traffic flow.

The resulting GSA is depicted on Exhibit IV-1 of the Final EA and includes areas in Nevada, California, and Arizona. The GSA extends a minimum of 40 nautical miles in all directions from the TRACON facility at LAS and in some areas extends as far as 70 nautical miles to account for traffic flows and terrain.

VI. ENVIRONMENTAL CONSEQUENCES

The potential environmental impacts of the Proposed Action were evaluated in the attached Final EA for each of the following impact categories. No significant impacts to the quality of the human or natural environment were identified for any of the categories. Therefore, no Environmental Impact Statement is required to be, or has been, prepared.

Noise

Aircraft noise exposure was modeled using the Noise Integrated Routing System (NIRS) for aircraft operating under Instrument Flight Rules (IFR) under both the Proposed Action and the No Action Alternative in two future years – the year in which implementation of the Proposed Action would be initiated and a five-year look-ahead. Under the Proposed Action, aircraft noise levels would be lower at some census block centroids and higher at others compared with the No Action Alternative. Correspondingly, although some people associated with those centroids would be added to areas exposed to aircraft noise of DNL 65 and higher compared with the No Action Alternative more people would be removed from those areas. Furthermore, the Proposed Action would not result in an increase of Day-Night Average Sound Level (DNL) 1.5 decibels (dB) or greater at any populated census block centroid that would experience aircraft noise of DNL 65 and higher under the Proposed Action.

With implementation of the Proposed Action, fewer people would be exposed to aircraft noise of DNL 45 and higher compared with the No Action Alternative, and although people would be added to and removed from areas exposed to aircraft noise of DNL 45 and higher, none would experience an increase of DNL 5.0 dB or greater.

Similarly, fewer people would be exposed to aircraft noise of DNL 60 and higher under the Proposed Action compared with the No Action Alternative with people being added to and removed from areas exposed to DNL 60 and higher. Of those added, seven people were identified as experiencing a DNL 3.0 dB increase in the five-year look-ahead analysis year. This population is associated with two centroids representing census blocks developed in hotel and commercial uses (retail and restaurants). No single- or multi-family residential properties were identified within either census block.

Thus, the Proposed Action would not result in significant noise impacts as the change in noise exposure would not exceed the threshold of significance. Accordingly, no mitigation is warranted per FAA Order 1050.1E, Appendix A, paragraph 14.4c.

Compatible Land Use

Because the Proposed Action is not expected to have significant noise impacts (as measured by changes in noise exposure at populated census block centroids), there would be no compatible land use impacts.

Department of Transportation Act Section 4(f)

FAA identified resources within the GSA that had the potential to qualify for protection under Section 4(f) but did not make a determination as to their actual eligibility. The intent was to evaluate any potential resource's qualification only if a significant impact to that resource was identified. No land acquisition, construction, or other ground disturbance activities would occur under the Proposed Action; therefore, the Proposed Action would not directly affect any potential Section 4(f) resources. Consequently, the focus of the evaluation of potential Section 4(f) resources was on indirect effects and their potential to result in a constructive use. Noise exposure levels were calculated at grid points at 1.5-nautical mile intervals over the larger

potential Section 4(f) resources and at unique points for smaller potential Section 4(f) resources that were not captured in the grid (i.e., smaller parks, landmarks). No potential Section 4(f) resources located in areas of noise exposure of DNL 65 and higher would experience a DNL 1.5 dB or other reportable increase in noise exposure under the Proposed Action compared with the No Action Alternative. Furthermore, changes in aircraft overflight patterns would be at altitudes and distances from viewers that would not substantially impair the primary vista or setting of the potential Section 4(f) resources. Therefore, FAA finds that the project related effects would not rise to the level of being a constructive use of Section 4(f) resources. Consequently, the Proposed Action would not result in a direct or constructive use of any potential Section 4(f) resource.

Historical, Architectural, Archaeological, and Cultural Resources

No land acquisition, construction, or other ground disturbance activities would occur under the Proposed Action; therefore, the Proposed Action would not directly (i.e., physically) affect any historical, architectural, archaeological, or cultural resources. Therefore, the assessment focused on the potential for indirect adverse effects to historic and cultural resources (i.e., tribal lands) that may result from changes in air traffic routes, such as aircraft noise and visual impacts.

The Area of Potential Effects (APE) for historic resources was defined as the specific areas encompassing the historic resource properties within the GSA that would be exposed to DNL 45 and higher under the Proposed Action. Of the 37 historic sites in the GSA, three met the criteria for inclusion in the APE. No historic property would experience a DNL 1.5 dB increase in areas exposed to aircraft noise of DNL 65 and higher or other reportable increase in noise exposure under the Proposed Action compared with the No Action Alternative.

According to FAA Order 1050.1E, Appendix A, paragraph 12.2b, the visual sight of aircraft, aircraft contrails, or aircraft lights at night, particularly at a distance that is not normally intrusive, should not be assumed to constitute an adverse impact. Changes in air traffic routes associated with the Proposed Action would generally occur at altitudes above 3,000 feet AGL; therefore, the visual sight of aircraft and aircraft lights would not be considered intrusive over historic resources. Consequently, the Proposed Action would not result in significant visual impacts.

The FAA concluded that there would be no adverse effects to historic properties resulting from implementation of the Proposed Action. Appendix A of the Final EA provides the Nevada State Historic Preservation Officer's written concurrence with both the definition of the APE and the finding of no adverse effects, in accordance with the Section 106 of the National Historic Preservation Act.

Furthermore, noise modeling results indicated that noise levels for the grid points representing tribal lands (two Indian Reservations) in the GSA would be below DNL 45 under the Proposed Action, and the greatest change in noise exposure with implementation of the Proposed Action would be less than DNL 1 dB. Thus, the Proposed Action would not result in significant impacts to Indian Reservations.

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

The Proposed Action would not involve any construction or land acquisition or change in noise exposure levels in excess of the applicable thresholds of significance. There would be no acquisition of real estate, no relocation of residents or community businesses, no disruption to local traffic patterns, no loss in community tax base or other disruption of orderly, planned development. Therefore, implementation of the Proposed Action would not result in any adverse socioeconomic impacts.

No areas within the GSA would experience a change in noise exposure or other relevant impact category, (such as air quality, hazardous materials, and water quality) that would exceed applicable thresholds of significance; therefore, no disproportionately high and adverse effects to children, minority populations, or low-income populations would occur under the Proposed Action and no adverse impacts in terms of environmental justice or children's environmental health and safety risks would occur.

Fish, Wildlife, and Plants (Avian and Bat Species)

The Proposed Action would not involve land acquisition, construction, or other ground disturbance activities; therefore, no impacts to fish or plants would occur. The Proposed Action would not result in an increase in the number of aircraft operations at the EA Airports compared with the No Action Alternative. The greatest potential for impacts to wildlife species would be noise effects and wildlife strikes on avian and bat species. Changes in noise exposure from the Proposed Action would be less than significant and noise levels within two wildlife preserve areas in the GSA, the Desert National Wildlife Refuge and Mojave National Preserve would be lower under the Proposed Action than under the No Action Alternative. No adverse impacts to wildlife species from noise would occur under the Proposed Action. Changes to air traffic flows would occur primarily above 3,000 feet AGL; thus, there would be no significant impacts to avian and bat species under the Proposed Action compared with the No Action Alternative below this elevation. Changes to air traffic flows above 3,000 feet AGL are not likely to negatively affect avian and bat species (including listed species), or the Desert National Wildlife Refuge compared with the No Action Alternative. Based on available FAA bird strike data, the changes to air traffic flows under the Proposed Action would not pose a significant increase in the potential for wildlife or bird strikes compared with the No Action Alternative. Therefore, the Proposed Action would not result in adverse impacts to fish, wildlife, or plant species, including avian and bat species.

Natural Resources and Energy Supply

The Proposed Action would not involve construction or other ground disturbance activities; therefore, implementation of the Proposed Action would not result in the depletion of natural resources related to construction activities (such as land clearing or building materials). In terms of energy use and potential effects on the depletion of energy supplies, the Proposed Action would involve changes to air traffic flows; however, the optimized air traffic routes under the Proposed Action would improve the efficiency of air traffic routes and operations, including

continuous climb-outs and optimized descents, where possible, which overall would reduce aircraft fuel consumption compared with the No Action Alternative. NIRS modeling indicated that less fuel would be burned under the Proposed Action in comparison with the No Action Alternative (approximately 9 percent less in the first year of implementation and approximately 8.5 percent less in the five-year look-ahead year). Therefore, the Proposed Action would not result in significant changes in energy demands or natural resource consumption that would exceed available or future supplies of energy.

Air Quality

Portions or all of the GSA are in nonattainment of the National Ambient Air Quality Standards (NAAQS) for carbon monoxide (CO), Ozone (O₃), or coarse particulate matter (PM₁₀). The attainment designations are listed in Table IV-13 in the attached Final EA. The Proposed Action would not change the number of aircraft operations compared with the No Action Alternative. Further, the Proposed Action would result in more efficient air traffic routes and operations, resulting in a reduction in fuel burn compared with the No Action Alternative. The reduction in fuel burn (as reported above for “Natural Resources and Energy Supply”) was used as an indicator that the Proposed Action would result in fewer emissions from aircraft operations compared with the No Action Alternative. Therefore, the Proposed Action would not cause a new violation of air quality standards, worsen an existing violation, or delay meeting the NAAQS.

Greenhouse Gas Emissions and Climate Change

Although there are no federal standards for aviation-related greenhouse gas emissions, the CEQ has indicated that climate should be considered in NEPA analyses. Greenhouse gas emissions were quantified in terms of carbon dioxide equivalents (CO₂e), which were calculated by multiplying the gallons of fuel burned under both the Proposed Action and the No Action Alternative by the CO₂e associated with each gallon of fuel burned (9.7438 kg of CO₂e). Based on the fuel burn values reported in the Final EA, CO₂e emissions would be lower with implementation of the Proposed Action compared with the No Action Alternative (approximately 9 percent less in the first year of implementation and approximately 8.5 percent less in the five-year look-ahead year).

Light Emissions and Visual Impacts

The Proposed Action does not include development, construction, or demolition of facilities; therefore, it would not disturb the aesthetic integrity of an area or result in visual contrast with the existing environment or result in changes to ground-based light sources. The Proposed Action would not increase the number of aircraft operations at the EA Airports compared with the No Action Alternative. Changes in aircraft overflight patterns under the Proposed Action would be at altitudes and distances from viewers that would not result in light emissions or visual impacts that would be considered intrusive. Therefore, the Proposed Action would not result in adverse effects in terms of light emissions or visual impacts.

Cumulative Impacts

NEPA implementing regulations define cumulative impacts as the incremental impact of the action when added to the impacts of other past, present, and reasonably foreseeable future actions regardless of the agency, federal or nonfederal, undertaking such actions and state that cumulative impacts can result from individually minor, but collectively significant actions taking place over a period of time. A summary of past, present, and reasonably foreseeable future actions that were considered is provided in Table IV-15 in the attached Final EA.

Review of all impact categories demonstrated that only effects related to changes in aircraft noise exposure and changes related to the visual sight of aircraft, aircraft contrails, or aircraft lights at night, had the potential to cumulatively contribute to the effects of other actions, even though these changes were not found to be significant with implementation of the Proposed Action. Therefore, consideration was given to the ability of the identified past, present, and reasonably foreseeable future actions to cumulatively contribute to the noise and visual effects of the Proposed Action. FAA determined that the Proposed Action would not result in adverse impacts that would cumulatively result in a significant impact with any past, present, and reasonably foreseeable future actions. Therefore, no cumulative impacts would be associated with the Proposed Action.

Inapplicable Impact Categories

Implementation of the Proposed Action would involve aircraft route changes and would not involve any physical construction activities. As such, many of the resource impact categories listed and described in FAA Order 1050.1E, Chapter 4, Paragraph 403, "Impact Categories," and Appendix A, "Analysis of Environmental Impact Categories," would not be affected. The impact categories excluded from analysis of the Proposed Action's potential effects to the environment include Coastal Resources; Construction Impacts, Farmlands, Floodplains, Hazardous Materials, Pollution Prevention, and Solid Waste; Secondary (Induced) Impacts; Water Quality, Wetlands, and Wild and Scenic Rivers. Due to the nature and location of the Proposed Action, it is the FAA's determination that the Proposed Action would not have any significant effect on the above-noted impact categories.

Other Considerations

The Proposed Action involves air traffic control routing changes for airborne aircraft only. The United States Government has exclusive sovereignty of airspace in the United States [49 U.S.C. §40103(a)]. Congress has provided extensive and plenary authority to the FAA concerning the efficient use and management of the navigable airspace, air traffic control, air navigation facilities, and the safety of aircraft and persons and property on the ground [49 U.S.C. Section 40103(b)(1) & (2)]. Therefore, any applicable community planning initiatives may be preempted by Federal law. To the extent applicable, and as there are no significant impacts under noise or compatible land use, the Proposed Action is consistent with the plans, goals, and policies for the area and with the applicable regulations and policies of Federal, State, and local agencies.

Mitigation

Thresholds of significance for any environmental impact category would not be exceeded due to the Proposed Action; therefore, no mitigation is being proposed as part of this project.

VII. PUBLIC INVOLVEMENT

Public participation began with the initiation of the preparation of the EA. FAA distributed an early notification letter to 109 federal, state, and local agencies and elected officials as well as to 21 Native American tribes on December 18, 2009. Subsequently, 162 invitations were sent to federal, state, and local agencies, elected officials, and tribal representatives for a series of agency-to-agency consultation meetings held on the following dates:

- January 25, 2012, 1:00 p.m. to 3:00 p.m. – tribal representatives
- January 26, 2012, 9:00 a.m. to 11:00 a.m. – elected officials
- January 26, 2012, 1:00 p.m. to 3:00 p.m. – government agencies

The attendance and summaries of these agency-to-agency consultation meetings are presented in Appendix A in the attached Final EA. The tribal representatives requested that follow-up meetings be held in regional locations to increase accessibility to all Native American tribes. In response, FAA scheduled three meetings on May 1, 2, and 3, 2012, in three different locations outside of the City of Las Vegas in areas that would provide greater access for tribal representatives. The meetings were each scheduled to include a session for tribal representatives to meet together with FAA, followed by a session for tribal representatives to meet individually with FAA representatives. No tribal representatives attended any of the meetings and no further requests by tribal representatives were received by FAA.

The notification of the availability of the Draft EA was released on July 1, 2012, and over 130 electronic copies were sent to tribes, agencies, and elected officials. Hardcopies of the Draft EA were made available at 22 libraries in the Las Vegas area. The official public comment period extended for more than 30 days – from July 1, 2012 through August 6, 2012. Two public workshops were held during the public comment period:

- Monday, July 23, 2012, 4:00 p.m. to 7:00 p.m. at the Paseo Verde Library, 280 South Green Valley Parkway, Henderson, Nevada.
- Tuesday, July 24, 2012, 11:00 a.m. to 3:00 p.m. at the Las Vegas Public Library, 833 Las Vegas Boulevard North, Las Vegas, Nevada.

Attendance at the public workshops included five people on July 23 and seven on July 24. No comments were received at either of the public workshops.

A total of six written comments were received during the public review period – four from agencies, one from a tribal representative, and one from a member of the public. All comments and responses to those comments are provided in Appendix A of the attached Final EA. Section 106 consultation is also provided in Appendix A of the attached Final EA.

VIII. THE AGENCY'S FINDINGS

A. Environmental Findings:

The environmental findings are based upon a careful review of the attached Final EA, comments on the Draft EA, the supporting administrative record, and appropriate supporting information.

- 1. The FAA has given the Proposed Action the independent and objective evaluation required by the Council on Environmental Quality (40 CFR Section 1506.5).** The FAA's environmental process included the rigorous exploration and objective evaluation of reasonable alternatives and potential environmental consequences, and public involvement including regulatory agency and Native American consultations. FAA furnished guidance and participated in the preparation of the EA by providing input, advice, and expertise throughout the planning and technical analysis, along with administrative direction and legal review of the EA. FAA has independently evaluated the EA, and takes responsibility for its scope and content.
- 2. The Proposed Action does not result in a significant noise impact over noise sensitive areas.** There are no noise sensitive areas exposed to DNL 65 and higher under the Proposed Action that would experience an increase of DNL 1.5 dB or greater.
- 3. The Proposed Action does not include a direct or constructive use of any resources protected under Section 4(f) of the DOT Act.** No land acquisition, construction, or other ground disturbance activities would be associated with the Proposed Action; thus, there is no potential for direct use of any potential Section 4(f) resource. There would be no significant noise impact as a result of the Proposed Action at any potential Section 4(f) resources, and changes in aircraft overflight patterns would be at altitudes and distances from viewers that would not substantially impair the primary vista or setting of any potential resource. Therefore, the FAA determined that the Proposed Action would not cause a constructive use of any Section 4(f) resource.
- 4. The Proposed Action does not affect any Historical, Architectural, Archaeological, or Cultural Resources.** No land acquisition, construction, or other ground disturbance activities would be associated with the Proposed Action; thus, there would be no direct impact on any historic, architectural, archaeological, or cultural resources, including tribal lands. There would be no significant noise impact as a result of the Proposed Action that would substantially change the noise environment at any such resources, including tribal lands. Furthermore, changes in aircraft overflight patterns would occur at altitudes and distances from viewers that would not substantially impair the view or setting of any resources, including tribal lands. Therefore, the FAA determined that there would be no effect on any historical, architectural, archaeological, or cultural resources.

5. **The Proposed Action does not have a significant impact on Fuel Burn and related effects on Air Quality or Climate Change.** The Proposed Action was shown to reduce fuel burn of aircraft arriving at and departing from the EA Airports compared with the No Action Alternative, which FAA used as an indicator that air pollutant emissions would be lower under the Proposed Action than under the No Action Alternative. The lower fuel burn associated with the Proposed Action was also used to estimate that greenhouse gas emissions would be approximately 9 percent lower in 2012 and 8.5 percent lower in 2017 under the Proposed Action compared with the No Action Alternative.
6. **All practicable means to avoid or minimize environmental harm from the Proposed Action have been adopted.** The LAS Optimization design process took place over the course of several years. The design team met at several points during the design process with representatives of the Clark County Department of Aviation. FAA representatives also met with regulatory agencies and representatives of Native American tribes during the environmental review process and offered a second opportunity to meet with tribal representatives in three regional meetings in the Las Vegas area during the preparation of the Draft EA. FAA representatives offered the opportunity to meet with local elected officials during the environmental review process; however, no elected officials attended the meeting. The purpose of these meetings was to provide opportunities to identify specific areas of concern related to noise or any other potential impact of the Proposed Action.

B. Findings Pursuant to the Purpose and Need:

Upon implementing the Proposed Action, the airspace that serves the EA Airports would include optimized air traffic routings to improve the efficiency and reduce the complexity of the air traffic routes. Based on the Final EA prepared for the Proposed Action, this FONSI/ROD is issued. Both the Final EA and the FONSI/ROD are hereby incorporated into this decision.

IX. DECISIONS AND ORDERS

After careful and thorough consideration of the facts contained herein, the undersigned finds that the proposed Federal action, namely the Proposed Action, is consistent with existing national environmental policies and objectives as set forth in Section 101 of NEPA and other applicable environmental requirements and is not a major federal action significantly affecting the quality of the human environment or otherwise, including any condition requiring consultation pursuant to Section 102(2)(C) of NEPA.

I, the undersigned, have reviewed the attached Final EA including the evaluation of the purpose and need that this Proposed Action would serve the alternative means of achieving the purpose and need, and the environmental impacts associated with these alternatives. I find the Proposed Action described in the Final EA is reasonably supported and issuance of a finding of no significance is appropriate. Therefore, an environmental impact statement will not be prepared.

I have carefully considered the FAA's statutory mandate under 49 U.S.C. §40103 to ensure the safe and efficient use of the national airspace system as well as the other aeronautical goals and objectives discussed in the Final EA.

Accordingly, under the authority delegated to me by the Administrator of the FAA, I approve and direct that actions be taken that will enable implementation of the Proposed Action. This consists of the optimization of the air traffic routes serving the EA Airports, including the addition of entry and exit points to the terminal area airspace, the development of additional RNAV STARs and RNAV SIDs, and changes to airspace management to better manage the optimized air traffic routes.

Approved:  9/26/2012
Ronald G. Beckerdite Date
Director
Western Service Center

RIGHT OF APPEAL

This FONSI/ROD constitutes a final order of the FAA Administrator and is subject to exclusive judicial review under 49 U.S.C. § 46110 by the U.S. Circuit Court of Appeals for the District of Columbia or the U.S. Circuit Court of Appeals for the circuit in which the person contesting the decision resides or has its principal place of business. Any party having substantial interest in this order may apply for review of the decision by filing a petition for review in the appropriate U.S. Court of Appeals no later than 60 days after the order is issued in accordance with the provisions of 49 U.S.C. § 46110. Any party seeking to stay implementation of the 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.