

U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION  
WESTERN-PACIFIC REGION

---

***FINDING OF NO SIGNIFICANT IMPACT  
AND  
RECORD OF DECISION***

---

**Proposed PHX Sky Train Station Parking Lot Expansion Project**

Phoenix Sky Harbor International Airport  
Phoenix, Maricopa County, Arizona



For further information

David B. Kessler, AICP  
U.S. Department of Transportation  
Federal Aviation Administration  
Western-Pacific Region  
P.O. Box 92007  
Los Angeles, CA 90009-2007  
310-725-3615

June 20, 2014

## GENERAL INFORMATION ABOUT THIS DOCUMENT

**WHAT'S IN THIS DOCUMENT?** This document is the Federal Aviation Administration's (FAA) Finding of No Significant Impact (FONSI) and Record of Decision (ROD) for the proposed expansion of the existing PHX Sky Train Station automobile parking lot north of Phoenix Sky Harbor International Airport located in Phoenix, Arizona. This document includes the agency determinations and approvals for those proposed Federal actions described in the Final Environmental Assessment dated June 2014. This document discusses all alternatives considered by FAA in reaching its decision, summarizes the analysis used to evaluate the alternatives, and briefly summarizes the potential environmental consequences of the Proposed Action and the No Action Alternative, which are evaluated in detail in this FONSI and ROD. This document also identifies the environmentally preferred alternative and the agency preferred alternative. This document identifies applicable and required mitigation.

**BACKGROUND.** In May 2014, the City of Phoenix, through its Aviation Department prepared a Draft Environmental Assessment (Draft EA) for the proposed parking lot expansion. The Draft EA addressed the potential environmental effects of the proposed PHX Sky Train Station Parking lot expansion project including various reasonable alternatives to that proposal. The Draft EA was prepared in accordance with the requirements of the National Environmental Policy Act (NEPA) [Public Law 91-190, 42 USC 4321-4347], the implementing regulations of the Council on Environmental Quality (CEQ) [40 CFR Parts 1500-1508], and FAA Orders 1050.1E, *Environmental Impacts: Policies and Procedures* and 5050.4B, *National Environmental Policy Act (NEPA), Implementing Instructions for Airport Actions*. The City of Phoenix published the Notice of Availability for the Draft EA on May 9, 2014. The City of Phoenix received comments on the draft between May 9, 2014 and June 9, 2014. FAA approved the Final EA on June 20, 2014.

**WHAT SHOULD YOU DO?** Read the Finding of No Significant Impact and Record of Decision to understand the actions that FAA intends to take relative to the proposed PHX Sky Train Station Parking Lot Expansion Project near Phoenix Sky Harbor International Airport.

**WHAT HAPPENS AFTER THIS?** The City of Phoenix may begin to implement the Proposed Action.

U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION  
FINDING OF NO SIGNIFICANT IMPACT  
AND  
RECORD OF DECISION

PROPOSED PHX SKY TRAIN STATION PARKING LOT EXPANSION PROJECT

PHOENIX SKY HARBOR INTERNATIONAL AIRPORT  
PHOENIX, MARICOPA COUNTY, ARIZONA

- 1. Introduction.** This document is a Finding of No Significant Impact (FONSI) on the environment and Record of Decision (ROD) (FONSI/ROD) as a result of the proposed PHX Sky Train Station Parking Lot Expansion Project near Phoenix Sky Harbor International Airport (PHX), Phoenix, Maricopa County, Arizona. The City of Phoenix is the sponsor for PHX. The Federal Aviation Administration (FAA) must comply with the National Environmental Policy Act of 1969 (NEPA) before being able to take the federal action of approval of those portions of the Airport Layout Plan (ALP) that depicts the proposed project. Approval of the ALP is authorized by the Airport and Airway Improvement Act of 1982, as amended (Public Laws 97-248 and 100-223).
- 2. Purpose and Need of the Proposed Action.** The purpose of the proposed action is to provide parking for airport employees that are currently having to temporarily park in airport terminal garages used by the public at the three airline terminal buildings at PHX. Relocation of the airport employees out of the terminal garages would open these spaces for use by the general public, especially when demand is high during the holidays and when special sporting events occur in the Phoenix area. Section 1.4.1 of the Final Environmental Assessment (EA) states the City previously had to close about 5,000 employee parking spaces in employee parking lots to comply with FAA Runway Protection Zone requirements. The Final EA also states that demand for use of the parking spaces in the terminal garages is expected to further increase based on the following events in 2014 and 2015: college football bowl games held in late December 2014 and early January 2015, and the National Football League's Super Bowl scheduled for Sunday, February 1, 2015. Demand for use of the terminal garages will also increase with the PHX Sky Train Phase 1a connection to Terminal 3 at PHX that is set to open in late 2014 or early 2015 because of the new station's proximity to the East Economy Parking Garage and lot.

The FAA's statutory mission is to ensure the safe and efficient use of navigable airspace in the United States. Pursuant to Title 49 United States Code (USC), Subtitle VII, as amended, FAA must ensure the proposed project does not derogate the safety of aircraft and airport operations at PHX.

- 3. Proposed Project and Federal Actions.** The Proposed Action includes site preparation, grading, installation of drainage structures, paving, marking and lighting of the proposed expansion of the existing PHX Sky Train Station automobile parking lot (See Figures 1-2, 1-3, and 1-4 of the Final EA).

The Proposed Action evaluated in this FONSI/ROD includes the following actions:

- Site preparation for the proposed expansion of the PHX Sky Train Station parking lot.
- Pave the expanded parking lot to accommodate 1,375 parking spaces on an asphalt surface.
- Extension of various utilities to accommodate the expanded automobile parking lot.
- Installation of parking lot lighting, Closed Circuit Television (CCTV) Security; block wall or other type of fencing; entrance and exit gates, space striping, and landscaping.
- Installation of canopies to provide shade for parked cars.

- Installation of an underground stormwater collection system, including construction of four additional dry wells in the existing area detention pond to accommodate stormwater from the proposed lot.
- Use of a temporary construction staging area on the southwest corner of Madison Street/42<sup>nd</sup> Street on land owned by the City of Phoenix.
- Construction of an internal circulator fueling station within the proposed lot, including a 1,000 gallon above ground storage tank.
- Use of internal circulator shuttles to traverse existing and proposed employee parking lots to transport employees to and from the PHX Sky Train Station.

The federal actions necessary to carry out the proposed projects include:

- Unconditional approval of the portion of the ALP that depicts the proposed PHX Sky Train Station Parking Lot Expansion Project submitted by the City of Phoenix for PHX pursuant to 49 USC §§ 40103(b), 44718 and 47107(a)(16) and 14 CFR Part 77. The approval of the ALP is based on determinations through the aeronautical study process, regarding obstructions to navigable airspace, that the airport development proposal is acceptable from an airspace perspective.
- Approval of a Construction Safety and Phasing Plan to maintain aviation and airfield safety during construction pursuant to FAA Advisory Circular 150/5370-2F, *Operational Safety on Airports During Construction*, [14 CFR Part 139 (49 USC § 44706)].

4. **Reasonable Alternatives Considered.** Chapter 2 of the Final EA, used a three step alternatives analysis screening process including:

Step 1 – Is the site of adequate size to accommodate the required number of employee parking spaces needed to release 1,300 parking spaces for public use in the East Economy Garage to meet demand and generate public parking revenue?

Step 2 – Could the parking lot be operational by the anticipated events that will trigger increased demand in late 2014/early 2015?

Step 3 – Would the location of the parking lot be cost effective?

The Final EA evaluated two non-development alternatives including employee parking demand management and maximized/shared use of existing parking lots and six (6) on-airport development alternatives, in addition to the No Action Alternative. Analysis of the No Action Alternative is required pursuant to 40 CFR § 1502.14(d).

Section 2.4.2 of the Final EA, evaluated both off-airport and non-construction alternatives. The on-airport development alternatives include the proposed action to expand the existing PHX Sky Train Station Parking lot, construct a parking lot at the Dog Track Parcel – west of 40<sup>th</sup> Street, and expand the existing East Economy Lot/Garage. Three other Alternatives on the west side of the airport considered reuse of the former Hertz Rental Car parking lot on a 24-acre site on the west side of the airport, use a portion of the former Tonto East Lot that is outside of the Runway Protection Zone for Runway 8, and use of the West Ground Transportation Center lots on either side of Sky Harbor Boulevard.

Table 2.1 summarizes the results of the Alternatives Screening Process. Of the nine alternatives considered in the Final EA, one build alternative and the No Action Alternative were carried forward for detailed impact analysis.

Paragraph 405(d) of FAA Order 1050.1E states in part: “An EA must consider the proposed action and a discussion of the consequences of taking no action, and may limit the range of alternatives to action and no action when there are no unresolved conflicts concerning alternative uses of available resources.”

The primary considerations for the FAA in selection of a preferred alternative include the Purpose and Need for the project and the environmental impacts of the project. In its consideration of alternatives, the FAA is mindful of its statutory charter to encourage the development and safety of civil aeronautics in the United States (49 USC § 40104). The No Action Alternative has fewer environmental effects than the Proposed Action alternative. However, the No Action Alternative does not meet the Purpose and Need for the proposed project and City of Phoenix would not be able to open over 1,000 parking spaces currently used by employees to be available to airport users during high demand times.

The Proposed Action includes paving an area that would provide about 1,375 parking spaces at the existing PHX Sky Train Station parking lot. This alternative would be able to utilize the PHX Sky Train to help reduce vehicle miles travelled to and from the airport by people using the PHX Sky Train. This alternative would also help to reduce congestion in the terminal loop roadway system.

5. **Assessment.** The potential environmental impacts and possible adverse effects were identified and evaluated in a Final EA prepared in June 2014. The Final EA has been reviewed by the FAA and found to be adequate for the purpose of the proposed Federal action. The FAA determined that the Final EA for the proposed project adequately describes the potential impacts of the proposed action.

The Final EA examined the following environmental impact categories: Air Quality; Compatible Land Use; Floodplains, Hazardous Materials, Pollution Prevention and Solid Waste; Historical, Architectural, Archaeological, and Cultural Resources, Light Emissions and Visual Impacts; Natural Resources and Energy Supply; Secondary (Induced) Impacts; Socioeconomic Impacts, Environmental Justice and Children's Health and Safety Risks, Water Quality; Construction Impacts, and Cumulative Impacts.

The environmental impact categories of Coastal Barriers, Department of Transportation Act Section 4(f) Farmlands, Fish, Wildlife and Plants, Noise, Wetlands, and Wild and Scenic Rivers were not evaluated further because the proposed action at PHX would not pose an impact to these environmental resources.

**A. Air Quality.** Section 4.2 of the Final EA, states the Proposed Action will not change aircraft operations at PHX. Table 4.2 of the Final EA provides an emissions inventory for both the Proposed Action and the No Action Alternatives. Construction emissions for the Proposed Action were evaluated and were determined to be below the *de minimis* thresholds for all applicable pollutants, and therefore, not significant. Table 4.3 of the Final EA summarizes the comparison of Peak Year project related emissions to the *de minimis* thresholds for the Proposed Action. The Proposed Action alternative would not exceed the *de minimis* thresholds.

**B. Compatible Land Use.** Section 3.4 of the Final EA states the airport is located in the City of Phoenix. Figure 3-2 of the Final EA shows the land use in the vicinity of the Proposed Action as included in the City of Phoenix General Plan. Section 4.3.3 of the Final EA states the No-Action and Proposed Action alternatives would not result in changes to existing land uses in the vicinity of the airport. Therefore, the Proposed Expansion of the existing PHX Sky Train Station Parking Lot is consistent with community planning. Appendix E of Final EA contains the required Land Use Assurance Letter from the City of Phoenix to the FAA, dated March 26, 2014.

**C. Floodplains.** Section 4.4 of the Final EA states the Proposed Action is not located within a 100-year floodplain. Therefore, the Proposed Action would not affect any 100-year floodplains.

**D. Hazardous Materials, Pollution Prevention, and Solid Waste.** Section 4.5 of the Final EA notes construction associated with the Proposed Action alternative would involve areas where past land uses by a prior land owner resulted in substantial hazardous waste contamination. Section 4.5.3.2 of the Final EA noted that the previous land owner and the City of Phoenix conducted remediation efforts prior to and after the sale of the property to the City. This same section of the Final EA states the site of the Proposed Action has been remediated to the point where no hazardous materials would be encountered above accepted thresholds during construction activities. Implementation of Best Management



Practices to avoid spillages of fuels, greases, and oils, would reduce potential impacts. Therefore, no significant impacts are expected.

**E. Historical, Architectural, Archaeological, and Cultural Resources.** Section 4.6 of the Final EA describes the impacts to archaeological resources by the Proposed Action. During the development of the Draft EA two historic properties that would be affected by the Proposed Action were identified. FAA undertook the required Section 106 consultation with the Arizona State Historic Preservation Officer (SHPO) and determined the subject property was eligible for inclusion into the National Register of Historic Places. The soil remediation efforts by the previous land owner and subsequent soil remediation efforts by the City have resulted in adverse effects to sites U:9:2 and U:9:310 – portions of Hohokam canals. Since the adverse effect to historic properties has already occurred, and the City completed data recovery for these two properties prior to involvement by the FAA – no Memorandum of Agreement would be prepared to address impacts of the Proposed Action. During the Section 106 consultation process, FAA advised the City of Phoenix this type of action cannot occur on future projects. FAA has provided the Arizona SHPO with the final report for the field work done at the PHX Sky Train Station that documents the data recovery results of the historic properties.

**F. Light Emissions and Visual Impacts.** Section 4.7 of the Final EA states the Proposed Action and the No Action Alternative would not have a significant impact on light sensitive receptors. The Proposed Action alternative would not increase aircraft operations or use of the Airport compared to the No Action Alternative. The Proposed Action would occur in an area where commercial and industrial land uses currently exist. Section 4.7.3.2 of the Final EA states the light emissions of the expanded parking lot would be consistent with the existing PHX Sky Train Station parking lot. This section of the Final EA also states an 8-foot tall block wall fence would be constructed along the perimeter of the proposed action site on three sides. The block wall would be aesthetically the same as the walls on the south and east of the existing PHX Sky Train Station Parking Lot. There are no light sensitive receptors in the vicinity of the site of the Proposed Action.

**G. Natural Resources and Energy Supply.** Section 4.8 of the Final EA states the Proposed Action would not have a significant impact on natural resources that are unusual or in short supply. The Proposed Action Alternative would not increase aircraft operations or use of the Airport compared to the No Action Alternative.

**H. Secondary (Induced) Impacts.** Section 4.9 of the Final EA states the Proposed Action would occur on existing City property, consequently, there is no need to relocate any residences or businesses. The proposed action would adhere to current land use designations and would not result in exceeding the significance thresholds of noise because the Proposed Action would not change the number and type of aircraft using PHX. Further, Section 4.9.3.2, states the Proposed Action would not create secondary impacts associated with the generation of noise, new population growth, demand for new public services, or increased traffic. The Proposed Action is expected to reduce some surface traffic into the airport terminal areas by airport employees.

**I. Socioeconomic Impacts, Environmental Justice and Children's Environmental Health and Safety Risk.** As discussed in Section 4.10 of the Final EA, the Proposed Action would occur entirely on airport property. Therefore, the Proposed Action would not create any adverse off-airport socioeconomic impacts. Section 4.10.1.3, of the Final EA states the Proposed Action would not have a direct effect on minority or low income populations. The nearest residential land uses are  $\frac{1}{4}$  to  $\frac{3}{4}$  of a mile north and west of the PHX Sky Train Station. This subsection of this Final EA states that an analysis of air quality, noise and traffic indicates no significant impacts are anticipated for the Proposed Action. Furthermore, no significant impacts related to lighting and visual character, hazardous materials or water resources are anticipated. Therefore, the Proposed Action and No Action Alternatives will not result in disproportionate impacts on any minority or low-income populations.

**J. Water Quality.** Section 4.11 of the Final EA states the Proposed Action would not create a significant impact to water resources. The Proposed Action would result in minor increase in storm water discharge because it would increase the amount of impervious surface. Section 4.11.3.2 of the Final EA states that ground water was not detected in test pits dug 25 feet below the surface during the hazardous materials remediation actions. This section of the Final EA also states the Arizona Department of Environmental Quality issued a stormwater discharge permit under the Arizona Pollution Discharge Elimination System (AZPDES) to the City of Phoenix. This section of the Final EA also states that Best Management Practices would be used to ensure compliance with the AZPDES permit.

**K. Construction Impacts.** Section 4.12 of the Final EA notes the impacts due to construction would be temporary in nature and would be reduced by proper use of various construction techniques. This section of the Final EA addressed construction impacts for air quality, noise, water quality, and solid waste. For Noise, the Final EA states the noise impacts would be related to construction equipment and would not result in noise impacts to noise sensitive areas. The closest noise sensitive land uses are about ¼ mile north and ¾ miles west of the proposed expanded parking lot site.

**L. Cumulative Impacts.** The past, present and reasonably foreseeable cumulative actions included in the cumulative impact analysis are presented in Section 3.15, Past, Present, and Reasonably Foreseeable Future Actions. An evaluation of cumulative impacts from these cumulative actions is discussed in Section 4.16 of the Final EA and no significant cumulative impacts were identified.

#### **M. Environmentally Preferred Alternative and FAA Preferred Alternative**

In connection with its decision to approve the proposed ALP revisions, the FAA considered the environmental impacts from the Proposed Action and the No Action Alternatives. The FAA determined that all practicable means to avoid or minimize environmental harm from the Proposed Action have been adopted and there would be no significant environmental impacts from the proposed parking lot expansion and that the project would not jeopardize the safe and efficient operations at the Airport. The No Action Alternative has fewer environmental effects than the Proposed Action alternative, and thus would be the environmentally preferred alternative. However, the No Action Alternative does not meet the Purpose and Need for the proposed project. Thus, the FAA's preferred alternative is the Proposed Action as defined in the Final EA. FAA selected this alternative because it meets the Purpose and Need of the proposed project with minimum adverse environmental effects.

### **6. Public Participation.**

The public was encouraged to review and comment on the Draft EA which was released for public review on May 9, 2014. The City of Phoenix published a notice of availability of the Draft EA in the following local newspapers in the vicinity of the airport: *Arizona Republic*, *Arizona Business Gazette*, and *La Voz*. The City made the Draft EA available on their web site, in the local libraries, the PHX administrative offices and the FAA's Western Pacific Region Office and at the FAA's Phoenix Airports District Office. Three written comments were received during the public comment period from regulatory agencies. Each letter indicated the agency had no comment. The public comment period ended on June 9, 2014. Responses to comments received are provided in Appendix A of the Final EA. Copies of the newspaper Proof of Publications are provided in Appendix F of the Final EA.

### **7. Inter-Agency Coordination.**

In accordance with 49 USC § 47101(h), the FAA has determined that no further coordination with the U.S. Department of Interior or the U.S. Environmental Protection Agency is necessary because the Proposed Action does not involve construction of a new airport, new runway or major runway extension that has a significant impact on natural resources including fish and wildlife; natural, scenic, and recreational assets; water and air quality; or another factor affecting the environment.

## 8. Reasons for the Determination that the Proposed Action will have No Significant Impacts.

The attached Final EA examines each of the various environmental resources that were deemed present at the project location, or had the potential to be impacted by the Proposed Action. The proposed PHX Sky Train Station Parking Lot Expansion Project at PHX would not involve any environmental impacts, after mitigation, that would exceed the threshold of significance as defined by FAA Orders 1050.1E and 5050.4B. Based on the information contained in the Final EA, the FAA has determined that the Proposed Action is the most feasible and prudent alternative. The FAA has decided to implement the Proposed Action as described in Section 3 of this FONSI.

## 9. Agency Findings.

The FAA makes the following determination for this project based on information and analysis set forth in the Final EA and other portions of the administrative record.

- a. **The project is reasonably consistent with existing plans of public agencies for development of the area [49 U.S.C. 47106(a)].** The proposed project is consistent with the plans, goals and policies for the area, including the City of Phoenix General Plan. The proposed project is also consistent with the applicable regulations and policies of federal, State and local agencies.
- b. **Independent and Objective Evaluation:** As required by the Council on Environmental Quality (40 CFR § 1506.5), the FAA has independently and objectively evaluated this proposed project. As described in the Final EA, the Proposed and the No Action Alternatives were studied extensively to determine the potential impacts and appropriate mitigation measures for those impacts. The FAA provided input, advice, and expertise throughout the analysis, along with administrative and legal review of the project.

## 10. Decision and Orders.

Based on the information in this FONSI/ROD and supported by detailed discussion in the Final EA, the FAA has selected the proposed PHX Sky Train Station Parking Lot Expansion Project (as the FAA's Preferred Alternative). The FAA must select one of the following choices:

- Approve agency actions necessary to implement the Proposed Action or
- Disapprove agency actions to implement the Proposed Action

Approval signifies that applicable federal requirements relating to the proposed airport development and planning have been met. Approval permits the City of Phoenix to proceed with implementation of the Proposed Action. Disapproval would prevent the City of Phoenix from implementing the Proposed Action on Airport owned property north of PHX.

Under the authority delegated to me by the Administrator of the Federal Aviation Administration, I find that the project is reasonably supported. I, therefore, direct that action be taken to carry out the agency actions discussed more fully in Section 3 of this FONSI/ROD.

1. Unconditional approval of the portion of the ALP that depicts the proposed PHX Sky Train Station Parking Lot Expansion Project submitted by the City of Phoenix for PHX pursuant to 49 USC §§ 40103(b), 44718 and 47107(a)(16) and 14 CFR Part 77. The approval of the ALP is based on determinations through the aeronautical study process, regarding obstructions to navigable airspace, that the airport development proposal is acceptable from an airspace perspective.
2. Approval of a Construction Safety and Phasing Plan to maintain aviation and airfield safety during construction pursuant to FAA Advisory Circular 150/5370-2F, *Operational Safety on Airports During Construction*, [14 CFR Part 139 (49 USC § 44706)].



This order is issued under applicable statutory authorities, including 49 USC §§ 40101(d), 40103(b), 40113(a), 44701, 44706, 44718(b), and 47101, et seq.

I have carefully and thoroughly considered the facts contained in the attached EA. Based on that information, I find the proposed Federal action is consistent with existing national environmental policies and objectives of Section 101(a) of the National Environmental Policy Act of 1969 (NEPA). I also find the proposed Federal action 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.

**APPROVED:**



Mark A. McClardy  
Manager, Airports Division AWP-600  
Western-Pacific Region

6/20/14

Date

**DISAPPROVED:**

\_\_\_\_\_  
Mark A. McClardy  
Manager, Airports Division AWP-600  
Western-Pacific Region

\_\_\_\_\_  
Date

**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.*