

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

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

**Proposed 60 Acre Land Release and
Relocation of East Hughes Access Road Project**

Tucson International Airport
Tucson, Pima County, Arizona



For further information

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January 9, 2015

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 release of about 60 acres of land from federal grant-in-aid obligations and subsequent sale to Pima County for relocation of the East Hughes Access Road about 2,500 feet south of its current location. The purpose of the proposed project is to relocate the road out of United States Air Force safety arcs used at United States Air Force Plant 44 adjacent to Tucson International Airport. This document includes the agency determinations and approvals for those proposed Federal actions described in the Final Environmental Assessment (Final EA) dated January 2015. 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 November 2014, the Tucson Airport Authority and Pima County Department of Transportation prepared a Draft Environmental Assessment (Draft EA) for the land release and road relocation project. The Draft EA addressed the potential environmental effects of the proposed road relocation 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 Tucson Airport Authority and Pima County published the Notice of Availability for the Draft EA on November 28, 2014 and the document was available for review through December 30, 2014. The Tucson Airport Authority received no comments on the draft between November 28 and December 30, 2014. FAA approved the Final EA on January 8, 2015.

WHAT SHOULD YOU DO? Read the FONSI and ROD to understand the actions that FAA intends to take in connection with the proposed land release and subsequent relocation of East Hughes Access Road at Tucson International Airport.

WHAT HAPPENS AFTER THIS? The Tucson Airport Authority may begin to implement the Proposed Action by selling the property to Pima County.

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

PROPOSED 60 ACRE LAND RELEASE AND
RELOCATION OF EAST HUGHES ACCESS ROAD PROJECT

TUCSON INTERNATIONAL AIRPORT
TUCSON, PIMA COUNTY, ARIZONA

- 1. Introduction.** This document is a Finding of No Significant Impact (FONSI) on the environment and Record of Decision (ROD) (FONSI/ROD) for the proposed sale of about 60 acres of land owned by the Tucson Airport Authority (TAA) at fair market value to Pima County. The purpose of this sale is to relocate a portion of East Hughes Access Road to an area outside designated United States Air Force (USAF) safety arcs at USAF Plant Number 44 adjacent to Tucson International Airport (TUS), Tucson, Pima County, Arizona. The TAA is the sponsor for TUS. The Federal Aviation Administration (FAA) must comply with the National Environmental Policy Act of 1969 (NEPA) before taking the federal action of approving the portions of the Airport Layout Plan (ALP) that depict the proposed project. Approving 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 release about 60 acres of federally obligated land at TUS to permit the TAA to sell the land to Pima County. The County will use the land to relocate East Hughes Access Road outside the safety arcs used by the USAF at Plant 44. This is necessary because Plant 44 operates under a waiver issued by the Department of the Air Force every five years. Raytheon Missile Systems is the current tenant at USAF Plant 44. The bulk of the people using East Hughes Access Road are Raytheon employees.

East Hughes Access Road is a two lane road located south of TUS between South Alvernon Way and South Nogales Highway, which provides access to the existing South Hughes Access Road. Facilities at USAF Plant 44 are operating on exemptions from the Secretary of the Air Force and the Department of Defense (DoD). The distances from the existing East Hughes Access Road to various buildings on USAF Plant 44 do not meet the USAF's Inhabited Building Distance standards. The number of daily trips on the existing East Hughes Access Road was a factor cited in obtaining exemptions from the Secretary of the Air Force that allowed Plant 44 to continue to operate. Waivers granted by the USAF are reviewed and validated annually as required under Air Force Manual 91-201, *Explosive Safety Standards*. The USAF encourages eliminating waivers whenever construction or reconstruction occurs.

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, the FAA must ensure the proposed project does not derogate the safety of aircraft and airport operations at TUS.

- 3. Proposed Project and Federal Actions.** The Proposed Action evaluated in this FONSI/ROD includes releasing about 60 acres of land at TUS from federal obligations for subsequent fair market value sale, site preparation, grading, installing drainage structures, paving, marking and lighting the proposed relocation of East Hughes Access Road (See Figures 1.2, and 1.3 of the Final EA).

Specifically, the Proposed Action includes the following actions:

- Release of about 60 acres of land owned by TAA from federal obligations.
- Sale of about 60 acres of land from TAA to Pima County at fair market value.
- Site preparation for the proposed relocation of East Hughes Access Road, including construction of turn lanes and removing pavement at tie-backs on the west and east ends to prevent access to the existing road.

- Pave the relocated road.
- Extend various utilities to accommodate the relocated road.
- Install street lighting, traffic signals and low-voltage directional lighting at the new intersection of East Hughes Access Road and South Hughes Access Road.
- Fencing and landscaping, as necessary.
- Install new flashing traffic signal and low-voltage directional lighting at the new intersection of East Hughes Access Road and South Alvernon Road.
- Construct drainage improvements at 17 locations along the relocated road.
- Use a temporary construction staging area within the new Right-of-Way or three sites outside the right of way owned by TAA, Pima County or City of Tucson.
- Remove and relocate overhead utilities.

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

- Unconditional approval of the portion of the ALP that depicts the land to be sold to Pima County for the relocation of East Hughes Access Road submitted by the TAA for TUS 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 the TAA's request for release of federal obligations on land owned by the Airport Authority for use by Pima County to relocate East Hughes Access Road.
- 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)].
- Approval of the appropriate amendments to the Airport Certification Manual pursuant to 14 CFR Part 139.
- FAA determination of the Proposed Action's effects on the safe and efficient use of airspace pursuant to 14 CFR Part 77, *Objects Affecting Navigable Airspace*.

4. **Reasonable Alternatives Considered.** As set forth in Chapter 2 of the Final EA, the three step alternatives analysis screening process includes:

Step 1 – Does the proposed realignment of East Hughes Access Road comply with the USAF Safety Arcs and FAA Airport Design Standards?

Step 2 – Could the land be acquired by Pima County so the relocated roadway can be operational by December 31, 2015?

Step 3 – Does the proposed alignment of East Hughes Access Road comply with future land use plans and economic growth objectives?

The Final EA evaluated six (6) alternatives, including the No Action Alternative. Analysis of the No Action Alternative is required pursuant to 40 CFR § 1502.14(d).

An evaluation of the six alternatives is set forth in Section 2.4 of the Final EA. The alternatives include:

- Alternative 1 - the proposed action to relocate East Hughes Access Road approximately 2,500 feet south of the existing alignment. This alternative would have a total length of about 3.9 miles within a 150-170 foot wide roadway corridor.

- Alternative 2 – South Route, would relocate East Hughes Access Road slightly south of its existing location.
- Alternative 3 – Pit Route, would relocate the road through a sand and gravel pit.
- Alternative 4 – Old Vail Route, would relocate East Hughes Access Road along the Old Vail Road about 1 mile south of the existing roadway.
- Alternative 5 – Non-development Route, would close East Hughes Access Road and require traffic to use other roadways to access USAF Plant 44.
- Alternative 6 – No Action, would continue to use the existing East Hughes Access Road.

Table 2-1 of the Final EA, summarizes the results of the Alternatives Screening Process. Of the six 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 selecting 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 to relocate East Hughes Access Road outside the USAF Safety Arc at USAF Plant 44.

The Proposed Action includes the TAA release of about 60 acres of land from federal obligations and sale of the land, at fair market value, to Pima County to relocate East Hughes Access Road about 2,500 feet south of its existing location outside the USAF Safety Arcs. This alternative would meet the stated purpose and need and would also provide access to TAA lands for other possible future development.

5. **Assessment.** The potential environmental impacts and possible adverse effects were identified and evaluated in a Final EA prepared in **January 2015**. 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: Fish, Wildlife and Plants; Historical, Architectural, Archaeological, and Cultural Resources;; Water Quality; Construction Impacts; and Cumulative Impacts.

The environmental impact categories of Air Quality, Compatible Land Use, Coastal Resources, Department of Transportation Act Section 4(f), Farmlands, Floodplains, Hazardous Materials, Pollution Prevention and Solid Waste, Lighting Emissions and Visual Impacts, Natural Resources and Energy Supply, Noise, Secondary (Induced) Impact, , Socioeconomic Impacts, Environmental Justice and Children's Health and Safety Risks and Wild and Scenic Rivers, were not evaluated further because the proposed action would not impact or have the potential to exceed federal thresholds of significance for these environmental resources.

A. Air Quality. Section 4.2 of the Final EA states that the Proposed Action will not change or affect the number and type of aircraft operations or passenger enplanements at TUS. Table 4.1 of the Final EA provides a construction emissions inventory for the Proposed Action Alternative. Construction emissions for the Proposed Action are below the *de minimis* thresholds for all applicable pollutants. Therefore, the proposed action would not have a significant impact on air quality.

B. Compatible Land Use. Section 3.3 of the Final EA states that the existing East Hughes Access Road is located partially on a series of Right-of-Way (ROW) easements or leases granted by the TAA, the USAF and/or the City of Tucson. Figure 1-3 of the Final EA shows the land ownership in the vicinity of the Proposed Action. Section 3.3 of the Final EA states that lands adjacent to the proposed road relocation are primarily undeveloped natural desert. Section 4.3.2 of the Final EA states that the Proposed Action would change the project area from undeveloped land to a two-lane roadway and would permanently impact 106 acres, of which about 5 acres may be used as materials management areas during construction. Section 4.3.2 of the Final EA also states that the Proposed Action would have long term beneficial impacts to future land use because relocating the road would meet future land use plans and economic development goals identified in the TUS Master Plan Update and the Pima County Economic Development Plan, 2012 to 2014. Therefore, the proposed land release and relocation of East Hughes Access Road is consistent with local community plans. The TAA provided the required Land Use Assurance Letter, dated August 8, 2014. (See Appendix D of the Final EA).

C. Fish, Wildlife and Plants. Section 4.4 of the Final EA states that under the No Action Alternative, there are no impacts to vegetation and wildlife as no construction or other ground disturbing activities would occur. Section 4.4 of the Final EA states that there are three federally listed species that are or may be in the area of the proposed project. These include the federally listed Pima pineapple cactus (PPC), the lesser long-nosed bat and the Sonoran desert tortoise.

FAA conducted formal section 7 consultation with the U.S. Fish and Wildlife Service (USFWS) and determined that the Proposed Action may affect, is not likely to adversely affect the lesser long-nosed bat. The USFWS concurred with the FAA determination in its Biological Opinion dated November 14, 2014 (see Appendix E of the Final EA).

Section 4.4.3.4 of the Final EA states the proposed construction of the relocated East Hughes Access Road could affect various individuals of PPC. About 70 acres of PPC habitat would be affected by the Proposed Action. Within those 70 acres, about nine (9) individual PPC would be directly or indirectly affected by the proposed action. See Page 15 of USFWS Biological Opinion in Appendix E to the Final EA). Pima County proposes the following conservation measures to minimize the effects of the proposed project on PPC:

- Protect in place as many PPC as possible during construction, including by constructing fencing at locations within or along the ROW to minimize or avoid impacts to individuals. Additional fencing will be installed within the ROW and drainage easements to protect additional PPC, as needed.
- Purchase 70 acres of mitigation credits for PPC at Pima County's Madera Highlands/Elephant Head properties mitigation bank.
- Salvage and transplant all PPC that cannot be avoided from the project area within the adjacent ROW and, based on information indicating limited success of transplant efforts on other projects, promote project-specific research into viability of transplanting PPC.

FAA determined that the Proposed Action may affect, is likely to adversely affect the Pima pineapple cactus. The USFWS concurred with the FAA determination in their Biological Opinion dated November 14, 2014 (see Appendix E of the Final EA). The USFWS provided three conservation recommendations to the FAA that may be implemented **at the discretion of the FAA**:

1. USFWS recommends, "*when TAA and Pima County work to conserve PPC on lands in the vicinity of TUS, and if appropriate, survey and monitoring efforts be implemented to locate and identify PPC on lands each agency controls.*"
2. USFWS recommends, "*since success of transplanting PPC is not well documented, we recommend FAA work with Pima County and the Service to monitor the success of the PPC transplant efforts associated with this project when possible, other projects in the area for a period of five (5) years following opening of the roadway for use by the public. Monitoring of the individual transplanted PPC would be accomplished using appropriate procedures to document*

positive and negative changes in the transplanted PPC from year to year. We also recommend monitoring of those individual PPC not transplanted within the ROW for the roadway project during this same five year period to gain a better understanding of any indirect effects on PPC by changes in localized surface water flow from storm events, and changes, if any, resulting from the proximity to the new road or other associated ground disturbances. We recommend the FAA provide an annual report on this monitoring effort to this office."

3. USFWS recommends *"that the TAA and Pima County continue to address invasive species issues within TAA lands, and the proposed relocated East Hughes Access Road, respectively."*

Section 4.4.4.2.1 of the Final EA states that the Sonoran desert tortoise has a reasonable potential to occur in the project area. No Sonoran desert tortoises were documented as occurring within the proposed project area. However, Pima County proposes the following conservation measures to minimize the effects of the proposed project on Sonoran desert tortoises:

- If any Sonoran desert tortoises are encountered during construction, Pima County shall provide a qualified biological monitor on-site during construction activities to ensure that activities stay within the designated project area, evaluate the response of individual tortoises that come near the project area, and ensure implementation of the Arizona Game and Department's (AGFD) Guidelines for Handling Sonoran Desert Tortoises Encountered on Development Projects (Revised October 23, 2007).
- The contractor shall cover trenches, or place escape ramps, at the end of the work day. The contractor shall inspect trenches at the beginning of every workday to ensure that no tortoises or other wildlife are trapped within the trenches. In the event that wildlife becomes injured or trapped (and cannot be freed), AGFD will be contacted.
- Prior to the start of construction activities, Pima County shall provide an awareness training session to the on-site construction personnel regarding the Sonoran desert tortoise.
- If any Sonoran desert tortoises are encountered during construction, the contractor shall contact Pima County environmental staff and adhere to the AGFD's Guidelines for Handling Sonoran Desert Tortoises Encountered on Development Projects (Revised October 23, 2007).

FAA determined the Proposed Action may impact individual Sonoran desert tortoises, but is not likely to result in a trend toward federal listing or loss of viability. The USFWS did not include the Sonoran desert tortoise in its Biological Opinion because this species is a candidate species under the Endangered Species Act (ESA) and does not receive regulatory protection under the ESA.

D. Hazardous Materials, Pollution Prevention, and Solid Waste. Section 4.5 of the Final EA notes that a Phase I Environmental Site Assessment was completed in September 2014 and indicates that no known existing hazardous materials are present within the project area and that no lead-based paint was detected in the road striping on East Hughes Access Road. This section of the Final EA states that under the No Action Alternative, no impacts to hazardous materials would occur.

Section 4.5.2 of the Final EA notes that there are several illegal trash dump sites in the proposed project area, and that under the Proposed Action, materials that could potentially contain asbestos or lead-based paint in those dump sites would be disposed of properly prior to construction. Implementing 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. FAA undertook the required Section 106 consultation with the Arizona State Historic Preservation Officer (SHPO) and determined there are no historic properties within the Area of Potential Effects for the proposed undertaking. FAA also found the proposed undertaking would not affect any historic properties listed or eligible for listing on the National Register of Historic Places. The Arizona SHPO concurred with FAA's determination of

eligibility and findings of effect by stamp and signature on FAA's letter dated August 29, 2014 (See Appendix B of the Final EA, p. B-5).

F. Socioeconomic Impacts, Environmental Justice and Children's Environmental Health and Safety Risk. Section 4.7 of the Final EA states under the No Action Alternative, the 60 acres of land would not be released and East Hughes Access Road would not be relocated. Under the No Action Alternative, the USAF safety arc used at USAF Plant 44 would continue to overlap East Hughes Access Road.

Raytheon Missile Systems, the tenant at USAF Plant 44, must obtain waivers from the USAF to conduct its operations at Plant 44. Section 4.7.1.2 of the Final EA states that if the Department of Defense stops issuing waivers for USAF Plant 44's safety arc, Raytheon may close its operations in Tucson. Raytheon is the largest private employer in the Tucson metropolitan area, and a significant reduction in current employment levels would result from a Raytheon shutdown.

Section 4.7.1.3 of the Final EA states there are no residential land uses, daycare centers, preschools or schools within or adjacent to the existing East Hughes Access Road. Section 4.7.2 of the Final EA states that there would be no direct or indirect effects to minority or low income populations resulting from the Proposed Action because the proposed road realignment would not occur within or adjacent to residential areas, and no acquisition or displacement of residences or businesses would occur. Therefore, the Proposed Action would not create any adverse off-airport socioeconomic impacts. The nearest residential land uses are more than 0.5 miles south of the proposed realignment. Therefore, the Proposed Action and No Action Alternatives will not result in disproportionate impacts on any minority or low-income populations.

G. Water Quality. Section 4.8 of the Final EA states that the No Action Alternative would have no impacts to the Upper Santa Cruz or Avra Basin sole source aquifers, or to surface water or groundwater resources.

Section 4.8.2.1 of the Final EA states that the depth of ground water in the project area is 109-150 feet. Ground-disturbing activities during construction of the Proposed Action would not reach ground water levels. Therefore, the Proposed Action would not impact the Upper Santa Cruz or Avra Basin sole source aquifers. The Proposed Action would result in a minor increase in storm water discharge because it would increase the amount of impervious surface. Section 4.8.2.2 of the Final EA states that the implementation of Best Management Practices to maintain runoff on-site and minimize erosion during construction identified in a Storm Water Pollution Prevention Plan would then comply with the current Arizona Pollution Discharge Elimination System (AZPDES) General Permit.

H. Light Emissions and Visual Impacts. Section 4.9 of the Final EA states neither the Proposed Action nor the No Action Alternative would 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 use low voltage overhead roadway lighting at the intersections of East Hughes Access Road and South Hughes Access Road and South Alvernon Way. The overhead roadway lighting would use shielding to direct light downward toward the road. Section 4.9.2 of the Final EA states that the Proposed Action would change undeveloped desert land into a two lane road. Considering the context of the surrounding visual landscape of TUS, and associated industrial facilities, retired and operating materials mining pits, and other roads such as South Nogales Highway and South Alvernon Way, the new road is not considered a significant change from existing visual and aesthetic conditions. There are no light sensitive receptors in the vicinity of the site of the Proposed Action.

I. Natural Resources and Energy Supply. Section 4.10 of the Final EA states that the Proposed Action would not have a significant impact on natural resources that are unusual or in short supply. The Proposed Action would not increase aircraft operations or use of the Airport compared to the No Action Alternative. The Proposed Action would require the consumption of natural resources and energy to construct and operate. Energy in the form of electricity, gasoline, and diesel fuel would be consumed during construction. Pima County would use water, sand, and gravel in the construction process. Section 4.10.3.2 states that there is sufficient supply to meet construction demands.

H. Secondary (Induced) Impacts. Section 4.11 of the Final EA states that under the No Action Alternative, there is a potential for adverse economic impacts because there could be a potential employment loss at Raytheon if the Department of Defense stopped issuing waivers for East Hughes Access Road and Raytheon closed. Indirect business and employment loss at other businesses that rely on Raytheon and its employees could also occur if Raytheon discontinued use of USAF Plant 44. The Proposed Action would not cause an immediate shift in patterns of population or growth in public service demands because there are no specific development plans proposed for lands adjacent to the relocated road. The 60 acres of land to be released from federal obligations and sold to Pima County, at fair market value, are owned by TAA. Consequently, there is no need to relocate any residences or businesses. The proposed action would adhere to current land use designations and would not exceed the significance thresholds of noise because the Proposed Action would not change the number and type of aircraft using TUS. 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.

I. Construction Impacts. Section 4.12 of the Final EA notes that impacts from construction would be temporary and would be reduced by proper use of various construction techniques. Section 4.12.2 of the Final EA states that the proposed action is expected to take 6 months to construct and is expected to begin in Spring 2015. This section of the Final EA addressed construction impacts noise, and noted that the project area is not close to any noise sensitive receptors. The closest noise sensitive (residential) land uses are about ½ mile south of the proposed relocated road site.

J. Cumulative Impacts. The past, present and reasonably foreseeable cumulative actions included in the cumulative impact analysis are presented in Section 4.13 of the Final EA. This section of the Final EA indicates that past actions have been the TAA's treatment of buffelgrass, an invasive noxious plant species, with herbicide in 2013 and 2014 within TAA parcels. There have been no other significant public or private developments within the past 5 years within one mile of the Proposed Action. Section 4.13.2 of the Final EA states that there are no other projects currently occurring in the project area. Section 4.13.3 of the Final EA addresses reasonably foreseeable future actions including continued treatment of buffelgrass by TAA and the City of Tucson. This section also indicates that TAA is considering a proposed new runway at TUS and land acquisition. However, TAA is still conducting planning efforts for this potential project and it is not yet ripe for review. Any future development of adjacent properties on TAA land near the proposed project would be subject to separate environmental evaluations, if required.

K. 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, that there would be no significant environmental impacts from the proposed release of 60 acres of land and subsequent construction of the relocated East Hughes Access Road, and that the proposed project would not jeopardize the safe and efficient operation of 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 November 28, 2014. Pima County, in cooperation with TAA, published a notice of availability of the Draft EA in the following local newspapers in the vicinity of the airport: *Arizona Daily Star* and *The Daily Territorial*. Pima County made the Draft EA available on its website, in the local libraries, at the TUS administrative offices, at the FAA's Western Pacific Region Office, and at the FAA's Phoenix Airports District Office. No comments were received during the public comment period. The

public comment period ended on December 30, 2014. Copies of the newspaper Proof of Publications are provided in **Appendix H** 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 Land Release and Relocation of East Hughes Access Road at TUS 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/ROD.
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 Pima County 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 60 Acre Land Release and Relocation of East Hughes Access Road 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 TAA to proceed with implementation of the Proposed Action. Disapproval would prevent the TAA from implementing the Proposed Action.

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.

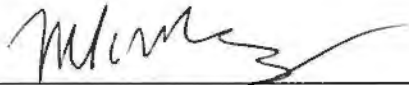
1. Unconditional approval of the portion of the ALP that depicts the proposed 60 Acre Land Release and Relocation of East Hughes Access Road submitted by the TAA for TUS pursuant to 49 USC §§ 40103(b), 44718 and 47107(a)(16) and 14 CFR Part 77. The approval of the ALP is based on determinations through the aeronautical study process, regarding obstructions to navigable airspace, that the airport development proposal is acceptable from an airspace perspective.

2. Approve the TAA's request to release federal obligations on land owned by the Airport Authority for use by Pima County to relocate East Hughes Access Road.
3. Approve 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. Approve the appropriate amendments to the Airport Certification Manual pursuant to 14 CFR Part 139.
5. Approve the FAA's determination of the Proposed Action's effects on the safe and efficient use of airspace pursuant to 14 CFR Part 77, *Objects Affecting Navigable Airspace*.

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

1/9/15

 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.