

CHANGE

**U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION**


**JO 7400.2L
CHG 2**

Air Traffic Organization Policy

Effective Date:
March 29, 2018

SUBJ: Procedures for Handling Airspace Matters

- 1. Purpose of This Change.** This change transmits revised pages to Federal Aviation Administration Order JO 7400.2L, Procedures for Handling Airspace Matters.
- 2. Audience.** This change applies to all Air Traffic Organization (ATO) personnel and anyone using ATO directives. This order also applies to all regional, service area, and field organizational elements involved in rulemaking and nonrulemaking actions associated with airspace allocation and utilization, obstruction evaluation, obstruction marking and lighting, airport airspace analysis, and the management of air navigation aids.
- 3. Where Can I Find This Change?** This change is available on the FAA website at http://faa.gov/air_traffic/publications and https://employees.faa.gov/tools_resources/orders_notices.
- 4. Explanation of Policy Change.** See the Explanation of Changes attachment which has editorial corrections and changes submitted through normal procedures.
- 5. Distribution.** This change is available online and will be distributed electronically to all offices that subscribe to receive email notification/access to it through the FAA website at http://faa.gov/air_traffic/publications.
- 6. Disposition of Transmittal.** Retain this transmittal until superseded by a new basic order.
- 7. Page Control Chart.** See the page control chart attachment.



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Date: 2/20/18

Explanation of Changes Change 2

**Direct questions through appropriate facility/service center office staff
to the Office of Primary Interest (OPI).**

**a. Appendix 2. Procedures for Processing SUA
Actions Environmental Process Flow Chart**

**Appendix 4. FAA Procedures for Processing
SUA Actions: Aeronautical and Environmental
Summary Table**

**Appendix 8. FAA Special Use Airspace
Environmental Processing Procedures**

The changes to these appendices are editorial in nature and are required to clarify current roles and

responsibilities; reduce duplication of environmental review document processing steps; and ensure consistency with FAA Order 1050.1F as well as Chapter 32, Environmental Matters, and Appendix 7 of this order.

b. Entire publication.

Additional editorial/format changes were made where necessary. Revision bars were not used because of the insignificant nature of these changes.

FAA Order JO 7400.2L
Change 2
Page Control Chart
March 29, 2018

REMOVE PAGES	DATED	INSERT PAGES	DATED
Table of Contents i through xix	10/12/17	Table of Contents i through xix	3/29/18
Appendix 2-1	10/12/17	Appendix 2-1	3/29/18
Appendix 4-1 through Appendix 4-4	10/12/17	Appendix 4-1 through Appendix 4-6	3/29/18
Appendix 8-1 through Appendix 8-8	10/12/17	Appendix 8-1 through Appendix 8-9	3/29/18

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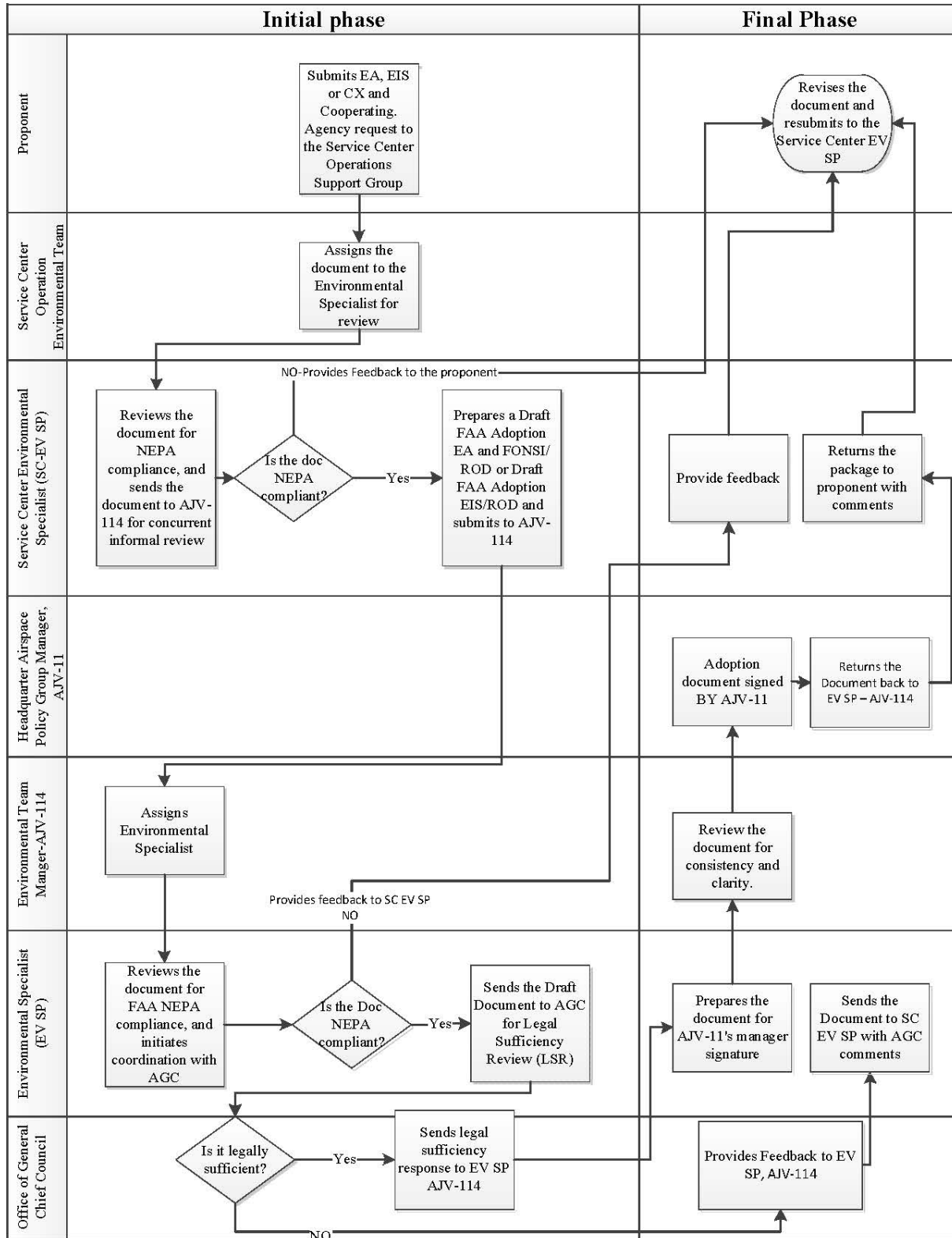
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Appendix 2. FAA Procedures for Processing SUA Actions



Appendix 4. FAA Procedures for Processing SUA Actions: Aeronautical and Environmental Summary Table

The aeronautical and environmental processes may not always occur in parallel.

This appendix is for use with Appendix 2 and Appendix 3, and the numbers correlate to numbers on those charts.

AERONAUTICAL	ENVIRONMENTAL
<p>Pre-SUA Proposal</p> <p>1. Proponent must coordinate with locally affected ATC facilities and military units to discuss the concept (for example, new/revisions to SUA needed or required).</p>	<p>1. The DoD Proponent must coordinate an environmental review of its proposal (for both rule-making and non-rulemaking actions) with the appropriate FAA Service Center OSG Manager and Environmental Specialist early in the Proponent’s environmental documentation process to determine the potential for environmental impacts associated with the airspace portion of the DoD proposal.</p> <p>The Service Center Environmental Specialist is the FAA primary point of contact throughout the development of required environmental document reviews and required FAA adoption documentation. He/she is also responsible for ensuring DoD NEPA documents and FAA adoption NEPA documents comply with FAA Order 1050.1, paragraph 1–10.23, and Chapter 32, Environmental Matters, of this order.</p>
<p>2. Service Center Airspace Specialist coordinates with the Service Center Environmental Specialist to discuss the proposal’s environmental review requirements.</p>	<p>2. If there is the potential for airspace environmental impacts¹, Proponent must make a request to the FAA for a Cooperating Agency (CA) status when Proponent decides to initiate the NEPA documentation process. Proponent forwards a request for Cooperating Agency Status to the Director of Mission Support, Airspace Policy Group (AJV–1). The Airspace Policy Group Manager (AJV–11) and the AJV–114 Environmental Specialist will prepare and forward the response to the DoD Proponent and coordinate the action for tracking by the Mission Support Environmental Policy Team (AJV–114) which sends a courtesy copy of FAA’s Acceptance of Cooperating Agency Status to the responsible Service Center Environmental Specialist.</p>

¹ Establishment of new SUA, or changes to the dimensions, times of use, type of aircraft, or aircraft mix flown in SUA present the potential for environmental effects and must be properly analyzed for potential environmental impacts per FAA Order 1050.1 and Chapter 32, Environmental Matters, of this order.

<p>3. Proponent meets with the ARTCC having jurisdiction over the affected airspace area to discuss mission requirements and desired SUA parameters.</p>	<p>3. Proponent submits a Preliminary Draft EA or Draft EIS (or other relevant environmental documentation), along with the aeronautical information package, to the Service Center Mil Rep, who shares it with the Environmental Specialist for review and comment. For previously reviewed and revised SUA actions, or proposals for re-activation of previously established SUA, the Service Center Environmental Specialist should request, and DoD Proponent should submit, previous environmental analysis documentation to the Service Center Environmental Specialist who will review and incorporate updated SUA information in the FAA Adoption document.</p> <p>4. The Service Center Environmental Specialist must provide comments, in consultation with the Service Center Airspace Specialist and the Headquarters Airspace Policy Group (AJV-113), back to Proponent via the Service Center's Mil Rep and or other appropriate DoD project POC.</p>
<p>4. Proponent submits the SUA proposal to the FAA service center for review and processing by the Airspace Specialist.</p>	<p>5. After the Service Center Environmental Specialist reviews the DoD Proponent's draft environmental document to ensure that all airspace and other pertinent and applicable environmental issues were addressed per FAA Order 1050.1, the Service Center Environmental Specialist then forwards the DoD Proponent's draft environmental document to the FAA Headquarters Airspace Policy Group (AJV-114) for review and comment by the Headquarters Environmental Specialist and the Office of Chief Counsel (AGC-600) to begin Legal Sufficiency Review (LSR).</p> <p>6. The Service Center Environmental Specialist then prepares a draft FAA Adoption EA or Adoption EIS of the DoD Proponent's airspace portion of the proposed action, and sends it to AJV-114 for policy compliance review and to AGC for LSR.</p>

<p>5. The Service Center Airspace Specialist, in accordance with this order, determines the type of airspace action(s) necessary, either Non-Rulemaking or Rulemaking. FAA service center determines if Informal Airspace Meetings are required.</p>	<p>7. The DoD proponent reviews the FAA’s comments on their Draft EA/FONSI or Draft EIS and prepares responses to comments, in consultation with FAA and other cooperating agencies as necessary, and in accordance with chapter 32 of this order. Proponent then incorporates FAA’s comments into their NEPA document and prepares a Draft EA or EIS with a 30 to 45-day public comment period.</p>
	<p>8. Proponent prepares and submits their Final EA/FONSI or EIS/ROD to the Service Center Environmental Specialist.</p>
	<p>9. The Service Center Environmental Specialist amends, as necessary the Draft FAA Adoption EA-FONSI/ROD or Draft FAA Adoption EIS and ROD and submits the FAA’s Adoption document to AJV-114 for airspace review and to AGC for a final LSR.</p>
	<p>10. AGC’s comments are incorporated into the final FAA Adoption EA/FONSI or Adoption EIS/ROD by the Service Center Environmental Specialist in coordination with the AJV-114 Environmental Specialist.</p>
	<p>11. The AJV-114 Environmental Specialist prepares a signature copy of the final FAA Adoption EA/FONSI or Adoption EIS/ROD and submits it for signature by the Headquarters Airspace Management Group Manager (AJV-11). The AJV-114 Environmental Specialist submits signed copies of the document(s) to the DoD Proponent’s POC, to AJV-113 for final rulemaking action, and to the Service Center Environmental Specialist for their records.</p>
	<p>12. The Service Center Environmental Specialist submits the signed Final FAA Adoption EA and FONSI or Adoption EIS and FONSI/ROD with the Proponent’s Final EA/FONSI or EIS/ROD to the Service Center Airspace Specialist for inclusion with the airspace proposal package, and provides a courtesy copy of the FAA’s final Adoption document to the Service Center Mil Rep.</p>

FOR NON-RULEMAKING	
AERONAUTICAL	ENVIRONMENTAL
<p>6. The Service Center Airspace Specialist:</p> <p style="padding-left: 20px;">a. Tasks the ATC facility to conduct an aeronautical study of the proposal;</p> <p style="padding-left: 20px;">b. Sends a circularization with a 45-day public comment period.</p> <p>The Service Center Airspace Specialist reviews and prepares, in consultation with the DoD Proponent, responses to the aeronautical comments from the aeronautical study and circularization in accordance with chapter 21 of this order.</p> <p style="padding-left: 20px;">c. Coordinates with the Service Center Environmental Specialist regarding environmental documentation.</p>	<p>See process above. The environmental documentation review and development process is the same for non-rulemaking as for rulemaking.</p>
<p>7. The Service Center Airspace Specialist sends the completed package containing the aeronautical proposal, Aeronautical study, copies of comments, response to comments, DoD Proponent’s Final EA/FONSI, and the Draft FAA FONSI/ROD, and a recommendation for final action to the Headquarters Airspace Policy Group.</p>	

FOR RULEMAKING	
AERONAUTICAL	ENVIRONMENTAL
<p>8. The Service Center Airspace Specialist:</p> <p style="padding-left: 20px;">a. Tasks the ATC facility to conduct an aeronautical study of the proposal;</p> <p style="padding-left: 20px;">b. Sends the proposal to the Airspace Policy Group who then prepares a Notice of Proposed Rulemaking (NPRM).</p> <p>The Headquarters Airspace Policy Group submits the NPRM for publication in the Federal Register with a 45-day comment period in accordance with chapter 2 of this order.</p> <p>The Airspace Specialist receives the environmental document from the Service Center Environmental Specialist.</p>	<p>See process above. The environmental documentation review and development process is the same for non-rulemaking as for rulemaking.</p>
<p>9. The Service Center Airspace Specialist reviews the comments on www.regulations.gov and coordinates with the proponent, as required, to resolve aeronautical impacts.</p>	
<p>10. The Service Center Airspace Specialist then sends the completed package containing the aeronautical study, response to comments, final Service Center recommendation, the proposal, Proponent’s Final EA/FONSI or EIS/ROD, and the Draft FAA FONSI/ROD or Draft FAA Adoption Document/ROD to the Headquarters Airspace Policy Group (AJV-113) for preparation of the Final Rule.</p>	
<p>11. The Service Center Airspace Specialist, in accordance with this order, determines the type of airspace action(s) necessary, either Non-Rulemaking or Rulemaking. FAA service center determines if Informal Airspace Meetings are required.</p>	<p>9. The Headquarters Environmental Specialist (AJV-114) reviews the draft final rulemaking and draft Federal Register Notice for compliance with FAA Order 1050.1; chapter 32 of this order and this appendix; drafts the environmental compliance paragraph for the Federal Register Notice; then, as necessary, submits the changes to the environmental documentation to AGC-600 for legal sufficiency review.</p>
	<p>10. AGC’s comments are incorporated into the rulemaking document, returned to AJV-114 for a final review, and forwarded back to AJV-113.</p>

10. For Non-rulemaking:

The Airspace Specialist submits the non-rulemaking action to the National Flight Data Center (NFDC) for publication in the National Flight Data Digest (NFDD).

11. For Rulemaking:

The Airspace Specialist submits the Final Rule for publication in the Federal Register. The Final Rule will contain a reference to the decision rendered and location of documentation for the associated environmental process.

Consult the following documents throughout the process for further information:

- A.** Council on Environmental Quality Regulations for Implementing the National Environmental Policy Act (NEPA), 40 C.F.R. Parts 1500–1508.
- B.** FAA Order 1050.1, Environmental Impacts: Policies and Procedures
- C.** FAA Order JO 7400.2, Procedures for Handling Airspace Matters, Part 5, Special Use Airspace
- D.** FAA Order JO 7400.2, Chapter 32, Environmental Matters, and the associated appendices (for specific SUA environmental documentation directions).

NOTE–

The documentation time periods below are approximations only, and are for non-controversial aeronautical proposals and associated environmental processes. The documentation time periods are for FAA review/processing only. Documentation schedules for DOD proponent and/or environmental contract support processing must be accounted for during overall document coordination scheduling between FAA and the DOD proponents.

ENVIRONMENTAL: Estimated time of completion for EA processing is 12 to 18 months or, for EIS processing, 18 to 36 months.

AERONAUTICAL (Non-Rulemaking): A minimum time period of 8 months is required from submission of the Formal Airspace Proposal by the Proponent to the service center through completion of the charting process.

AERONAUTICAL (Rulemaking): A minimum time period of 10 months is required from submission of the Formal Airspace proposal by the Proponent to the service center through completion of the charting process.

Appendix 8. FAA Special Use Airspace Environmental Processing Procedures

1. GENERAL

This appendix provides guidance for FAA participation in the environmental review of proposed special use airspace (SUA) actions. The requirements in this appendix are in addition to the airspace proposal processing procedures contained in this order and Appendix 4. The aeronautical and environmental processes for SUA proposals involve some overlap; actions taken, or modifications made to a proposal, in one process may affect the actions required and/or the outcome of the other process.

2. BACKGROUND

a. The SUA program is designed to accommodate national security requirements and military training activities wherein activities must be confined to designated airspace because of their nature, or in airspace where limitations are imposed upon aircraft operations.

b. SUA proposals are subject to both NEPA and aeronautical processing requirements. Since the FAA is the approval authority for SUA actions, the agency cannot make a final decision on any particular SUA proposal prior to the completion of the NEPA and aeronautical processing phases.

3. POLICIES

The following policies apply to the processing of SUA proposals:

a. In addition to responsibilities of a cooperating agency as defined in the NEPA implementing regulations at 40 CFR Parts 1500–1508, FAA must:

1. Provide to DoD information and technical expertise within the special expertise and jurisdiction of the FAA as it relates to the proposed action.

2. Resolve or respond to environmental issues raised during the NEPA process relating to aeronautical issues.

3. If an EA or EIS is required, identify and evaluate the environmental impacts relating to the proposal.

4. Furnish to DoD the names of organizations, agencies, or other parties the FAA believes may be interested in the DoD proposal.

5. Notify and coordinate FAA proposed airspace actions with DoD components that may be affected.

b. **FAA Participation in NEPA Meetings.** The FAA may be required to participate in scoping, interagency, and public NEPA meetings conducted by the Proponent. The Air Traffic Service Center Director (or the Director's Designee) with responsibility for Cooperating Agency participation will determine FAA representation in the meetings. When FAA personnel participate in such meetings:

1. The audience must be informed that FAA participation is to provide aeronautical technical expertise and is not to be construed as FAA endorsement or support of any SUA proposal, and that no decisions concerning the proposal will be made at the meeting.

2. If requested, the FAA will provide an overview of the procedures followed by the FAA for processing SUA proposals.

3. The FAA will advise the audience of the service center handling the processing of the aeronautical proposal. Written comments on the aeronautical aspects of the proposal should be submitted during the public comment period associated with the aeronautical circularization.

c. FAA NEPA Compliance Options. In accordance with CEQ regulations at 40 CFR §1501.6, the FAA must participate in the DoD Proponent's NEPA process as a Cooperating Agency in cases where the FAA has jurisdiction by law, and may participate as a Cooperating Agency where the FAA has special expertise. The FAA may adopt an EA or EIS prepared by the DoD Proponent if the FAA independently evaluates the information in the document and takes full responsibility for the scope and content that addresses FAA actions. Where the Proponent's NEPA documentation is deficient and does not meet the requirements for adoption in FAA Order 1050.1, corrections and/or additional NEPA documentation must be made by the Proponent before the FAA can make a final decision to adopt the document. The FAA may ask the DoD Proponent to correct any deficiencies and re-submit the document (see FAA Order 1050.1, Environmental Impacts: Policies and Procedures, paragraphs 2-2.1 and 2-2.2). The FAA must issue its own Adoption EA/FONSI or Adoption EIS/ROD in accordance with FAA Order 1050.1, Paragraph 8-2, Adoption of Other Agencies' National Environmental Policy Act Documents.

d. Time Limits for Final Environmental Impact Statements (EIS). If three years have expired following the approval of a final EIS, and major steps towards implementation of the Proponent's proposed action have not commenced, the Proponent agency must prepare a written reevaluation of the adequacy, accuracy, and validity of the final EIS. Written reevaluations must comply with the requirements set forth in FAA Order 1050.1, paragraph 9-2. The Proponent may also elect to prepare new documentation if circumstances dictate.

4. LEAD AND COOPERATING AGENCIES

The FAA/DoD MOU provides for the application of "lead agency" and "cooperating agency" responsibilities in the SUA environmental process. When the DoD is the Proponent, the DoD will serve as lead agency for the evaluation of SUA environmental impacts and the preparation and processing of environmental documents.

a. The DoD, as lead agency, will determine whether an SUA proposal:

1. Is a major action significantly affecting the quality of the human environment requiring an environmental impact statement (EIS);

2. Requires an environmental assessment (EA); or,

3. Is categorically excluded in accordance with FAA Order 1050.1, paragraphs 5-6.1 through 5-6.5.

These determinations must be coordinated with the FAA at the earliest possible time to prevent delay in preparation of any required NEPA documentation.

b. The appropriate FAA service center, as identified in response to the DoD Proponent's request that the FAA participate as a Cooperating Agency, will act as the point of contact during the evaluation of the proposal's environmental study. The FAA should review documents prepared by the Proponent in its environmental process for scope and content of the documentation and assumes responsibility as described in subparagraph 3c, above. (See FAA Order 1050.1, paragraph 8-2.)

c. Where the actions of one agency are subject to a categorical exclusion, and the actions of the other agency with respect to the same SUA, are not covered under a categorical exclusion, then the other agency will prepare an environmental assessment (EA). The applicability of a categorical exclusion by either the DoD Proponent or the FAA will be noted in the other agency's EA. FAA budget constraints may delay processing and implementation of the DoD Proponent's SUA proposal when a comparable categorical exclusion covering the same type of proposed action as the DoD's Proponent is not listed in FAA Order 1050.1, chapter 5.

5. SUA ENVIRONMENTAL CONCERNS

In addition to other environmental considerations required under NEPA, CEQ regulations, and FAA Order 1050.1, the following are items the FAA should consider, if applicable, in SUA environmental documents. These items include, but are not limited to:

a. **Other Times by NOTAM.** When specified in the proposal, this provision permits access to the SUA area 24 hours per day. The environmental document must address the potential impacts of the DoD users' activities within the SUA during the "other times by NOTAM" period of use.

b. **Flares and Chaff.** Address the potential impact of flare and/or chaff use when this activity is specified in the SUA proposal.

c. **"No Action Alternative."** Include discussion of this alternative.

d. **Coastal Zone Consistency Determination.** Include if applicable.

e. **Proposed Airspace Parameters.** The environmental analysis in a CatEx, EA, or EIS for the SUA proposal must match the airspace parameters contained in the SUA proposal (for example, boundaries, altitudes, times of use, and type and extent of activities).

f. **Non-participating Aircraft.** Include a discussion of the effect of the SUA proposed action on non-participating aircraft, if applicable.

g. **Mitigation.** As defined in CEQ regulations, mitigation includes:

1. Avoiding the impact altogether by not taking a certain action or parts of an action;
2. Minimizing impacts by limiting the degree or magnitude of the action and its implementation;
3. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
4. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action; and
5. Compensating for the impact by replacing or providing substitute resources or environments.

h. **Cumulative Impacts.** Cumulative impacts to the environment are those that result from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or Non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.

i. **Consultation.** Consultation must be conducted in accordance with the National Historic Preservation Act, Section 106; the Endangered Species Act, Section 7; FAA Order 1210.20, American Indian and Alaska Native

Tribal Consultation Policy and Procedures, and other applicable laws, regulations, and Department of Transportation and FAA orders.

6. INTERAGENCY SUA ENVIRONMENTAL PLANNING MEETING

To facilitate early coordination between the FAA and the DoD Proponent, the DoD Proponent must make a request to the FAA for Cooperating Agency status as soon as the Proponent decides to initiate the environmental process.

When the FAA is invited to participate as a cooperating agency, it is suggested that a planning meeting be held as soon as practical. The agenda of the meeting should be based on the type of SUA proposal and the extent of the planned environmental analysis.

a. The appropriate Regional Military Representative (Milrep) will coordinate the Proponent's request for a planning meeting with the appropriate Service Center Director (or his/her designee). Representatives of the FAA, the Proponent, and the Proponent's NEPA consultant, if any, should be invited to participate by the military representative.

b. The meeting should include discussion of pertinent issues, including but not limited to:

1. The type of SUA proposal to be submitted,
2. Identification of points-of-contact and establishment of liaison between concerned parties,
3. Determination of the appropriate type of environmental documentation,
4. The appropriate extent of FAA participation,
5. Identification of potentially significant impacts,
6. Consideration of the need for scoping, interagency, and/or other public meetings,
7. Setting processing milestones,
8. Clarifying any questions the Proponent may have regarding the FAA's requirements for the environmental analysis and documentation; and,
9. Exchange of information on any environmental and/or aeronautical concerns in the area of potential effect.

c. At the meeting, the Service Center Airspace Specialist should:

1. Brief attendees on the airspace processing procedures in Part 5 of this order that will apply to the SUA proposal.
2. Encourage the Proponent to work proactively with aviation user groups and individuals to address aeronautical issues as they arise. This should ensure early consideration of aeronautical mitigation.

d. At the meeting, the service center environmental representative should:

1. Brief attendees on the environmental processing procedures in FAA Order 1050.1 and Chapter 32 of this order that apply to the SUA proposal.

2. Encourage the Proponent to work proactively with other Federal, State, and Local agencies; Tribal Governments; and the public on environmental concerns as they arise. This will ensure that mitigation to address environmental concerns is considered early in the process.

3. Advise attendees that the FAA cannot render a final determination on the environmental effects of the SUA proposal until after completion of the Proponent's environmental process, the FAA's aeronautical process, the FAA's independent review of the Proponent's environmental documentation, and any additional environmental analyses conducted by the FAA.

e. The meeting format may be tailored to the needs of the specific proposal. It may be conducted by a teleconference, if permitted by the scope of the proposal or if necessary due to funding or other constraints.

f. Additional meetings should be scheduled as needed to discuss changes, revise milestones, share updated environmental and/or aeronautical impact data or public comments, discuss alteration of the proposal in order to mitigate valid aeronautical objections, incorporate agreements by the Proponent to mitigate environmental impacts, or discuss other matters.

7. RELATIONSHIPS AND TIMING OF ENVIRONMENTAL AND AERONAUTICAL PROCESSES

a. SUA proposals are subject to both environmental and aeronautical processing requirements. These processes are separate but closely related. Any actions by a Proponent to mitigate environmental impacts, and/or changes to the proposal to address valid aeronautical objections, may alter the type and extent of environmental analysis required.

b. Normally, the SUA Proponent will initiate the environmental process well in advance of submitting an actual SUA proposal to the FAA for review. The appropriate Milrep should inform the appropriate service center as soon as possible after receiving notice that a DoD Proponent plans to initiate the environmental study process. A letter requesting FAA participation in the environmental study process as a Cooperating Agency should be forwarded to AJV-11, Manager of the Airspace Regulations and Environmental Policy Group of the Office of Mission Support, Airspace Services, at FAA Headquarters.

c. Proponents should submit SUA proposals to the applicable FAA service center prior to completion of the NEPA process. This will enable the FAA to initiate the aeronautical processing phase prior to completion of any required NEPA documents, which will facilitate the earlier consideration of aeronautical factors that may result in modification of the proposal and may affect the environmental analysis. In all cases, the FAA will defer a final decision on the proposal until the required DoD Proponent's NEPA documentation is completed.

d. During the aeronautical processing of a proposal with alternatives, only the alternative submitted to the FAA in accordance with Part 5. of this order will be subjected to the aeronautical process described in this order (such as non-rulemaking circularization or Notice of Proposed Rulemaking (NPRM)) by the FAA. However, all reasonable alternatives, including the alternative of no action, must be evaluated in the DoD SUA Proponent's environmental document.

8. SERVICE CENTER PROCEDURES

a. Normally, FAA participation in the SUA environmental process will begin at the headquarters level with a request by the Proponent of an SUA proposal for the FAA to participate in the process as a Cooperating Agency. However, the FAA point of contact will generally be a representative from the Air Traffic Organization at the service center level. Close coordination is required between the Service Center Airspace Specialist and

Environmental Specialist throughout the process. This will ensure that FAA concerns are provided to the Proponent for consideration, and that NEPA and DOT/FAA environmental requirements are met.

b. Once notified of the initiation of the environmental process by the DoD SUA Proponent, the Service Center Environmental Specialist should request that the Proponent provide an electronic copy of all preliminary, draft, and final environmental documents for FAA review. The Service Center Environmental Specialist will forward these documents to FAA Headquarters AJV-11 (Airspace Regulations and Environmental Policy Group).

c. To the extent practicable, the service center should provide FAA representation at pre-scoping, scoping, and/or other NEPA public meetings concerning the SUA proposal. If requested by the service center, representation from the headquarters Airspace Policy and/or Airspace Management Groups will be provided.

d. Service Center Airspace Specialist Responsibilities:

1. Coordinate requests from the Milrep to schedule an interagency SUA environmental planning meeting with the Service Center Director (or the Director's designee) and the environmental specialist.

2. Participate in interagency SUA environmental planning meetings as directed, by the Service Center Director (or the Director's designee). (See paragraph 6, above.)

3. Participate in pre-scoping, scoping and/or other public meetings as directed.

4. Provide information and assistance as required to the Proponent regarding the aeronautical aspects of the proposal and processing procedures under Part 5 of this order.

5. Coordinate with and assist the Environmental Specialist in the review of environmental documents to ensure consideration of pertinent aeronautical issues. Compare the SUA proposal parameters with the analysis in the environmental document to ensure that the analysis is consistent with the Proponent's airspace request. Provide corrections and/or comments to the environmental specialist for transmittal to the Proponent.

6. Maintain liaison with the Proponent's environmental team to determine if any comments received pertain to aeronautical issues; provide information regarding the aeronautical aspects of alternatives developed by the Proponent.

7. Provide to the Proponent aeronautical impact information obtained from the formal aeronautical study conducted in accordance with Chapter 21 of this order and during the aeronautical public comment period. As required, negotiate with the Proponent to modify the proposal to mitigate valid aeronautical objections or adverse aeronautical impact.

8. Upon receipt of the SUA proposal, initiate processing in accordance with Part 5 of this order.

(a) Determine if an Informal Airspace Meeting will be held in accordance with the procedures in Part 5. of this order. If a meeting is planned, request participation by the Proponent to explain and answer questions about the proposal.

NOTE-

Informal Airspace Meetings are optional for SUA proposals. Normally, they are held only if the service center determines that there is a need to obtain additional aeronautical facts and information relevant to the SUA proposal under study. Informal airspace meetings may also be held based on known or anticipated controversy of the proposal.

(b) Complete the appropriate rulemaking or non-rulemaking processing requirements as defined in Part 5 of this order.

9. In consultation with the Service Center Environmental Specialist and the Regional Counsel, review the Proponent's decision document to ensure that it is consistent with any modifications made to the SUA proposal, if applicable, and that any agreed upon aeronautical mitigation measures are included.

10. If the Service Center Airspace Specialist recommends approval of the SUA proposal, submit the completed proposal package to the Airspace Regulations Team (AJV-113) for final review and determination.

e. Service Center Environmental Specialist Responsibilities:

1. Coordinate as required with the Service Center Airspace Specialist regarding SUA matters.

2. Notify the Airspace Regulations and Environmental Policy Group (AJV-11) when informed of scheduled interagency SUA environmental planning meetings. Participate in planning meetings as directed by the Service Center Director (or the Director's designee) (see paragraph 6 above). Provide a review copy of the Proponent's environmental documentation to FAA HQ AJV-114 and request their participation in environmental planning meetings as necessary.

3. Provide information as required to the SUA Proponent regarding FAA environmental requirements and concerns.

4. In coordination with the Service Center Airspace Specialist, review the SUA Proponent's environmental documents to ensure that applicable impact categories and any specific FAA environmental concerns are considered. After each review, forward any corrections and FAA comments to the Proponent.

5. Review the Proponent's final document to assess whether it meets the standards for an adequate document under NEPA, the CEQ regulations, DOT Order 5610.1C, and FAA Order 1050.1. Following consultation with the Regional Counsel, determine if the FAA considers the document adequate for adoption. If so, prepare a draft Adoption document and provide a copy of the draft to FAA HQ AJV-114 for review and comment, and to Regional Counsel or HQ AGC-600 for a Legal Sufficiency Review (LSR). In cases where the DoD Proponent's NEPA document does not meet the above-listed standards, the Service Center Environmental Specialist must return the document to the DoD Proponent for correction or additional analysis and documentation. Provide documentation of the results of each review and a recommendation regarding FAA adoption to the Airspace Regulations and Environmental Policy Group (AJV-11).

6. If the DoD SUA Proponent determines that a DoD categorical exclusion (CATEX) applies to an SUA proposal:

(a) Determine if FAA Order 1050.1, Chapter 5, Categorical Exclusions, lists a CATEX that adequately covers the action. Verify that no extraordinary circumstances exist that would preclude use of the CATEX for the SUA proposal. Determine what additional environmental analysis would be required if the CATEX is not listed. Where the actions of one agency are subject to a categorical exclusion, and the actions of the other agency, with respect to the same SUA proposal require an EA, the agency requiring the EA will prepare the appropriate environmental analysis with the assistance of the Proponent. Applicability of a CATEX to parts of a proposed action of one of the agencies will be noted in the EA. Background information in support of CATEXs or project data necessary to support adequate impact analysis in an EA, identified by either DoD or FAA, must be forwarded to the agency requiring preparation of the EA and may be used by either agency, as allowed by their respective regulations/directives.

(b) Document the results of the review in subparagraph (a) above, and submit the findings to the Airspace Regulations and Environmental Policy Group (AJV-11).

7. Retain the administrative record in accordance with FAA retention guidelines. If DoD is the lead agency for the proposed project, a copy of DoD Proponent's NEPA document, their letter requesting Cooperating Agency status, FAA's acceptance, and other supporting documentation should be included in FAA's administrative record.

9. MISSION SUPPORT, AIRSPACE SERVICES, AIRSPACE REGULATIONS AND ENVIRONMENTAL POLICY GROUP (AJV-11) ENVIRONMENTAL DOCUMENTATION REVIEW PROCEDURES:

a. Review the Proponent's environmental document(s) to verify that the analysis matches the parameters specified in the SUA aeronautical proposal and that any required environmental issues are adequately analyzed for potential impacts. Verify that the environmental analysis matches the parameters specified in the SUA proposal and that any required aeronautical issues are considered. Conduct this review simultaneously with the service center's review as described in paragraph 8. Provide corrections and identify deficiencies to the Service Center Airspace and/or Environmental Specialist for transmittal to the Proponent.

b. The Airspace Regulations and Environmental Policy Group (AJV-11) must review the Proponent's environmental documents for content and compliance with NEPA, CEQ regulations, and applicable DOT and FAA Orders. Coordinate within the Airspace Regulations and Environmental Policy Group (AJV-11) as needed, regarding concerns, corrections, or other comments on aeronautical impacts. Provide FAA Headquarters' comments to the Service Center Environmental Specialist for transmittal to the Proponent.

c. Ensure that the Service Center Airspace Specialist has provided a copy of the SUA aeronautical proposal, including any environmental documentation, to the Service Center Environmental Specialist. Provide assistance and policy guidance regarding SUA environmental processing to the Service Center Environmental Specialist upon request.

d. Coordinate within the Airspace Regulations and Environmental Policy Group (AJV-11) as needed for additional information concerning the SUA proposal including any airspace and aeronautical impact matters.

e. Assist the Service Center Environmental Specialist in reviewing the Proponent's Final EIS or EA/Finding of No Significant Impact (FONSI), and the Service Center Environmental Specialist's comments regarding compliance with NEPA, CEQ, and applicable DOT and FAA requirements. Assist the Service Center Environmental Specialist in determining if the Proponent's NEPA document is suitable for adoption by the FAA. Assist the Service Center Environmental Specialist in preparing the FAA adoption documentation in accordance with FAA Order 1050.1, chapter 8, paragraph 8-2; and keep a copy with the Airspace Regulations and Environmental Policy Group (AJV-11) for inclusion in the airspace docket or case file.

f. Review the Proponent's and Service Center Environmental Specialist's comments regarding applicability of a CATEX. If a CATEX does not apply, determine if additional environmental analysis is required. Consider if CATEX documentation is required in accordance with FAA Order 1050.1, chapter 5. Provide a copy of the determination to the Airspace Regulations and Environmental Policy Group (AJV-11) for inclusion in the airspace docket or case file.

g. As appropriate, coordinate with the FAA Office of the Chief Counsel, Airports and Environmental Law Division. See FAA Order 1050.1, paragraphs 2-2.1b(2)(b); 4-3.3, 5-2a(2) and b(10); 5-3e; 6-4a; 7-1.2b; 7-1.2d(3)(c); 8-2c; 8-7; 9-2e; 10-2b, d, e; 10-3b; 10-4a(2); 10-6a(2), b; 11-3; 11-4a, b.

h. Ensure that the FAA has adopted the Proponent's EIS or EA as applicable, that all additional FAA environmental requirements are satisfied, and that final decision notices are not published in the Federal Register until after the NEPA process is completed. Submit copies of the DoD Proponent's and FAA's NEPA documentation for inclusion in the rulemaking docket file or non-rulemaking airspace case file.

i. For rulemaking SUA actions, prepare the environmental compliance statement for inclusion in the ENVIRONMENTAL REVIEW sections of the NPRM and Final Rule. Insert the following statement in the environmental review section of SUA NPRMs:

“This proposal will be subject to appropriate environmental impact analysis by the FAA prior to any final FAA regulatory action.”

For non-rulemaking SUA actions, include the DoD Proponent's and FAA's NEPA documentation for the airspace case file, and notify the public in accordance with FAA Order 1050.1, paragraph 6-2.2b.

NOTE-

For “Direct-to-Final-Rule” actions which are categorically excluded under FAA Order 1050.1, the following statement may be inserted in the environmental review section of the Final Rule:

“This action is categorically excluded under FAA Order 1050.1, Environmental Impacts: Policies and Procedures, Paragraph (insert Paragraph Number). Therefore, this action is not subject to further environmental review.”

j. Prepare and provide a signature copy of the Final FAA Adoption NEPA document to the manager of the Airspace Regulations and Environmental Policy Group (AJV-11) for signature. Provide a signed copy to the Service Center's Environmental Specialist for additional distribution as necessary or requested.

