

FEDERAL AVIATION ADMINISTRATION



FINDING OF NO SIGNIFICANT IMPACT/ RECORD OF DECISION

for the Proposed
Field Maintenance Program (FMP)
Garage Construction
in
Big Horn County, Wyoming

**U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
FINDING OF NO SIGNIFICANT IMPACT
AND
RECORD OF DECISION
FIELD MAINTENANCE PROGRAM
GARAGE CONSTRUCTION IN BIG HORN COUNTY, WYOMING**


SUMMARY

The Federal Aviation Administration (FAA) prepared the attached Final Environmental Assessment (FEA) to analyze the potential environmental impacts of constructing a new Field Maintenance Program (FMP) garage for efficient road maintenance and clearance activities in support of the Lovell joint surveillance Air Route surveillance Radar (ARSR) Facility in Big Horn County, Wyoming. The Federal Action also includes the authorization to construct and procure a long-term lease from the Bureau of Land Management (BLM). The FEA was prepared in accordance with the National Environmental Policy Act of 1969, as amended (NEPA; 42 United States Code [U.S.C.] § 4321 et seq.)¹; and FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*. In addition, the FAA has applied a limited adoption of the BLM's Environmental Assessment (EA) published in August 2024 by utilizing the BLM's analysis of water resources, visual impacts, and Section 106 of the National Historic Preservation Act.

After reviewing and analyzing all available data and information on existing conditions and potential impacts, as well as the mitigations identified in the FEA, the FAA has determined the Proposed Action would not significantly affect the quality of the human environment. Therefore, the preparation of an Environmental Impact Statement (EIS) is not required, and the FAA is issuing this Finding of No Significant Impact/Record of Decision (FONSI/ROD) document. The FAA has made this determination in accordance with applicable environmental laws and FAA regulations. The FEA and the BLM EA are incorporated by reference into this FONSI/ROD.

¹ On January 20, 2025, President Trump issued Executive Order (EO) No. 14154: Unleashing American Energy, which revoked EO 1991: Relating to Protection and Enhancement of Environmental Quality (May 24, 1977), and instructed the Chair of the Council on Environmental Quality (CEQ) to rescind its NEPA-implementing regulations. On February 25, 2025, the CEQ issued an interim final rule to remove the existing implementing regulations for NEPA (90 FR 10610 (Feb. 25, 2025)). The Draft EA was prepared in accordance with CEQ's National Environmental Policy Act Implementing Regulations Revision Phase 2, 89 FR 35442 (May 1, 2024) (Phase 2 final rule), now pending rescission.

For any questions or to request a printed copy of the FEA, contact the following FAA Environmental Engineer. A digital copy of the FEA may also be obtained from the FAA's website:
https://www.faa.gov/air_traffic/atf.

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I. INTRODUCTION

This document is the Federal Aviation Administration's (FAA) Finding of No Significant Impact/Record of Decision (FONSI/ROD) for the proposed Field Maintenance Program (FMP) garage within public lands administered by the Bureau of Land Management (BLM) in Big Horn County, Wyoming. This FONSI/ROD is based on the information and analysis contained in the attached Final Environmental Assessment (FEA), dated April 2025, and the attached BLM EA, dated August 2024. This FEA has been prepared in accordance with the applicable FAA Order 1050.1F, Environmental Impacts: Policies and Procedures, along the guidelines set forth by the Council on Environmental Quality (CEQ) and the FAA to implement the environmental review and disclosure provisions of the National Environmental Policy Act (NEPA) of 1969.

The BLM has prepared a separate EA and FONSI dated August 2024 pursuant to NEPA; Department of the Interior (DOI) requirements from the Department Manual, Environmental Quality; and guidelines listed in BLM's NEPA Handbook, H-1790-1. The FAA's FEA addresses environmental resources specific to the Department of Transportation (DOT) which were dismissed in BLM's EA analysis for the Proposed Action. The FAA has adopted limited portions of the BLM's EA document which were utilized in the FEA.

II. PROPOSED ACTION

The FAA's Proposed Action is to construct a new FMP garage within Big Horn County, Wyoming. The following activities are anticipated as part of the Proposed Action:

- Acquisition of a new lease with the BLM for authorization to construct a new garage within BLM-administered public lands.
- Construction and maintenance of a new garage and other associated facility support features such as a gravel parking area and security fences.
- Extension of electrical utilities to the new garage.

III. PURPOSE AND NEED OF THE PROPOSED ACTION

The purpose of Proposed Action is to construct a new garage providing efficient and adequate road access during the winter season to address emergency maintenance and operational issues for the Lovell Air Route Surveillance Radar (ARSR) Facility within the Bighorn National Forest. The Lovell ARSR is a joint surveillance radar that is critical to the FAA's mission of aviation safety but also utilized daily by the Department of Defense and Department of Homeland Security to conduct their respective missions for national defense. Section 2 of the FEA states the purpose and need of the Proposed Action in greater detail.

IV. ALTERNATIVES CONSIDERED

The following provides a summary of the alternatives development process and alternatives considered.

Identification and Evaluation of Potential Alternatives – The FAA National Airspace System Defense Program (NDP) identified criteria to select and evaluate alternatives (as described in Section 3 of the FEA). These included technical criteria and other characteristics identified during a stakeholder's meeting to satisfy the purpose and need.

Alternatives Analyzed in the Final EA – In addition to the Proposed Action, the FEA analyzed the No Action Alternative. Under the No Action Alternative, construction of a new garage and associated facility support features would not occur. The No Action Alternative, consistent with CEQ regulations and FAA Order 1050.1F, serves as a baseline against which the impacts of Alternative 2 are compared in the FEA. The No Action Alternative would not meet the purpose and need for the project.

Alternative 2 (Proposed Action). The FEA evaluated this alternative for proposed construction of the FAA-owned garage and associated features in Big Horn County, Wyoming, meeting the purpose and need (described above) for improved maintenance response times, greater efficiency, and resiliency of the National Airspace System (NAS).

V. ENVIRONMENTAL CONSIDERATIONS AND MITIGATION

The FAA identified and evaluated potential environmental impacts in the FMP Garage Construction FEA. The potential environmental impacts from the Proposed Action and No Action Alternative were evaluated in the FEA for each environmental impact category identified in FAA Order 1050.1F. Chapter 4 of the FEA describes the affected environment and regulatory setting and identifies the environmental impact categories that are not analyzed in detail since there are no resources in the study area: coastal resources, farmlands, wetlands, and wild and scenic rivers.

Chapter 4 of the FEA also provides evaluations, determinations, and mitigations of the potential environmental consequences of the Proposed Action for each of the environmental impact categories and documents the finding that no significant environmental impacts would result from the Proposed Action.

A summary of the environmental analysis for each impact category is presented below.

- **Air Quality, FEA Section 4.1** – The Proposed Action would result in a short-term and temporary increase in emissions and dust (particulate matter) during construction activities. A Conformity Evaluation is not required because Big Horn County is not designated by the U.S. Environmental Protection Agency as a nonattainment area. Therefore, the Proposed Action would not result in significant impacts on air quality.
- **Biological Resources, FEA Section 4.2** – The Proposed Action would not affect terrestrial habitats and wildlife. The affected area represents a small fraction of the total vegetation and habitat available in the Five Springs area in Big Horn County, Wyoming. As there are no species or their critical habitat present in the project area and nearby surroundings, no consultation from the U.S. Fish & Wildlife Services (USFWS) was required. Therefore, the Proposed Action is not expected to result in significant impacts on biological resource.
- **Climate, FEA Section 4.3** – The Proposed Action would result in a short-term increase in greenhouse (GHG) emissions during construction activities. The project's estimated GHG emissions is not likely to have any impact on global climate change, sea level rise, or any potential impacts of climate change. Therefore, the Proposed Action is not expected to result in significant climate impacts.

- Department of Transportation Act: Section 4(f), FEA Section 4.4 – The Proposed Action would involve the disturbance, conversion, or removal of a Section 4(f) properties. Construction of the proposed garage facility would involve a permanent incorporation of a Section 4(f) property because the activity would occur on BLM-administered public lands. Noise from construction activities is temporary and would not substantially diminish the quiet setting of the Five Springs area where the proposed project is located. Visual effects associated with the Proposed Action would not substantially impair the protected activities, features, or attributes of the Section 4(f) property and would not result in a *constructive use*. After considering public comments and consultation with BLM officials, the FAA has determined the Proposed Action would not result in more than a minimal (i.e., *de minimis*) physical use of a Section 4(f) resource and would not constitute a *constructive use*. The BLM concurred with this determination (see FEA Appendix A). Therefore, the Proposed Action would not result in significant impacts on Section 4(f) properties.
- Hazardous Materials, Solid Waste, and Pollution Prevention, FEA Section 4.5 – The proposed action would result in short-term and temporary impacts during construction and use of fuels and chemicals. The FAA would comply with all applicable federal, state, and local laws and regulations pertaining to the proper storage, handling, and use of hazardous materials. Regarding solid waste and pollution prevention, the FAA would place solid waste in covered receptacles until disposal to avoid or minimize accidental contact with stormwater and to prevent offsite deposition from wind. The FAA would salvage or recycle solid waste to the maximum extent practicable and dispose of the remaining solid waste in appropriately permitted landfills. The Proposed Action would not result in significant impacts regarding hazardous materials, solid waste, and pollution prevention because it would not 1) violate laws or regulations regarding hazardous materials and/or solid waste management; 2) involve a contaminated site; 3) produce an appreciably different quantity or type of hazardous waste; 4) generate an appreciably different quantity or type of solid waste or use a different method of collection or disposal; 5) exceed local capacity; or 6) adversely affect human health and the environment.
- Historical, Architectural, and Archaeological and Cultural Resources, FEA Section 4.6 – The Proposed Action would not involve the alteration or disturbance of any historical structures or cultural resources. The FAA relied on the BLM’s Section 106 consultation where a *finding of no adverse effect* determination was issued because there are no historic properties identified where the effects would diminish the integrity of such properties. The Wyoming State Historic Preservation Officer (SHPO) concurred with the BLM’s identification and evaluation of historic properties (see FEA Appendix A). Therefore, the Proposed Action would not result in significant impacts on historical, architectural, archaeological, or cultural resources.
- Land Use, FEA Section 4.7 – The Proposed Action would require changes to the existing land use from rural to commercial as described in the FEA. The FAA and BLM will enter a lease under the terms of which the garage will be secured and closed to the public. The BLM has already issued a Right-of-Way Notice to Proceed dated August 30, 2024, detailing the land use change. Given the

agreements and plans in place, the Proposed Action would not result in significant impacts related to land use.

- Natural Resources and Energy Supply, FEA Section 4.8 – The Proposed Action would result in non-significant increases to electrical power consumption in the long-term. The new garage facility will connect to existing overhead power distribution lines. Water and other underground distribution lines would not be installed. The Proposed Action would not cause demand to exceed available or future supply of natural resources or energy. Therefore, the Proposed Action would not result in significant impacts on natural resources and energy supply.
- Noise, FEA Section 4.9 – The Proposed Action would result in short-term increases in noise from the use of heavy equipment and vehicle operations during construction and land modification of the project site. Potential noise impacts from construction would vary widely, depending on the phase of construction and specific activities being undertaken. Therefore, the Proposed Action is not expected to result in significant noise impacts.
- Socioeconomics, and Children’s Environmental Health and Safety Risks, FEA Section 4.10 – The proposed action would result in short-term impacts during construction from minimal increases in employment, materials, or equipment purchases. Substantial economic growth would not be induced within the area nor produce a substantial change in the community tax base. Within this area of Big Horn County, the Proposed Action has no potential to lead to a disproportionate health and safety risk to children as Lovell, Wyoming, is nearest sparsely populated area located approximately 19.5 miles away from the project site. Therefore, the Proposed Action would not result in significant socioeconomic impacts and impacts to children’s environmental health or safety.
- Visual Effects, FEA Section 4.11 – The Proposed Action would result in minimal visual impacts to the surrounding area. The addition of tall new structures, such as the proposed garage, may affect the nature of the visual character of the area, including the uniqueness, and the aesthetic value of the public lands by adding tall structures to the landscape, but the impact is not expected to be significant. Mitigation measures stipulated within the BLM’s FONSI document will be implemented by the FAA to preserve the visual character of the area. The Proposed Action would have little to no impact to light emissions during daylight or nighttime hours. Therefore, the Proposed Action is not expected to result in significant visual effects.
- Water Resources, FEA Section 4.12 – The Proposed Action would result in a short-term temporary surface water discharges during construction activities. The FAA would manage surface water discharges from runoff during construction according to the requirements of Wyoming National Pollutant Discharge Elimination System Program. Potential impacts to groundwater quality during construction include contamination from spills or leaks from construction vehicles and machinery. The project site is situated in the 500-year flood zone and would alter 0.9 acres of floodplain. Compliance with the Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP) would ensure that the construction will have no significant impacts on floodplain storage and base flood elevations. Therefore, the

Proposed Action is not expected to result in significant impacts to surface waters, groundwater, or floodplains.

- Cumulative Impacts, FEA Section 4.13 – The Proposed Action would not contribute to significant cumulative impacts. The incremental direct and indirect impacts associated with the Proposed Action were considered with the direct and indirect effects the various past, present, and foreseeable future actions of the surrounding project area. Actions such as road maintenance of the old and present U.S. Highway 14A, and renovations to the Five Springs Falls Campground would not cumulatively adversely affect air quality, biological resources, and hazardous materials, solid waste, and pollution prevention. The FAA determined that the Proposed Action coupled with other past, present, and foreseeable actions mentioned would not cause additive or synergistic effects. Therefore, the Proposed Action is not expected to result in significant cumulative impacts to either human health or the environment.

VI. FINDING AND DECISION

After careful and thorough consideration of the facts contained herein and the attached FEA and BLM EA, the undersigned finds that the Proposed Action is consistent with existing national environmental policies and objectives as set forth in Section 101 of NEPA and other applicable requirements and will not significantly affect the quality of the human environment or otherwise include any condition requiring consultation to Section 102(2)(C) of NEPA. As a result, FAA will not prepare an Environmental Impact Statement (EIS).

Based on the administrative review of this project, I certify, as prescribed by 49 U.S.C. 44502(b) that implementation of the Proposed Action is reasonably necessary for use in air commerce and national security.

Having met all relevant requirements for environmental considerations and consultation, and under the authority delegated to me by the Administrator of the FAA, I approve the Proposed Action described in the FEA and in this FONSI/ROD and authorize the Proposed Action to be undertaken at such time as other requirements have been met.

APPROVED: JULIO J CARRERAS TORRADO
Digitally signed by JULIO J CARRERAS TORRADO
Date: 2025.04.23 09:18:51 -04'00'

DATE: 4/23/2025

Julio Carreras
Manager, FAA Air Traffic Organization
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RIGHT OF APPEAL

This FONSI/ROD presents the Federal Aviation Administration's final decision and approvals for the actions identified, including those taken under provision of 49 U.S.C. Subtitle VII, Parts A and B. This FONSI/ROD constitutes a final order of the Administrator and is subject to the exclusive judicial review by the U.S. Circuit Courts 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 in accordance with the provisions of 49 U.S.C. Section 46110. Any person 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.