

FEDERAL AVIATION ADMINISTRATION



FINDING OF NO SIGNIFICANT IMPACT/RECORD OF DECISION

for the Proposed
Bipartisan Infrastructure Law (BIL)
Airport Traffic Control Tower (ATCT) Replacement Program

**U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
FINDING OF NO SIGNIFICANT IMPACT
AND
RECORD OF DECISION
BIPARTISAN INFRASTRUCTURE LAW
AIRPORT TRAFFIC CONTROL TOWER REPLACEMENT PROGRAM**

I. INTRODUCTION

This document is the Federal Aviation Administration’s (FAA) Finding of No Significant Impact/Record of Decision (FONSI/ROD) for the proposed Bipartisan Infrastructure Law (BIL) Airport Traffic Control Tower (ATCT) Replacement Program. This FONSI/ROD is based on the information and analysis contained in the attached Final Programmatic Environmental Assessment, dated September 21, 2023. This Final PEA has been prepared in accordance with the guidelines and requirements 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 Infrastructure Investment and Jobs Act (Public Law 117-58), enacted on November 15, 2021, also known as the Bipartisan Infrastructure Law (BIL), appropriated \$25 billion over a five-year period (Fiscal Year 2022-2026) for airport and air traffic control projects. The FAA established the BIL ATCT Replacement Program to utilize the aviation BIL funding to replace existing FAA-owned ATCTs at mainly non-major airports with modern ATCT facilities.

II. PROPOSED ACTION

The FAA’s Proposed Action is to replace existing ATCTs with modern facilities at airports across the nation. The following activities are anticipated as part of the Proposed Action:

- Construction and operation of replacement ATCTs, administrative base buildings, and other associated facility support features such as parking areas and security fences.
- Extension and/or relocation of access roads and utilities to the replacement ATCTs.
- Modification and/or relocation of existing National Airspace System (NAS) facilities or airport structures necessary to enable project implementation.
- Installation of modern air traffic control electronic equipment in replacement ATCTs.
- Commissioning of replacement ATCTs, cutover of air traffic services to replacement ATCTs, and decommissioning of existing ATCTs.
- Demolition and disposal of existing ATCT facilities and associated infrastructure.

To facilitate implementation of the Proposed Action given its anticipated scope, geographic spread, and accelerated schedule, the FAA plans to utilize a standard design approach. In April 2023, the FAA announced the selection of the new sustainably designed ATCT intended to meet the FAA’s energy and sustainability requirements while adhering to the CEQ’s *Guiding Principles for Sustainable Federal Buildings and Associated Instructions*. The selected sustainable ATCT design is adaptable and meets the key sustainability requirements identified by the FAA including an all-electric building system, thermally

efficient façade, use of chemical free materials and products, use of high-recycled steel and metal, use of renewable wood, and where possible, heating and cooling from local ground-sources. Other key features are the standardized design elements allowing for adjustable tower heights and construction of parts of the tower offsite to reduce costs and building timeframes.

III. PURPOSE AND NEED OF THE PROPOSED ACTION

Section 2 of the Final PEA stated the purpose and need of the Proposed Action. An ATCT serves as an observation facility for air traffic controllers to monitor aircraft take-offs and landings and ground traffic visually and electronically within the airfield. Air traffic controllers within an ATCT facility ensure aircraft are properly separated and enhance the safety of aircraft operations at and in the vicinity of the airport.

The purpose of the Proposed Action is to replace select ATCTs with modern ATCTs providing for uninterrupted air traffic control services. The Proposed Action would provide for modern, operationally efficient ATCTs that would meet all applicable FAA requirements. The replacement ATCTs would enable the installation of modern and required air traffic control equipment, provide adequate space and an enhanced work environment for FAA personnel, lower operating costs, and improve environmental performance, resulting in energy savings, water efficiency, reduced carbon emissions, and improved indoor air quality.

The need for the Proposed Action stems from providing continual air traffic control services at airports across the nation that are served by aging ATCTs. Many airports are served by FAA-owned ATCTs that are beyond their useful design life and have reached their operational and functional capability. These ATCTs may not have the ability to accommodate upgrades to the latest air traffic control technologies, lack personnel space requirements and modern amenities, and exhibit physical problems such as maintenance-intensive deficient mechanical appurtenances (e.g., heating and ventilation, plumbing). Improvements made to rectify this situation must ensure uninterrupted air traffic control services to maintain the safety of the NAS.

IV. ALTERNATIVES CONSIDERED

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

Identification and Evaluation of Potential Alternatives – The FAA identified criteria to select and evaluate alternatives (as described in Section 3 of the Final PEA). These included existing ATCT criteria and other characteristics to meet the purpose and need. The Final PEA considered the proposed replacement and/or upgrade of ATCTs for uninterrupted air traffic control services, while improving the safety, efficiency, and resiliency of the NAS.

Alternatives Analyzed in the Final PEA – In addition to the Proposed Action (described above), the Final PEA also analyzed the No Action Alternative. Under the No Action Alternative, replacement and demolition of the existing ATCTs and associated facilities would not occur. The existing ATCTs would continue to be in use for air traffic control operations. Construction of new ATCTs would not occur, additional space for air traffic operations and new, modern equipment would not be available, and improvements to the safety, efficiency, and resiliency of the NAS would not be realized. 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 and contrasted in the Final PEA. The No Action Alternative would not meet the purpose and need for the project.

Alternative 2 (Proposed Action). The Final PEA evaluated this alternative for proposed replacement of FAA-owned ATCTs and associated structures meeting the purpose and need (described above) for uninterrupted air traffic control services, while improving the safety, efficiency, and resiliency of the national airspace system. Upon construction and commissioning of the new replacement ATCTs and cutover of air traffic control services, the existing facilities would be decommissioned and demolished, and the sites would be restored to their original condition and transferred back to the property lessor.

V. ENVIRONMENTAL CONSIDERATIONS AND MITIGATION

The FAA identified and evaluated potential environmental impacts in the Final PEA. The Proposed Action will not change flight patterns, altitudes, or aircraft traffic volumes. Noise levels will be unchanged. The Proposed Action is not anticipated to have significant impacts to air quality; climate; compatible land uses; farmlands; hazardous materials, solid waste, and pollution prevention; noise; socioeconomics, environmental justice, and children's environmental health and safety risks; or natural resources and energy supply. The Proposed Action is not anticipated to result in significant cumulative impacts.

While the analysis indicates it is unlikely there would be significant impacts to historic and cultural resources, visual effects, coastal resources, biological resources, Section 4(f) resources, and water resources, a site-specific analysis would be required for these six environmental resource categories and tiered Environmental Assessments and separate NEPA findings would be prepared. Overall effects of the Proposed Action would reduce greenhouse gas emissions and impacts to climate due to the sustainability features and energy efficient design of the new ATCTs, including energy efficient fixtures, windows, and HVAC/ventilation/circulation systems. Implementation of the new ATCTs with these sustainability features would decrease energy consumptions on a per square-foot basis as compared to the existing ATCTs they are replacing. In addition, no impacts are anticipated to the other resource categories listed in FAA 1050.1F, *Environmental Impacts: Policies and Procedures*.¹

Best management practices and mitigation measures have been identified in the Final PEA; none are necessary to reduce potentially significant impacts below applicable significance thresholds.

Based on the analysis within this Final PEA, the FAA has determined there would be no significant impact to the human environment from implementation of the Proposed Action. The FAA intends for this Final PEA to create efficiencies by establishing a framework, where appropriate, to project-specific actions that require additional analysis. As decisions on specific ATCT sites are made, to the extent additional NEPA analysis is required, environmental reviews would be conducted to augment the analysis set forth in this Final PEA.

¹ This is compliant with FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*, effective 7/16/2015, Chapter 4, pertaining to ongoing environmental documents.

VI. FINDING

After careful and thorough consideration of the facts contained herein and the attached Final PEA, 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.

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.

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 Final PEA and in this FONSI/ROD and authorize the Proposed Action to be undertaken at such time as other requirements have been met.

APPROVED: X

DISAPPROVED: _____

Jim Pasto
Implementation Manager
Terminal Facilities Team, AJW-2440
Federal Aviation Administration

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.