

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

FINDING OF NO SIGNIFICANT IMPACT

Air Traffic Control Tower
Bend Municipal Airport
Bend, Oregon
July 2023

Introduction

This document serves as the Federal Aviation Administration's (FAA) Finding of No Significant Impact (FONSI) and provides the final agency determinations and approvals for the federal actions necessary to implement the improvements described below at the Bend Municipal Airport. This FONSI is based on the information and analysis contained in the Final Environmental Assessment (FEA) dated July 2023, which is incorporated herein by reference. The FEA has been prepared pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) and the President's Council on Environmental Quality (CEQ) Regulations Title 40 CFR §§ 1500-1508, and in accordance with FAA Order 1050.1F *Environmental Impacts: Policies and Procedures* and FAA Order 5050.4B *National Environmental Policy Act Implementing Instructions for Airport Actions*.

Proposed Action

The City of Bend (Airport Sponsor) owns and operates the Bend Municipal Airport (BND) in Bend, Oregon. The City of Bend proposes to construct an Air Traffic Control Tower (ATCT) at the airport to manage the safe and efficient operations of aircraft. The proposed action consists of three main components: 1) ATCT structure; 2) access road, parking area, utility connections, and security fencing; and 3) supplement weather sensors on mast. Chapter 1 and Figures 1-5 through 1-7 of the FEA provide a description and graphic depictions of the Proposed Action.

Federal Actions

The requested Federal actions and approvals necessary for this project to proceed are:

- Unconditional Approval of the Airport Layout Plan to depict those portions of the Proposed Action subject to FAA review and approval pursuant to 49 USC § 47107(a)(16)(B).
- Determination that Environmental Analysis Prerequisites associated with any future Airport Improvement Program (AIP) funding applications for the Proposed Action have been fulfilled pursuant to 49 United States Code § 47101.

Purpose and Need

Section 1.3 of the FEA presents the Purpose and Need. The City of Bend's purpose of the project is to construct an ATCT to ensure the proper separation of aircraft operations at and in the vicinity of the airport. The project is needed because the airport does not currently have an ATCT, and it was determined through the 2022 Airport Master Plan update process that an ATCT would be needed to safely manage air traffic in and around the airport.

Alternatives

Chapter 2 of the FEA presents the alternatives analysis. The FEA identified and evaluated reasonable alternatives that may accomplish the objectives of the Proposed Action in accordance with NEPA, FAA Orders 1050.1F and 5050.4B, and FAA design standards. Section 2.1 of the FEA presents six potential ATCT sites that were identified in accordance with the FAA Alternate Siting Process. Section 2.2 describes the sites that were eliminated from consideration, and Section 2.3 describes the 3 sites that were considered for evaluation in the EA. The FEA carried two alternatives forward for evaluation:

No Action Alternative:

Under the No Action Alternative, an ATCT would not be constructed. Current and forecast aircraft operations will continue to operate independently without the guidance of an Air Traffic Controller. The No Action Alternative results in no change to current flight operations and existing aircraft patterns would be maintained.

Proposed Action Alternative:

The proposed action will construct an ATCT within an undeveloped area approximately 500 feet east of Runway 16-34. The proposed tower has a cab eye height of 85 feet Above Ground Level and will provide completely unobstructed views of all controlled airport surface areas and maximum visibility of airborne traffic. Project elements include connections to existing utility lines, an access road and parking area, security fencing, and a supplemental weather station on mast. This alternative meets the purpose and need as described in Chapter 1 of the FEA.

Environmental Consequences

Chapter 3 of the FEA evaluates each of the environmental impact categories identified in FAA Orders 1050.1F and 5050.4B. No thresholds of significance are expected to be exceeded with the Proposed Action. Most impacts would be minimal and occur during construction.

The following resources are not present in the project area and will not be affected by the Proposed Action: coastal resources and Department of Transportation Act 4(f) resources. The following resources are present or may be present within the project area, but most impacts would be minimal, occur during construction, and significant impacts are not expected: air quality; climate; farmlands; hazardous materials, solid waste, and pollution prevention; historical, architectural, and cultural resources; land use; natural resources and energy supply; noise and compatible land use; socioeconomic, environmental justice, and children's health and safety risks; and water resources. The implementation of Best Management Practices during construction will be employed to further reduce impacts to these resources.

The remaining category with any impact by the Proposed Action is discussed below. A full discussion of this category, as well as the complete analysis conducted for all categories, can be found in the FEA.

Biological Resources: Under the Proposed Action, approximately 5,000 square feet of habitat would be lost. The habitat consists of mixed grassland and shrubland with sagebrush, rabbitbrush, cheatgrass, and thistle as the predominant species. This minor amount of habitat loss is not expected to adversely impair wildlife species ability to use other habitat in the area. Therefore, the Proposed Action will not result in significant impacts to biological resources.

Mitigation

No significant impacts were identified as a result of the Proposed Action. However, some mitigation measures are included as part of the Proposed Action to avoid, reduce, or minimize impacts. These mitigation measures are (see Section 3.15.2 of the FEA):

- Vegetation would be surveyed by a qualified biologist prior to removal.
- Design of the ATCT site will follow the Site Design and LID techniques in the Central Oregon Stormwater Manual (COIC).
- Implementation of BMPs to reduce construction-related impacts to the highest level practicable. FAA AC 150/5370-10G, Standards for Specifying Construction of Airports (Temporary Air and Water Pollution, Soil Erosion, and Siltation Control).

Public and Agency Involvement

Chapter 4 of the FEA summarizes the public outreach, agency, and tribal coordination undertaken for the project.

FAA initiated National Historic Preservation Act (NHPA) Section 106 consultation with the Oregon State Historic Preservation Office (SHPO) and four affected tribes regarding cultural and historic

resources. The consultations were initiated in February 2023 and concluded in May 2023. A detailed summary of the section 106 consultation process is included in Chapter 4 of the EA.

The City of Bend has coordinated with Deschutes County to prepare a text amendment to the Deschutes County Development code such that an ATCT is a permitted use within airport property.

Public Outreach for the proposed ATCT has included Airport/City shared stakeholder email announcements and local television news stories. A notice requesting public comments on the Draft EA was published in the Bend Bulletin newspaper and the city's website, and by a mailed flyer addressed to every publicly available address within a 2.5-mile radius of the proposed project site (1,461 recipients). The comment period began May 30, 2023 and ended on June 30, 2023. A hard copy of the Draft EA was available for viewing at the Airport Office and City Hall, and electronic copy on the City's website.

The public comment period yielded several comments. These comments, and the responses prepared for each, are included in Appendix D of the TEA. One comment resulted a minor revision to be made to Section 1.3, in the second bullet point of "Requested Federal Action". This edit clarifies that the EA pertains only to future federal grants associated with the Proposed Action and does not provide an environmental determination for any other project. A detailed summary of public involvement is provided in Appendix E of the FEA.

Environmental Finding and Approval

After careful and thorough consideration of the facts contained herein, the undersigned finds that the proposed Federal action is consistent with existing national environmental policies and objectives as set forth in Section 101 of NEPA and other applicable environmental requirements and will not significantly affect the quality of the human environment or otherwise include any condition requiring consultation pursuant to Section 102(2)(C) of NEPA. As a result, the FAA will not prepare an environmental impact statement for this action.

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