

U.S. Department of Transportation
Federal Aviation Administration
Southwest Region

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

Runway 8-26 Extension
Fort Smith Regional Airport
Fort Smith, AR

April 14, 2022

I. INTRODUCTION

The purpose of this Finding of No Significant Impact and Record of Decision (FONSI/ROD) is to briefly present the reasons why the approval of Federal actions supporting the proposed extension of Runway 8-26 at the Fort Smith Regional Airport (FSM), which serves the city of Fort Smith, Arkansas will not have a significant effect on the human environment. The Fort Smith Regional Airport Commission (Commission), the owner of the airport, requested the Federal Aviation Administration's (FAA) approval of the proposed development, including a change in airfield configuration, NAVAIDs, approach and departure procedures, pavement markings, and signage required to extend the existing Runway 8-26 and Taxiway A as required for the ultimate runway as part of the Commission's Proposed Action.

The FAA is the Federal agency responsible for the approval of the proposed federal actions outlined below and analyzed in the Environmental Assessment (EA). The FAA has determined that the Proposed Action will have no significant impact on the human environment.

Attached to this FONSI/ROD is the EA on which the finding is made.

II. SUMMARY

The EA was prepared pursuant to the provisions of the National Environmental Policy Act (NEPA) of 1969 and the Council on Environmental Quality (CEQ) regulations (40 C.F.R. Parts 1500-1508). Additionally, the EA meets the guidelines identified in FAA Orders 1050.1F, *Environmental Impacts: Policies and Procedures* and 5050.4B, *NEPA Implementing Instructions for Airport Actions*.

No thresholds of significance were found to be exceeded in the EA. After review of the EA and other supporting documentation, the FAA determined that a FONSI/ROD was justified for the proposed airport improvements.

The EA was released for public and agency review with local citizens encouraged to provide comments. Notice of availability of the EA and an opportunity to request a public hearing was advertised in the local paper. A public meeting was held on February 24, 2022, and no individuals requested a public hearing. One comment was received requiring a response, which has been addressed by commitments made in the EA.

III. BACKGROUND

The Fort Smith Regional Airport (FSM) is a public use airport that is owned and operated by the Fort Smith Regional Airport Commission and serves general aviation, major commercial airlines, and military aircraft. The Airport is located on the east side of Fort Smith, Arkansas and situated between

Interstate 540 (I-540), Rogers Avenue and Zero Street. The Airport covers approximately 1,403 acres in size. Runway 7-25 (ultimate Runway 8-26) is the primary use runway with an existing length of 8,017 feet (ft) and width of 150 ft. Runway 1-19 (ultimate Runway 2-20) is the Airport's secondary runway and has an existing length of 5,100 ft and width of 150 ft. Both runways are served by full length parallel taxiways. In addition, the Airport has one active concourse with three commercial service gates.

IV. PURPOSE AND NEED

An update to the airport Master Plan was completed in April 2020. This update provided an inventory of existing facilities, projected aviation demand forecasts, and identified facility requirements to accommodate forecasted demand. The study also examined airside and landside alternatives, and recommended an airport layout and improvement schedule.

A. Need for the Proposed Project

The need for the Proposed Action is described in Chapter 2 in the EA. The need is supported based on Fort Smith Regional Airport's role within the National Plan of Integrated Airport Systems (NPIAS) as an air carrier airport. Fort Smith Regional Airport's designation as an air carrier airport translates to the airport's level of importance within the national aviation system. Forecasts and facility requirements contained within the NPIAS assume that the airport will continue to fulfill its role within the national aviation system. In order to allow Fort Smith Regional Airport to continue to fulfill its assigned role, it needs to be able to accommodate the existing and future requirements of the air carriers and all other aircraft operating out of the airport by providing a safe operating environment. To help do that, the airport needs to provide appropriate runway length to meet current and forecasted needs for use by critical design aircraft.

The Master Plan's timing for the need of the project is beyond the FAA's planning horizon for funding consideration, so no Federal funds will be used for the construction of the Proposed Action. The Commission intends to use state and local funds for the Proposed Action.

B. Purpose of the Proposed Project

The proposed solution to the need is to extend Runway 8-26 by approximately 1,300-ft to a total length of 9,300-ft. This will include an associated extension of the runway's parallel taxiway, Taxiway A, relocation of NAVAIDs associated with the runway, and updated approach procedures. All elements associated with the proposed solution are described in Chapter 2 in the EA.

V. ALTERNATIVES

The FAA explored and objectively evaluated reasonable alternatives that were considered practical and feasible in meeting the purpose and need. Chapter 3 of the EA describes the alternatives considered to meet the airport's purpose and need.

Three alternatives were proposed in the EA. These consisted of the Proposed Action as described above; Alternative 2, which included extensions to both the Runway 8 and Runway 26 ends to meet the 9,300-ft total length need; and the No Action Alternative. A detailed explanation of each alternative is provided in the EA and will not be repeated herein. Note that the No Action Alternative is always required to be analyzed in accordance with the Council on Environmental Quality (CEQ) regulations 40 CFR § 1502.14.

The FAA has determined in this FONSI/ROD that the Commission's Proposed Action is the FAA's preferred and selected alternative. In arriving at this decision, the FAA considered all pertinent factors, including the environmental impacts as well as the FAA statutory charter in the Federal Aviation Act of 1958, as amended, to encourage and foster the development of civil aeronautics (49 U.S.C. § 40101).

VI. ENVIRONMENTAL CONSEQUENCES

A. Potential Impact Resource Categories

The EA analyzed relevant environmental categories based on FAA Order 5050.4B, “*National Environmental Policy Act Implementing Instructions for Airport Projects*” (NEPA). Those resource categories that the selected alternative has the potential to impact are discussed below. Any mitigation measures proposed are discussed in Section VI.

i. Air Quality

The Commission’s Proposed Action will accommodate future aircraft activity, changes in runway use patterns, and taxi times. However, operational effects from ground access vehicles or aircraft emissions are not expected to rise to the level of significance. Temporary increases in emissions resulting from construction activities may occur for a limited period of time. This temporary increase will also not rise to the level of significance.

ii. Biological Resources

The Commission’s Proposed Action would directly affect approximately 0.13 acre of a pond, approximately 1.8 acres of wooded areas of suitable bat habitat, and 34.5 acres of suitable American Burying Beetle (ABB) habitat. Table 6 in the EA provides an impact summary for state and federally listed species habitat. Based on final 4(d) rules covered by the USFWS and concurrence of effects determinations, these affects will not rise to a level of significance.

iii. Section 4(f)

Indirect impacts to Section 4(f) resources include the 65 DNL noise level contour falling within portions of the trail system along Massard Road that is projected to expand by approximately 75 linear feet total as a result of the anticipated increase in aircraft accommodated by the Commission’s Proposed Action. The Commission’s Proposed Action does not rise to the level of constructive use of the Massard Road North Trail and will not harm the protected features, qualities, or activities that make the trail important for recreation under Section 4(f).

iv. Hazardous Materials, Solid Waste, and Pollution Prevention

The Commission’s Proposed Action would have no direct impacts to known hazardous materials, solid waste, or hazardous waste sites. Short-term and temporary impacts may occur as a result of construction activities. Construction best management practices will be implemented during construction. Any waste generated will be handled according to applicable local, state, and federal guidelines. These temporary construction impacts will not rise to the level of significance.

v. Land Use

All elements of the Commission’s Proposed Action are located on airport-owned property except for 0.53 acres located within an adjacent residential parcel that falls within the ultimate Runway Protection Zone (RPZ). Easement acquisition of 0.53 acres, as shown in Figure 7 in the EA, will be a direct land use impact associated with the Commission’s Proposed Action. Easement acquisition is required for maintaining control of the ultimate RPZ. No other direct land use changes are anticipated. Indirect impacts from the expansion of the 65 decibel (dB) contour would affect land use; however, off-airport noise level increases are less than 1.5 dB and will therefore not rise to a level of significance.

vi. Noise and Noise-Compatible Land Use

The potential for noise impacts as a result of the Commission’s Proposed Action was analyzed in the EA.

The FAA’s criteria for evaluating the impact of “noise energy exposure” is expressed in terms of yearly day/night average sound level (DNL). The threshold of significance for purposes of determining whether a proposed action will cause significant noise impacts is set forth in FAA Order 1050.1E. A “significant noise impact” is defined as a 1.5 decibel (or greater) increase within the 65

DNL contour over any noise sensitive area when compared to the "no action" alternative. Applying the above criteria, the environmental study modeled potential noise level increases for year 2028.

No areas of an increase of 1.5 decibel (or greater) off the airport property exist within the 65 DNL noise exposure contour resulting from the Commission's Proposed Action for 2028 conditions and, thus, no significant noise impacts will occur. The 65 DNL contour will expand over portions of 15 residential properties, but not meet or exceed 1.5 dB. As a result, the airport will update Part 150.

An estimated 75 linear-foot expansion of the 65 DNL contour over the Massard Road North Trail is anticipated but will not experience increases of ≥ 1.5 dB and therefore is not considered impacted.

vii. Socioeconomics

The Commission's Proposed Action will help to accommodate the forecasted increase in enplanements and total passengers, thus reducing potential passenger and airport congestion. An estimated 0.53 acres (requiring no displacements) of one residential parcel requires an easement for establishing the proposed RPZ. No other direct effects on residential/business acquisition or relocations, traffic patterns, disruptions in established communities or planned developments, or children's environmental health and safety are anticipated as a result of the Commission's Proposed Action. Based on the analysis, no disproportionately high or adverse impacts to EJ populations are anticipated as a result of the Commission's Proposed Action.

viii. Water Resources

The Commission's Proposed Action will impact approximately 257 linear feet of two ephemeral streams, 4.43 acres of emergent wetlands, 0.09 acres of forested wetlands, and 0.13 acre of a pond due to cut and fill activities required to establish minimum FAA design grades associated with the taxiway extension, RSA grading, and fill required to establish the maintenance access road and MALSR siting. Impacts to water resources are summarized in Table 7 of the EA. The Commission has received a Section 404 permit for mitigation of the impacted wetlands; therefore, overall impacts will not rise to a level of significance. Additional information regarding mitigation for wetland and stream impacts is discussed in Section VI of the EA.

Temporary indirect impacts could affect downstream portions of Massard Creek if sediment-laden water resulting from erosion during grading activities traveled off-site during construction. These impacts are not anticipated to be significant as best management measures will be implemented to avoid and/or minimize adverse effects from construction activities.

B. Resource Impact Categories Unaffected by the Commission's Proposed Action or Alternatives

The other seven environmental resources identified in FAA Orders 1050.1F and 5050.4B were determined not be impacted by the Commission's Proposed Action and the No Action Alternatives. Examples of these resources include, but are not limited to, climate, coastal resources, farmlands, cultural resources, natural resources, visual effects, and wild and scenic rivers.

VII. AGENCY COORDINATION AND PUBLIC INVOLVEMENT

Consultation for the Commission's Proposed Action occurred with the State Historic Preservation Office (SHPO) regarding the presence of cultural historic and/or archaeological sites located within or near the Commission's Proposed Action. The SHPO responded that one previously recorded archeological site was located near the APE, but that it would not be affected by the Commission's Proposed Action (See Appendix B of the EA). The SHPO recommended consultation with seven tribes that expressed an interested in the project area. A cultural resource survey was completed, and input was requested from the seven tribes. All responses received are included in Appendix B of the EA and noted no effect was expected from the Commission's Proposed Action.

The draft Environmental Assessment was completed in September 2021 and was prepared for public review and comment prior to advertising a notice of opportunity to request a Public Hearing. On February 6, 2022, the Airport opened the public comment period by placing advertisements on their website (flysm.com) and in the Southwest Times Record, a newspaper of general circulation throughout Fort Smith and Sebastian County, Arkansas. A copy of the advertisement and affidavit of publication are included in Appendix F of the EA. Hardcopies of the draft EA were made available for the public to review until March 8, 2022, at the Airport Terminal Building. Opportunities were provided to the public to respond to the EA via letter, email, website comment response, or by telephone.

Nineteen public comments were received during the public notification period. Eighteen of the public comments were in support of the project. One comment was made regarding potential noise impacts and what the airport would consider regarding mitigation. This comment was addressed through the commitment for completing Part 150 updates. A synopsis of the public meeting and comments received can be found in Appendix F of the EA.

VIII. CONDITIONS AND MITIGATION

As prescribed by 40 CFR §1505.3, the FAA must take steps as appropriate to the action, such as through special conditions in grant agreements, property conveyance deeds, releases, airport layout plan approvals, and contract plans and specifications, and must monitor these as necessary to assure that representations made in the EA and FONSI will be carried out. With respect to the Proposed Action, the following mitigation measures are a condition of approval:

- The Fort Smith Regional Airport is responsible for obtaining all applicable construction permits and certifications, and complete mitigation as identified in Sections 6, 7, and 8 of the EA prior to beginning construction activities.
- The Fort Smith Regional Airport will complete a Part 150 study per commitments listed in Section 6 of the EA.

The threshold of significance for wetland impacts may be exceeded if proper mitigation is not implemented. The Fort Smith Regional Airport will complete mitigation for stream and wetland impacts with the U.S. Army Corps of Engineers.

IX. DECISION CONSIDERATIONS AND ADDITIONAL FINDINGS

Throughout the development of the airport, including the proposed improvements described in Part III above, the FAA has made every effort to adhere to the policies and purposes of NEPA, as stated in CEQ Regulations for Implementing NEPA, 40 CFR § 1500-1508. The FAA has concentrated on the truly significant issues related to the action in question. In its determination whether to prepare an EIS or process the EA as a FONSI/ROD, the FAA weighed the following considerations:

In accordance with 40 CFR § 1507.3 and 1501.5, FAA Orders 1050.1F and 5050.4B, represent Agency procedures to supplement the CEQ Regulations for airport development projects.

After examination of the EA as well as all other evidence available to the FAA, the FAA has determined the available record demonstrated that no thresholds indicating the potential for significant impact were exceeded and an EIS is not required. In addition, the FAA determined that existing evidence available to the agency clearly points to the proposed project as beneficial in fulfilling the FAA's statutory mission of promoting a safe and efficient nationwide airport system, and further study of the issues in an EIS will result only in "amassing needless detail." As the nation's aviation agency, the FAA has the ultimate technical expertise to develop, evaluate, and select actions and alternatives that would result in safe and efficient use of U.S airspace as prescribed in 49 U.S.C. §40103(a). In accordance with 49 U.S.C. Section 44502(b), the FAA has determined that the proposed action is reasonably necessary for use in air commerce.

The EA has adequately provided the agency with the information it needs: (a) to make an informed, objective decision on the environmental effects, as well as other effects, of the proposed project; and (b) to take actions that protect, restore, and enhance the environment. The FAA weighed both the potential positive and negative consequences that this proposed action may have on the quality of the human environment. Further processing of this proposed action in an EIS would needlessly generate additional paperwork and a rehashing of issues, while simultaneously impeding the FAA from carrying out its mission and blocking a primary goal of NEPA -- that of fostering excellent action.

In summary, the FAA opts to use a finding of no significant impact based on its conclusions that the proposed project will not have a significant effect on the human environment.

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) and other applicable environmental requirements. 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, the FAA will not prepare an EIS for this action.

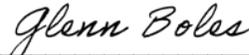
RECOMMENDED
FOR APPROVAL:



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AR/OK Airports District Office Environmental Protection Specialist

APPROVED:



April 18, 2022

Manager, AR/OK Airports District Office

DECISION AND ORDER

Runway 8-26 Extension
Fort Smith Regional Airport
Fort Smith, AR

April 14, 2022

The FAA recognizes its responsibilities under NEPA, CEQ regulations, and its own directives. Recognizing these responsibilities, the FAA has carefully considered the objectives of the proposed projects in relation to aeronautical and environmental factors at and around the Fort Smith Regional Airport. Based upon the above analysis, the FAA has determined that the Commission's Proposed Action meets the purpose and need of the proposed project and best implements necessary airfield modifications to meet FAA design standards.

Having carefully considered the aviation safety and operational objectives of the project, as well as being properly advised as to the anticipated environmental impacts of the proposal, under the authority delegated to me by the Administrator of the FAA, I find that the project is reasonably supported for purposes of the Commission. I certify, as prescribed by 49 U.S.C. 44502, that the proposed project is reasonably necessary for use in air commerce.

Therefore, I direct the approval of the proposed development presented to the FAA by the Fort Smith Regional Airport Commission showing the changes in extending Runway 8-26. This approval is to be taken under the authority of 49 U.S.C. 40104, 44701, 46110, 47101, and 47122. The approved action is specifically described in Part IV of this FONSI/ROD and identified in the EA as the preferred alternative.

This decision constitutes an order of the Administrator reviewable in the United States Circuit Court of Appeals in accordance with the provisions of 49 U.S.C. 46110.

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Ignacio Flores
Airports Division Director
Southwest Region

Right of Appeal

This order constitutes final agency action under 49 U.S.C. 46110. Any party to this proceeding having a substantial interest may appeal the order to the courts of appeals of the United States or the United States Court of Appeals for the District of Columbia upon petition, filed within 60 days after entry of this order.