

**DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
FINDING OF NO SIGNIFICANT IMPACT (FONSI)
RECORD OF DECISION**

Location

Saratoga County Airport (5B2)
Ballston Spa, Saratoga County, New York

Proposed Federal Action

The proposed federal action is federal funding for improvements at Saratoga County Airport, to include the following major components: taxiway improvements, glider staging/run-up area improvements, land/easement acquisition, and tree obstruction removal. The improvements are based on recommendations found in the 2015 Airport Master Plan Update (MPU), the 2016 Wildlife Hazard Assessment (WHA) and Wildlife Hazard Management Plan (WHMP).

Project Description

The Proposed Action consists of the following elements, which are necessary to meet the overall purpose of improving safety and increasing operational efficiency and flexibility at the Airport:

- 1) Taxiway modifications including construction of a 1,650-foot partial-parallel taxiway to Runway 5-23, removal of a 0.42-acre portion of Taxiway B, abandonment of Taxiway D for glider staging areas, installment of taxiway lighting, installment of taxiway signage, and relocation of wind sock,
- 2) Taxiway C improvements including construction of new 400 feet of Taxiway C and abandonment of existing 250 linear feet of Taxiway C elbow for glider operations,
- 3) Glider operation improvements including construction of a 0.38-acre run-up/glider staging area,
- 4) Wildlife Hazard Management Plan implementation of routine mowing of runway and taxiway safety areas, and replacement,
- 5) Wildlife Hazard Management Plan implementation through installation of 10-foot tall perimeter wildlife fence and associated maintenance corridor, and
- 6) Land/easement acquisition land use control and vegetation obstruction removal including land and/or easement acquisition for all runway ends, and vegetation obstruction removal both on and off-airport property.

Background

Saratoga County completed an MPU for the Airport in 2015. The MPU made a number of recommendations for the 20-year planning horizon to assist the Airport in meeting current FAA design and safety standards and to accommodate forecast growth. A WHA was completed in July 2015. The WHA addresses concerns regarding airfield management restrictions due to wildlife hazards and the presence of the state and federally listed threatened and endangered species at the Airport. Based on the wildlife observations and documented strikes during the WHA, a WHMP was completed in January 2016 to provide wildlife hazard mitigation recommendations.

Purpose and Need

The purpose of the Proposed Action is to maintain safe and efficient operations and meet expected near-term demand for on airport facilities, in the following ways:

- 1) Enhance safety by maintaining the approaches to Runways 5, 14, 23, and 32;
- 2) Improve airfield operational efficiency and safety through improved segregation of glider and powered aircraft operations;
- 3) Ensure that appropriate land use control measures are put in place to comply with FAA standards and to prevent future incompatible land use and future obstructions to airspace surrounding Runways 5-23 and 14-32;
- 4) Comply with federal regulations and FAA design standards; and
- 5) Provide increased safety to airport users in relation to wildlife hazards on Airport property.

The taxiways improvements are needed to meet current FAA design standards, to accommodate current demands and peak hour traffic, and to reduce congestion during the Track Season and glider operations. The glider operation area improvements are needed to improve safety and efficiency during glider operations, when both powered and non-powered aircraft are using the taxiways and runways. Implementation of the WHMP is needed to prevent/reduce the loss of human and animal lives and reduce costs to aircraft owners and operators. The land/aviation easement acquisition land use control and obstruction removal projects are needed in order to obtain object height and land use control and remove obstructions now present, and to prevent the growth or construction of future obstructions and/or incompatible land use.

Alternatives

The Proposed Action consists of six elements. For one of the elements, three alternatives were considered. For the other five elements, two alternatives were considered. For the Glider Operations Improvements element, one additional alternative was considered and dismissed from further study. For the WHMP Implementation – Mowing Plan Improvements, two additional alternatives were considered and dismissed from further study

1. Partial-Parallel Taxiway Construction
 - a. No Build Alternative
 - b. Construction of a Partial Parallel Taxiway
 - c. Construction of a Full-Length Parallel Taxiway
2. Taxiway C Improvements
 - a. No Build Alternative
 - b. Construct Taxiway C Improvements
3. Glider Operations Improvements
 - a. No Build Alternative
 - b. Construct Glider Operation Area Improvements
 - c. Construction of a Turf Runway (*Considered and Dismissed*)

4. Wildlife Hazard Management Plan (WHMP) Implementation – Mowing Plan Improvements
 - a. No Build Alternative
 - b. Implement Mowing Plan Improvements – 10-foot Mowing Width
 - c. Implement Mowing Plan Improvements – 20-foot Mowing Width (*Considered and Dismissed*)
 - d. Implement Mowing Plan Improvements – Unrestricted Mowing of Runway Object Free Areas and Taxiway Object Free Areas (*Considered and Dismissed*)

5. WHMP Implementation – Perimeter Fence Improvements
 - a. No Build Alternative
 - b. Construct Perimeter Fence Improvements

6. Land and/or Easement Acquisition Land Use Control and Vegetation Obstruction Removal
 - a. No Build Alternative
 - b. Acquire land/easements to meet FAA design standards and provide control over Airport safety areas and surfaces, and remove obstructions.

Discussion

The attached May 2019 Environmental Assessment (EA) addresses the effects of the proposed action on the quality of the human and natural environment, and is made a part of this Finding. The following impact analysis highlights the more thorough analysis presented in the document.

Air Quality

Saratoga County is not located within a nonattainment or maintenance area according to the EPA Green Book dated September 22, 2016. Construction activities will have short term impacts to air quality. Based on the results of the analysis, criteria pollutant emissions for the project are less than the *de minimis* thresholds. As a result, no significant impacts to air quality are anticipated as a result of the Proposed Action.

Biological Resources

Based on correspondence with the NYSDEC New York Natural Heritage Program (NYNHP) on September 9, 2016, and a review of the USFWS Information for Planning and Consultation (IPaC) system on April 20, 2018, it was determined that the state and federally-listed endangered Karner Blue Butterfly (KBB), state threatened frosted elfin butterfly, and state species of special concern mottled duskywing have been documented in the Airport project area. In addition, the state threatened mock-pennyroyal has been documented in the Airport project area. The KBB, frosted elfin butterfly, and the state threatened blanding's turtle have been documented on or within the vicinity of the off-airport habitat mitigation project sites. In addition, a significant natural community, Appalachian oak-pine forest, has been documented adjacent off-airport habitat mitigation project sites. In addition, the USFWS indicated the potential presence of the

federally threatened northern long-eared bat at or in the vicinity of the Airport and off-airport habitat mitigation sites. No critical habitat has been designated for the species.

Continued consultation has occurred between the County, New York State Department of Environmental Conservation (NYSDEC), and United States Fish & Wildlife Service (USFWS) over the years due to the known presence of the KBB and its habitat at the Airport. In 2009, USFWS issued a Biological Opinion (BO) for activities at the Airport affecting the KBB and their habitat. The BO was amended in 2011 to address the rehabilitation of the taxiway lighting system, installation of Precision Approach Path Indicator (PAPI) lights, and reconstruction of the based aircraft apron. Additionally, an NYSDEC Incidental Take Permit (ITP) for the latter project was issued on September 30, 2013. The ITP expired on September 30, 2016 and subsequently, a request for a permit extension was submitted to complete the based aircraft apron reconstruction project. An approximate 1,000 square foot area of habitat mitigation was constructed on Airport property to compensate for impacts to the KBB resulting from the project. The Airport has been operating under the conditions of a Draft Management Agreement (DMA) with the NYSDEC, along with a Draft Operations Agreement for Glider Activity at the Airport (DOA), between the County, Saratoga Soaring Association, and the NYSDEC to minimize impacts to the butterflies and their habitat. As a result of the Proposed Action habitat impacts and coordination with the NSYDEC and USFWS, the DMA and DOA are being combined and renamed the Habitat Management and Protection Plan for the Saratoga County Airport (HMPP).

For this proposed action, consultation with the USFWS in compliance with Section 7 of the Endangered Species Act was initiated on July 16, 2018 to address the Proposed Action and its impacts on any threatened, endangered, or proposed species, or the destruction or adverse modification of critical habitat. A Biological Assessment (BA) was prepared to assist the USFWS with their Section 7 assessment of the Proposed Action and their determination of whether the project is likely to jeopardize a listed species or its critical habitat. In addition, the BA was used to assist NYSDEC with their assessment of wildlife impacts and issuance of an Incidental Take Permit in accordance with Article 11 of the Environmental Conservation Law.

The BA determined that two components are not anticipated to result in any adverse impacts (Land and/or Easement Acquisition Land Use Control and Vegetation Obstruction Removal and Perimeter Fence Replacement Phase 1) as they are outside of Karner blue butterfly habitat. The BA determined that all other components of the Project have been identified as having the potential to affect the Karner blue butterfly as a result of the initial disturbance and permanent removal of occupied and potential habitat or the temporary disturbance of occupied and potential habitat.

Proposed habitat mitigation for impacts to the protected butterfly habitat would take place on off-airport properties owned by Saratoga County in the towns of Wilton and Northumberland that are currently managed for timber harvesting. Off-airport habitat mitigation will benefit Karner blue butterflies by expanding suitable habitat patches in proximity to existing habitat. Suitable habitat will be extended by silvicultural thinning, followed by restoration planting of blue lupine and other nectar plants. It is anticipated that the existing nearby populations would easily migrate and colonize the proposed mitigation sites as indicated by the natural population expansion/migration onto nearby parcels in the past. Once butterflies are repatriated to restored

lands by natural expansion from nearby occurrences, management activities required to maintain suitable habitat may result in some take of individual butterflies (egg, larvae, pupae, or adult) or temporary short-term degradation of habitat. Conservation measures (e.g., time-of-year restrictions) to minimize potentially negative effects of any management activities are or will be included as part of the mitigation plans that will be developed with a future FAA grant. Although management activities will still cause unavoidable take of eggs in occupied habitat, the overall benefits of restoring and maintaining suitable habitat conditions far outweigh the adverse effects.

USFWS issued a Biological Opinion (BO) in December 2018 based on the Draft BA, this EA, correspondence, and field investigations, for activities at the Airport affecting the KBB and their habitat, including this EA's Proposed Action. USFWS concluded that they do not anticipate any reductions in the overall reproduction, numbers, and distribution of the Karner blue butterfly, and that the Project, as proposed, is not likely to jeopardize the continued existence of the Karner blue butterfly. In addition, it is anticipated that the NYSDEC would issue an Incidental Take Permit under Article 11 of the ECL for impacts to the KBB and their habitat.

USFWS also concurred that the Proposed Action may affect the northern long-eared bat; however, there are no effects beyond those previously disclosed in the Service's programmatic biological opinion for the final 4(d) rule dated January 5, 2016. Mitigation of potential impacts to NLEB as a result of off-airport obstruction removal would include time of year restrictions for tree removal. Any taking that may occur incidental to this Project is not prohibited under the final 4(d) rule (50 CFR §17.40(0)). This Project is consistent with the description of the proposed action in the programmatic biological opinion, and the 4(d) rule does not prohibit incidental take of the northern long-eared bat that may occur as a result of this Project. Therefore, the programmatic biological opinion satisfies the FAA's responsibilities under the ESA section 7(a)(2) relative to the northern long-eared bat for this Project.

Section 4(f) Resources

Proposed habitat mitigation would take place on approximately 180 acres on three separate sites located 15 miles northeast of the Airport. The three sites are located on land classified by New York State as County owned recreational lands. Conservation lands are located adjacent to and in the vicinity of the mitigation sites. In addition, the mitigation sites and lands in the vicinity are located within the Wilton Wildlife Preserve and Park (WWPP). The proposed habitat mitigation is not expected to result in negative impacts to the WWPP but is instead aligned with the mission of the WWPP and would meet the goals of both the WWPP and the KBB recovery unit. It has been determined that the proposed mitigation would have a "*de minimis*" impact and would not adversely affect the features, recreation, or protection of the land under Section 4(f).

Farmland

The majority of proposed acquisitions for land use control and obstruction removal consist of developed residential and commercial properties. There are no actively or recently farmed areas proposed for acquisition. The habitat mitigation sites are currently owned by Saratoga County and part of the WWPP. The land use types of these properties are currently silvicultural in nature, and intended to be selectively thinned followed by restoration planting of butterfly nectar species to create habitat for the KBB. There are no actively or recently farmed areas on the

mitigation sites. Based on the existing and proposed land uses, the FPPA does not apply to the proposed mitigation.

Hazardous Materials, Solid Waste, and Pollution Prevention

No suspected hazardous wastes or contaminated materials were identified within or adjacent to the project area, or the habitat mitigation site, during the course of the preliminary hazardous waste and contaminated materials screening. Although the potential risk for involvement with documented or undocumented inactive hazardous waste or contaminated materials is considered to be unlikely, if hazardous materials are encountered during project construction, appropriate state and federal agencies would be notified and the material would be disposed of in accordance with applicable regulations.

The Proposed Action is expected to create some construction and demolition waste during the construction of the proposed projects. The contractor would be responsible for disposal and reuse in accordance with all applicable local, state, and federal rules and regulations. Following completion of construction, the proposed improvements are not expected to result in a significant increase in solid waste.

Land Use

Obstruction removal and land easement/acquisition would allow the Airport to own or control the land in the approach surfaces and RPZs, thus improving land compatibility and preventing future incompatible activities. The remaining land use surrounding the Airport would remain compatible, and no adverse effects are anticipated. The proposed mitigation land use would be compatible with planned land uses and goals of the WWPP and the KBB recovery unit. In addition, the mitigation construction would be conducted in phases to ensure a successful KBB habitat and phase the amount of silvicultural thinning. Implementation of the Proposed Action would not disrupt the community or relocate residences, or induce negative socioeconomic impacts. Overall, no significant impact to land use compatibility is anticipated with implementation of the airport improvement projects.

Natural Resources and Energy Supply

The projects would use a relatively small amount of readily available natural resources for construction and demolition of taxiways and obstruction removal. Lighting of proposed taxiways would be essentially the same as the lights to be removed/no longer used from the closed taxiways. Overall, the proposed improvements are not of the scale or type to have a significant effect on natural resources or energy supply.

Noise and Noise-Compatible Land Use

The proposed projects in this EA are to be completed to provide enhanced safety to aircraft utilizing the Airport and are not anticipated to increase aircraft operations. As detailed in the 2015 Master Plan Update, the noise contours at 65, 70, and 75 decibels (dB) utilizing the Day-Night Average Level (DNL) are anticipated to remain well within the Airport property based on forecasted operations through 2032. As a result, an increase in aircraft noise levels is not expected. Therefore, there would be no impacts to noise sensitive areas and no further noise analysis is required.

Socioeconomics, Environmental Justice, and Children's Environmental Health and Safety Risks

All of the Proposed Action construction would occur on Airport property or on County property in the case of the off-airport mitigation. No relocation of residences or businesses is proposed. The Airport improvement projects may stimulate the local economy to some extent, by creating construction jobs and demand for readily available construction materials, resulting in increased tax revenue to the community. The increase in the community tax base is not expected to be significant. The project would not have any disproportionate effects on minority and low-income populations and would not adversely affect health and safety of children.

Light Emissions & Visual Effects

The Proposed Action would increase the amount of airside and landside lighting in certain areas and decrease it in other areas of the Airport. Much of the proposed airfield lighting is not high intensity lighting, and would not be intrusive to existing homes, especially since the new lighting would be closer to the Airport's midfield. The impact of the proposed lighting is not anticipated to be greater than the existing lighting impact. Few residencies on the Runway 14 end would have a view of the runway and taxiway lighting as a result of obstruction removal. As done in the past, evergreen tree screenings would be planted between the airfield and residences to mitigate visual and lighting effects from tree removal. Further discussions with affected residents and business owners would take place as the project moves forward. Based on the above, no significant visual impacts would result from the Proposed Action.

Water Resources

The on-airport projects would avoid impacts to freshwater wetlands. However, there is the potential for impacts to wetlands from off-airport obstruction removal. In order to avoid and minimize ground disturbance within wetlands, tree removal within wetland areas would not involve grubbing or grading, and vegetation removal would be conducted in the winter when frozen ground conditions exist and/or would be accomplished with manual and low-pressure equipment. The off-airport mitigation sites were designed to avoid impacts to freshwater wetlands. In addition, a 100-foot buffer from the edge of wetlands was incorporated to avoid and/or minimize indirect impacts.

The primary impact to surface water quality from the Proposed Action would be increased runoff resulting from the expansion of impervious surfaces on the airport. Therefore, drainage improvements and associated best management practices would be installed to manage stormwater runoff. Due to the implementation of a Stormwater Pollution Prevention Plan during the construction phase and proper stormwater management during the operational phase, no significant impacts to water quality are expected to result from the Proposed Action during the operation or construction phases. An NYSDEC SPDES for Stormwater Discharges from Construction Activity General Permit (GP-0-15-002) would be required. Permit conditions and approvals would ensure the proposed activities would not violate water quality standards.

Neither the Airport nor the off-airport mitigation sites rest over an EPA designated Sole Source Aquifer, or NYSDEC designated Primary or Principal Aquifer. Overall, the Proposed Action is not expected to cause any significant impacts to groundwater quality in the project areas during the operation or construction phases of the project.

Cumulative Impacts

Overall, projects in the foreseeable future that are not included in the Proposed Action are small in scale and unlikely to create notable environmental impacts. The environmental impacts of these potential future Airport projects would be analyzed in separate environmental documents. These projects would be designed to avoid or minimize impacts to sensitive resources on and off-airport property. It is not anticipated that implementation of these projects described in the MPU would contribute significantly to cumulative impacts.

Other Impact Categories

The impacts of the proposed Federal action on coastal zones, coastal barriers, floodplains, historic, architectural, archaeological, and cultural resources, and wild and scenic rivers were evaluated in the EA. It is the FAA's finding that the proposed action will not have any significant effect on any of the above noted categories.

Public Involvement

The Proposed Action was discussed at multiple meetings with the Saratoga County Buildings and Grounds Committee, Saratoga County Department of Public Works, Saratoga County Planning, USFWS, NYSDEC, FAA, and other stakeholders, including the Wilton Wildlife Park & Preserve. Project kick-off meetings were held with the regulatory agencies, including the USFWS, NYSDEC, and FAA; the Airport sponsor; and other stakeholders, such as the town of Milton supervisor and town of Milton councilwoman. Meetings with landowners affected by the proposed land and/or easement acquisition were held in January 2016.

Saratoga County and McFarland Johnson conducted three informational meetings with directly affected landowners on January 11 and January 12, 2016 at the Saratoga County offices.

The Draft EA was available for review by the general public, government agencies, and interested parties for a period of 30 days beginning on January 23, 2019. The draft document was made available at the Saratoga County Department of Public Works Office, the Town of Milton Town Hall, and on the Saratoga County Website. The Notice of Availability (NOA) of the Draft EA was published in the January 23, 2019 edition of the Saratogian and the Daily Gazette.

A public meeting was held on February 20, 2019 to provide the public with details of the Proposed Action and the opportunity to provide comments. According to the meeting sign-in sheets, forty people attended the public meeting. Public comments totaled 242, which included approximately 208 of a similar or identical comment. Responses to the public comments generally included further explanation of the project's safety improvements, future airport development plans, aircraft operations, and impacts to wildlife, especially the KBB. In addition, a Saratoga County Airport Known Wildlife Strike History Summary, created in response to the public comments, provides information on the airport wildlife strikes and is included in the appendices, and two figures were revised to illustrate the proposed mowing improvement areas and pavement areas more clearly.

Mitigation Measures

1. The project was designed using general construction, stormwater, and hazardous materials handling Best Management Practices to minimize environmental impacts.
2. All necessary permits for construction of the proposed action shall be obtained prior to construction.
3. Proposed habitat mitigation for the Karner Blue Butterfly would take place on approximately 180 acres on three separate sites located 15 miles northeast of the Airport. The mitigation sites are located in the vicinity of known KBB habitat and viable populations.
4. A Mitigation Management and Protection Plan (MMPP) would be instituted to establish criteria to implement, monitor and measure the success of the habitat mitigation, including protocols for monitoring butterflies, lupine, and nectar species within the mitigation sites.
5. Tree removal would be limited to October 1 through March 31 to avoid direct impacts to northern long-eared bats and potential occupied roost trees.

CONCLUSION AND APPROVAL:

After careful and thorough consideration of the facts contained herein, the undersigned finds the federal action is consistent with existing national environmental policies and objectives as set forth in Section 101 (a) of the National Environmental Policy Act of 1969 (NEPA) and it 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.

Recommended:


 Jonathan DeLaune
 Environmental Specialist
 New York Airports District Office

7/2/19
 Date

Approved:


 Evelyn Martinez
 Manager
 New York Airports District Office

7/2/19
 Date

Disapproved:

 Evelyn Martinez
 Manager
 New York Airports District Office

 Date