

FINDING OF NO SIGNIFICANT IMPACT
AND

RECORD OF DECISION

Proposed Air Cargo Facility Development
Cincinnati/Northern Kentucky International Airport
Boone County, Kentucky
March 2019



DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
MEMPHIS AIRPORTS DISTRICT OFFICE

MEMPHIS, TENNESSEE

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I. INTRODUCTION / BACKGROUND

This Finding of No Significant Impact (FONSI) and Record of Decision (ROD) announces agency findings and decision for those Federal actions by the Federal Aviation Administration (FAA) that are necessary to support the construction and operation of a proposed air cargo facility at Cincinnati/Northern Kentucky International Airport (CVG) in Boone County, Kentucky. The proposed air cargo facility is necessary to meet the Purpose and Need described in Section III.

This ROD provides the FAA's findings and decision based on analysis described in detail in the Environmental Assessment; Air Cargo Facility Development, Cincinnati/Northern Kentucky International Airport, dated February 2019 (EA). The agency's findings and decision result from the FAA's independent review of the information contained in the EA and all other applicable documents available to the agency.

This ROD is issued in accordance with the Council on Environmental Quality (CEQ) Regulations, 40 Code of Federal Regulations (CFR) Parts 1500-1508, FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*, and FAA Order 5050.4B, *National Environmental Policy Act Implementing Instructions for Airport Actions*.

II. PROPOSED FEDERAL ACTION

Kenton County Airport Board (KCAB), the airport sponsor, has requested FAA approval of an Airport Layout Plan (ALP) change for the following Proposed Action:

- Construct a primary package sortation building and support buildings (i.e., ground package sort building, equipment storage, equipment maintenance, and pilot services). The total building footprint would be up to 3.8 million square feet.
- Construct approximately 255-acre concrete aircraft parking apron
- Construct paved employee and visitor vehicle parking garage/lots (approximately 781,000 square feet/96,000 square yards).

The following supporting or enabling elements of the Proposed Action are deemed to be connected actions as defined in 40 CFR Part 1508.25(a)(1):

- Prepare (clear, grub, excavate, embank, and grade) approximately 800 acres of land.
- Extend (approximately 4,200 feet in length by 60 feet wide) Wendell H. Ford Boulevard.
- Construct new on-Airport access roads that provide vehicle and truck access to the new air cargo facility.
- Improve sections of Aero Parkway, an existing four-lane divided highway, to install new entrances, turn lanes, traffic lights, and lighting.
- Transfer all or a portion of off-Airport property (totaling approximately 200 acres) to KCAB.
- Extend utilities to the project site, including electric service, natural gas, water, sanitary sewer, data/communications, and other related infrastructure.
- Modify and/or install new taxiway edge lights and airfield directional signs.
- Install exterior pole-mounted and building-mounted lighting at package sorting buildings, access roads, vehicle parking lots, truck courts, and portions of the aircraft parking aprons.
- Construct new drainage conveyances and detention ponds and/or modify the existing airfield stormwater management system.
- Install security fence and controlled-access vehicle gates and pedestrian gates.
- Expand Airport existing fueling facilities.
- Installation of up to three 60,000-gallon glycol storage tanks.
- Relocate on-Airport road south of Runway 18C/36C.

III. PURPOSE AND NEED

The *purpose* of this project is to provide suitable air cargo facilities at CVG for a hub for large-scale air cargo operations on land presently owned by the KCAB in a way that would be consistent with the Airport's long-term plans and meet the air cargo service provider's existing and future demands.

The *need* for the project is that the existing apron area and facilities at CVG are inadequate to meet the air cargo service provider's requirements for a delivery and sortation support facility, while still meeting the safety and design requirements of the FAA.

IV. TIME FRAME OF THE PROPOSED ACTION

Timing of the implementation of the Proposed Action is intended to meet the air cargo service provider's requirements for a delivery and sortation support facility. The KCAB has proceeded with the work required for permit applications for impacts to streams, wetlands, and bat habitat. The air cargo service provider will begin construction of the project as soon as this Federal environmental determination is made or as soon

as is practical. The actual construction of the development is expected to begin in calendar year 2019, and the facility is expected to be operational in 2021, at the earliest.

V. ALTERNATIVES

Federal guidelines concerning the environmental review process require that all reasonable and practicable alternatives that might accomplish the objectives of a proposed project be identified and evaluated. Such an examination ensures that alternatives are not prematurely dismissed and may lead to consideration of alternatives that fulfill the project's purpose and need as well as enhance environmental quality or have a less detrimental effect. The alternatives evaluated for this Environmental Assessment (EA) are listed below:

- **Alternative A (West Site)** - Alternative A would locate the proposed facility west of Runway 9/27. This site is approximately 320 acres and is located to the west of North Bend Road and outside of the Runway 9/27 Runway Protection Zone (RPZ).
- **Alternative B (Midfield Site)** - Alternative B would locate the proposed facility north of Runway 9/27, between Runway 18R/36L and Runway 18C/36C. This site is approximately 460 acres and divided on the north by Taxiway A.
- **Alternative C (Proposed Action)** - Alternative C (Proposed Action) is approximately 500 acres and is located north of Aero Parkway between Runway 18C/36C and Runway 18L/36R.
- **No Action**

VI. ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Chapters III through V of the EA document and disclose potential environmental impacts of the Proposed Action and alternatives, including the "No Action" alternative.

The KCAB has the primary responsibility for implementation of the mitigation measures described herein. The FAA will have oversight responsibility along with other agencies including Kentucky Heritage Council (KHC), United States Fish and Wildlife Service (USFWS), and United States Army Corps of Engineers (USACE), over the implementation of the mitigation measures, as necessary. Mitigation measures necessary to avoid or minimize environmental impacts, as well as identified or monitoring and enforcement programs, are addressed below. The FAA finds that all practical means to avoid or minimize environmental harm have been addressed through appropriate planning and in compliance with all applicable environmental laws and regulations. Avoidance and minimization measures will be incorporated in the design of the project and in the permitting process.

In accordance with 40 CFR Part 1505.3, the FAA will take appropriate steps, as described in this ROD, to ensure that the identified mitigation actions are implemented during the development and operation of the proposed project. The

approvals contained in the ROD are specifically conditioned on the KCAB fully implementing these mitigation measures.

A detailed environmental analysis of the potential environmental impacts resulting from the implementation of the selected alternative was accomplished as part of the EA. Development that is not reasonably foreseeable at this time and not approved within this ROD, but which may become viable for possible implementation at a later date, would be subject to appropriate environmental review at that time.

This section provides a summary of the environmental impacts and mitigation measures that would be implemented with construction and operation of the Preferred Alternative. Environmental impact categories that are not applicable to the Proposed Action are not addressed in this ROD.

VI. A. Air Quality

The emissions inventories prepared for the Proposed Action were compared to the emissions inventories prepared for the No Action of the same future year to disclose the potential increase in emissions caused by the Proposed Action. The comparison of the emission inventories, which included an inventory of construction and operational emissions, was used for the evaluation of General Conformity as required under the Clean Air Act (CAA) (including the 1990 Amendments). Because conformity to the *de minimis* threshold is relevant only with regard to the ozone precursor pollutants, only NO_x and VOC emissions were evaluated. Neither of the relevant Federal thresholds were equaled or exceeded for the Future (2021) Proposed Action or the Future (2026) Proposed Action.

The air quality assessment demonstrates that the Proposed Action would not cause an increase in air emissions above the applicable *de minimis* thresholds. Therefore, the Proposed Action conforms to the State Implementation Plan (SIP) and the CAA and would not result in a violation of the National Ambient Air Quality Standards (NAAQS), delay the attainment of any NAAQS, nor increase the frequency or severity of any existing violations of the NAAQS. As such, no significant impact on local or regional air quality is expected by construction and operation of the Proposed Action.

VI. B. Biological Resources

Approximately 244 acres of forested habitat is present within the Direct Study Area (DSA) of the Project, all of which would be removed prior to the construction of the Proposed Action. The removal of forested habitat in the DSA would likely have a negative impact on the Indiana bat and northern long-eared bat commuting, roosting, and foraging habitat. Therefore, a Biological Assessment (BA) was prepared for formal Section 7 consultation with the United States Fish and Wildlife Service (USFWS). The FAA made the following finding:

- The Proposed Action "*May affect, is likely to adversely affect*" the Indiana bat.
- The Proposed Action "*May affect, is likely to adversely affect*" the northern long-eared bat.

FAA's finding was submitted to the USFWS on July 17, 2018 and received by the USFWS on July 23, 2018. The USFWS responded with a Biological Opinion (BO) dated November 28, 2018. The BO concluded the Proposed Action is *not* likely to jeopardize species and is *not* likely to destroy or adversely modify critical habitat.

Based on the analysis in the EA and correspondence from USFWS, there would be no effect on the following Federal Threatened and Endangered Species: Gray bat, the Clubshell (*Pleurobema clava*), Fanshell (*Cyprogenia stegaria*), Orangefoot pimpleback (*Plethobasus cooperianus*), Pink Mucket (*Lampsilis orbiculata*), Ring pink (*Obovaria retusa*), Rough pigtoe (*Pleurobema plenum*), and Sheepnose (*Plethobasus cyphus*), or Running Buffalo Clover (*Trifolium stoloniferum*).

Mitigation

Payment into the Imperiled Bat Conservation Fund (IBCF) will be made for tree clearing per the mitigation multipliers by habitat type and season in the Revised Conservation Strategy for Forest-Dwelling Bats in the Commonwealth of Kentucky, U.S. Fish and Wildlife Service, Kentucky Field Office (Version 2:June 2016). The clearing, grading, and site preparation for the project is expected to last approximately 18 months. Efforts will be made to avoid removing trees in the months of June and July. This contribution to the IBCF is expected to promote the survival and recovery of Indiana and northern long-eared bats.

VI. C. DOT Section 4(f) Resources

Four archeological sites were determined to be eligible for listing on the National Register of Historic Places (NRHP) under Criteria D and would be directly impacted by the Proposed Action. Pursuant to 23 CFR Part 774.13(b)(1), the resources are exempt to requirements of Section 4(f) approval because these NRHP sites are important chiefly for data recovery and not important for preservation in place. Therefore, implementation of the Future (2021) Proposed Action or the Future (2026) Proposed Action would not result in the physical use of any Section 4(f) resource.

Analysis on four additional potential Section 4(f) properties concluded the Proposed Action would not result in significant noise impacts or cause significant air pollutant emissions, water pollutants, or other environmental impacts that could affect the properties. Therefore, the Proposed Action would not result in a constructive use of the properties.

VI. D. Historic, Architectural, Archeological, and Cultural Resources

In total, there are 30 known archeological sites, 3 cemeteries, and 5 structures within the Direct Area of Potential Effects that would be removed as part of the Proposed Action. The FAA has determined three archeological sites (15Be688, 15Be694, and 15Be697) were eligible for inclusion in the NRHP. Archeological site (15Be717) was determined to have unsafe conditions to complete the Phase II archeological survey on the site. As a result, this site has been determined to be eligible for the NRHP. Therefore, FAA determined the proposed undertaking would have an Adverse Effect on Historic Properties.

Mitigation

A Memorandum of Agreement (MOA) was prepared for the sites 15Be688, 15Be694, 15Be697, and 15Be717. A Mitigation Plan was developed for the sites by the FAA, KCAB, and in consultation with the KHC, specifying the Data Recovery Plan, which is sometimes called Phase III. Phase III data recovery takes place when there will be an adverse effect to a site listed in or eligible for listing in the National Register and mitigation by excavation of all or portions of the site becomes necessary. The Data Recovery Plan is included as an attachment to the MOA. The KCAB and the air cargo service provider are responsible for carrying out the Data Recovery Plan. The Data Recovery Plan outlines how fieldwork is to be conducted, as well as the structure and content of the mitigation report. The MOA also includes alternate mitigation for site 15Be717 due to the Phase II archeological work on this site not able to be completed due to safety concerns regarding asbestos contamination on the site. Local agencies and interested parties were contacted for comment. The Miami Nation and Cherokee Nation wished to be included as a consulting party in the Section 106 process. The Advisory Council on Historic Preservation (ACHP) was also contacted because of the adverse effects. All three parties have declined to participate in the MOA. The KHC did not have an objection to FAA's adverse effect finding. A draft Memorandum of Agreement is attached.

VI. E. Noise and Noise Compatible Land Use

A noise impact would be considered to be significant if there were an increase of 1.5 decibel (dB) or more over noise-sensitive area within the 65 DNL contour when comparing the No Action and Proposed Action of the same corresponding year. The 1.5 dB increase area remains over compatible Airport-owned land for both out years analyzed. Therefore, no significant noise impacts would occur with the Proposed Action. In the Proposed Action noise contour for 2021, no new residences would be newly impacted in the 65 DNL. In the Proposed Action noise contour for the year 2026, there are 52 new residences exposed to 65 DNL. Of the 52 residences, 14 were mitigated through a previous Part 150 Study, two were offered mitigation but refused, and 36 were never offered mitigation. Of the 36 residences never offered mitigation, five either were built

after the previous mitigation program or were considered ineligible due to the type of construction and 31 are newly in the 65 DNL. No noise sensitive land uses were impacted in either out year analyzed.

Mitigation

No significant noise impacts would occur due to the Proposed Action in 2021 or 2026; therefore, no mitigation measures are required. However, the noise analysis showed in 2026, 43 residences would be newly exposed to 65 DNL. In order to address these potential impacts, KCAB commits to updating the 2006 Part 150 Study Update a full calendar year after opening of the air cargo facility to analyze noise impacts and to determine if updates to the current noise abatement program, including offering mitigation (acquisition and/or sound insulation), would minimize impacts to residences in the 65+ DNL contour.

VI. F. Roadway Traffic

The Proposed Action, along with other planned development along Aero Parkway, would cause an increase in surface traffic. A Draft Traffic Impact Study (TIS) was prepared to describe and measure the impact of traffic generated by the proposed development on the existing roadway system. The TIS was coordinated with the Kentucky Transportation Council (KYTC), KCAB, Boone County, and the City of Florence. The TIS recommended roadway improvements for potential impacts related to the proposed air cargo facility. These recommendations are included in Appendix H, Traffic. In addition, the State of Kentucky and the Ohio-Kentucky-Indiana Regional Council on Governments (OKI) will be conducting a planning study for the region. With the implementation of the roadway improvements, no impacts to socioeconomic resources would occur because of disruptions of local traffic patterns.

The Proposed Action has the potential to change surface vehicle traffic patterns during construction. Standard traffic engineering techniques would be utilized to maintain traffic during construction. However, temporary construction impacts could include increased commercial traffic on neighborhood roads, increased traffic congestion, increased travel distances, and increased travel times for drivers. Normal neighborhood vehicular traffic patterns could also be disrupted if drivers chose to cut-through neighborhoods to avoid congestion induced by construction activities.

VI. G. Wetlands and Surface Waters

The Proposed Action would impact approximately 12,698 linear feet of ephemeral streams, 42,710 linear feet of intermittent streams and 3,655 linear feet of perennial streams. In addition, 10.53 acres of wetland would be

impacted. Coordination with the U.S. Army Corps of Engineers (USACE) and Kentucky Division of Water (KDOW) is underway to obtain the appropriate permits per the U.S. Clean Water Act and identify mitigation requirements. All permit and mitigation conditions would be met; therefore, no significant impacts would occur to wetlands and streams.

Mitigation

KCAB intends to meet its compensatory mitigation requirement through the purchase of credits from the Northern Kentucky University (NKU) In-Lieu Fee (ILF) Payment Program and the Kentucky Department of Fish and Wildlife Resources (KDFWR). Jurisdictional waterbody impacts (wetlands) would require a 2:1 mitigation ratio. Perennial stream impacts for poor quality streams require a 1.5:1 ratio and a 3:1 ratio for excellent streams. Poor quality intermittent stream impacts require a 1:1 ratio and an average quality intermittent stream impacts require a 1.5:1 ratio. Ephemeral streams would require a 0.5:1 ratio. The ILF Payment Program requires an increase of 20 percent for temporal loss. Therefore, the mitigation units require a 20 percent increase. Based on the initial conversations with NKU and KDFWR, credits are available for purchase and KCAB initiated final negotiations with NKU and KDFWR.

In addition, new detention facilities and outfalls are proposed for the development to provide post-construction stormwater quantity and quality control for stormwater runoff, in accordance with Northern Kentucky Sanitation District No. 1 (SD1) stormwater regulatory requirements for new and redevelopment.

VI. H. Floodplains

The Proposed Action would impact approximately 13 acres of a 100-year floodplain designated Zone AE. No other alternative sites met the project purpose. Although avoidance and minimization was incorporated into the project design, complete avoidance of floodplain impacts is not practical due to the air cargo facility design and layout that is dictated by the air cargo service provider's business model. These impacts would not be significant and would not result in: 1) a considerable probability of the loss of human life; 2) likely future damage associated with the encroachment that could be substantial in cost or extent, including interruption of service or loss of vital transportation facility; or 3) a notable adverse impact on natural and beneficial floodplain values. Design measures considered to minimize floodplain encroachments include special flood related design criteria, elevating facilities above base flood levels, locating nonconforming structures and facilities out of the floodplain, or minimizing fill placed in floodplains. The proposed air cargo facility would include a storm sewer to collect runoff from upstream areas and bypass it around the development to the existing outfall under Aero Parkway. As a result, this encroachment would not be significant.

VI. I. Cumulative Impacts

The proposed action was considered in conjunction with other past, present, and future actions at the airport and within the general study area for cumulative impacts. The EA defined the past five years (2013-2018) as the timeframe for past actions, while years 2019-2024 served as the timeframe for future actions. Actions beyond 2024 were characterized as speculative and not considered. The analysis also limited consideration to only those categories where environmental impacts were identified for the proposed action within this EA. Those categories include air quality; biological resources; historic architectural, archeological, and cultural resources; noise and noise compatible land use; traffic impacts; and water resources.

Based on the information presented in the EA, Section 5-16, the level of cumulative impacts anticipated to occur within these environmental resource categories is not significant due to the types of past, present, and reasonably foreseeable future projects, the extent of the built environment in which they would occur, the lack of certain environmental resources in the area, and the mitigation measures identified for the proposed action. Therefore, implementation of the Proposed Action would not result in significant cumulative environmental impacts.

VII. Permits and Certifications

There are regulatory permits or certifications that impose mitigation requirements to minimize environmental impacts during implementation of the Proposed Action. The Sponsor is responsible for acquiring and complying with all applicable permits and certifications throughout the implementation/construction of the Proposed Action.

Regulatory permits or certificates required for the Proposed Action include, but are not necessarily limited to:

1. National Pollution Discharge Elimination System Permits
2. Boone County Building Permits
3. Northern Kentucky Sanitation District No. 1 Stormwater Permit
4. Floodplain Construction KY Division of Water
5. Boone County Zoning
6. KY Fiscal Court Approval Cemetery Relocation

VIII. DECISION AND ORDER

The FAA has determined that environmental and other relevant concerns presented by interested agencies and private citizens have been addressed sufficiently in the EA and fully and properly considered in the decision-making resulting in this ROD.

The FAA concludes there are no outstanding environmental issues to be resolved by it with respect to the proposed project.

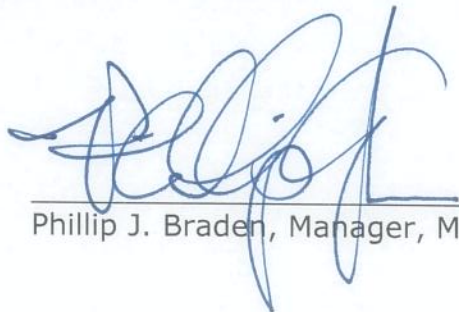
The No Action Alternative fails to meet the purpose and need for the proposed project. For reasons summarized earlier in this ROD, and supported by disclosures and analysis detailed in the EA, the FAA has determined that Alternative C, the Sponsor's preferred alternative, is a reasonable, feasible, practicable and prudent alternative for a Federal decision in light of the established goals and objectives. An FAA decision to take the actions and approvals required by the Sponsor is consistent with its statutory mission and policies supported by the findings and conclusions reflected in the environmental documentation and this ROD.

After reviewing the EA and all of its related materials, I have carefully considered the FAA's goals and objectives in relation to the proposed development actions discussed in the EA, including the purpose and need to be met by this project, the alternative means of achieving them, the environmental impacts of these alternatives, the mitigation necessary to preserve and enhance the environment, and the costs and benefits of achieving the purpose and need.

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

This ROD presents the FAA's final decision and approvals for the actions identified, including those taken under the provisions of Title 49 of the United States Code, Subtitle VII, Parts A and B. These actions constitute a final order of the Administrator subject to review by the Court of Appeals of the United States in accordance with the provisions of 49 U.S.C. § 46110.

Approved:



Phillip J. Braden, Manager, MEM-ADO

MARCH 8, 2019
Date