

**FINDING OF NO SIGNIFICANT IMPACT/RECORD OF DECISION
FOR
RUNWAY 8-26 RECONSTRUCTION**

AT

RAFAEL HERNANDEZ AIRPORT, PUERTO RICO

September 2020



**DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
ATLANTA AIRPORTS DISTRICT OFFICE**

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

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I. INTRODUCTION/BACKGROUND

In compliance with the National Environmental Policy Act of 1969 (NEPA), this Finding of No Significant Impact (FONSI) and Record of Decision (ROD) announces final agency determinations and approvals for those Federal actions by the Federal Aviation Administration (FAA) that are necessary to support the proposed development actions as requested by the airport sponsor.

This FONSI/ROD provides the FAA's final determinations and approvals based on analyses described in detail in the *Final Environmental Assessment for Runway 8-26 Reconstruction at Rafael Hernandez Airport, Aguadilla, Puerto Rico, August, 2020*. The agency decision is based on information contained in the Final Environmental Assessment (EA), incorporated herein by reference, and all other applicable documents available to the agency.

II. PROPOSED FEDERAL ACTION

The Puerto Rico Ports Authority (PRPA or Sponsor) has requested FAA Airport Improvement Program (AIP) financial assistance and approval to implement the reconstruction and relocation of Runway 8-26 and associated actions at Rafael Hernandez Airport (BQN) in Aguadilla, Puerto Rico, hereinafter referred to as the Proposed Project. The Sponsor also requests FAA's approval of the Airport Layout Plan (ALP) that depicts the Proposed Project; and modification or cancellation of Terminal Instrument Procedures as necessary for the relocated Runway 8-26.

The Proposed Project at BQN would reconstruct Runway 8-26 in a new location and implement operational restrictions on the runway's usable length in order to maintain aircraft operational safety and compatibility of land uses surrounding BQN. The existing Runway 8-26 would be repaired and reconfigured to serve as a full-length parallel taxiway for the relocated runway. The Sponsor would remove 21 existing buildings and other structures located south of the relocated runway to comply with regulations for vertical obstructions within takeoff and landing areas.

III. PURPOSE AND NEED

The FAA's AIP provides grants to public agencies for the planning and development of public-use airports in the National Plan of Integrated Airport Systems (NPIAS). Sponsors who accept a grant offer also accept the conditions and obligations associated with the grant assurances. Assurances include obligations to operate and maintain the airport in a safe and serviceable condition, not grant exclusive rights, mitigate hazards to airspace, use airport revenue properly, and adherence to various Federal statutes.

The purpose of the proposed runway and associated airfield improvements is twofold: 1) provide an air carrier runway of sufficient pavement strength and condition to accommodate existing and future operations at BQN; and 2) maintain adequate runway length for the existing and future aircraft fleet mix using BQN during pavement rehabilitation and reconstruction.

The need for pavement strengthening is documented in pavement condition studies prepared between 2004 and present day. Pavement sections across the approximate 8,200-foot center portion of the existing runway have pavement condition ratings ranging from 0 to 13 (i.e., "Failed").

Although approximately 4,000 feet within this section of the runway has been repaired, a 2,000-foot section remains with a pavement condition rating of “Very Poor” (i.e., less than 40) causing a 25% reduction in adjusted gross loads for aircraft using the runway. Flooding and ponding have been observed on the runway pavements during airport inspections due to the pavement deterioration, and analysis as part of the PRPA Regional Airports Pavement Maintenance and Management Program forecasted that additional sections of Runway 8-26 would degrade to “Very Poor” rating by 2021.

A minimum of 10,500 feet of useable runway take-off length is needed at BQN based on a recent runway length analysis. Payload restrictions would begin to occur for domestic passenger aircraft at a length of 9,050 feet, and at this length long-range international cargo aircraft would operate with load factors between 64% and 74%, which is considered to be unprofitable to cargo operators. Cargo operators that would experience this level of payload restriction have indicated that a minimum of 10,500 feet of useable runway take-off length is required.

IV. REASONABLE 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 an alternative that addresses the project's purpose and that might enhance environmental quality, or have a less detrimental effect, has not been prematurely dismissed from consideration. In the EA, reasonable and practicable alternatives were carefully examined. The alternatives considered are described below:

- No-Action
- Alternative 1B includes reconstructing Runway 8-26 in place, 243 feet east of its current alignment; implementing operational restrictions on the runway's usable length; constructing a temporary runway south of the current runway alignment for use during in-place runway reconstruction; and demolishing buildings in the Runway Safety Area (RSA) and Runway Object Free Area (ROFA) of the temporary runway.
- Alternative 1C includes reconstructing Runway 8-26 in place, 478 feet east of its current alignment; implementing operational restrictions on the runway's usable length; realigning 2,060 lineal feet of Borinquen Avenue (Route 107) to avoid placement in the Runway Protection Zone (RPZ); constructing a temporary runway south of the current runway alignment for use during in-place runway reconstruction; and demolishing buildings in the RSA and ROFA of the temporary runway.
- Alternative 2B (Sponsor's Preferred) includes reconstructing Runway 8-26, 500 feet south and 862 feet to the east of its current alignment; implementing operational restrictions on the runway's usable length; removing building obstructions in the new RSA and ROFA; and converting the existing runway to a parallel taxiway.
- Alternative 2C includes reconstructing Runway 8-26, 500 feet south and 862 feet to the east of its current alignment; implementing operational restrictions on the runway's usable length; removing building obstructions in the new RSA and ROFA; realigning 2,060 lineal feet of Borinquen Avenue (Route 107) to avoid placement in the RPZ; and converting the existing runway to a parallel taxiway.
- Alternative 2D includes reconstructing Runway 8-26, 500 feet south and 1,187 feet to the east of its current alignment; implementing operational restrictions on the runway's usable length; removing building obstructions in the new RSA and ROFA; and converting the existing runway to a parallel taxiway.

Of the alternatives considered, Alternatives 2B and 2D were selected for analysis in the EA because each met the stated purpose and need of providing sufficient pavement strength for safe aircraft operations while maintaining a minimum of 10,500 usable runway take-off length. Both alternatives were determined to be fully constructible while minimizing environmental and social impacts to the extent practicable compared to other alternatives considered. The No-Action Alternative does not meet the purpose and need but is required to be studied in the NEPA process.

V. ENVIRONMENTAL IMPACTS

As documented in the attached EA, Alternatives 2B and 2D and the No-Action Alternative were evaluated for potential impacts to all environmental resource topic areas outlined in FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*, FAA's Order implementing NEPA.

Under the No-Action Alternative, no action would be taken and there would be no associated environmental impacts.

The impacts associated with Alternatives 2B and 2D are similar. The following is a discussion of those resources identified as present and with potential to be significantly affected by Alternative 2B and Alternative 2D of the Proposed Project. Other environmental categories studied in the EA would not be significantly impacted by the Proposed Project.

Historical, Architectural, Archaeological and Cultural Resources – As detailed in the EA, BQN occupies the site of the former Ramey Air Force Base (AFB). The Puerto Rico State Historic Preservation Office (PRSHPO) considers all of the former AFB, and therefore all of BQN, to be a historic district eligible for the National Register of Historic Places (NRHP), and all existing structures associated with the former AFB to be individually contributing resources. FAA regulations prevent the persistence or placement of objects within the surface of a takeoff and/or landing area of an airport, or within any imaginary surface, and therefore require removal of 21 structures south of the relocated runway, 16 of which are considered historic resources. Additionally, Runway 8-26 is considered a historic resource, that would be repaired, reconstructed, and reconfigured to serve as a taxiway by the Proposed Project. Accordingly, PRSHPO has recommended a finding that the Proposed Project would result in adverse effects to these historic properties. A Memorandum of Agreement (MOA) has been signed by FAA, the Sponsor, and PRSHPO that outlines mitigation measures to offset adverse effects to these historic resources (see **Section VI. Environmental Mitigation**).

DOT Section 4(f) Resources – Numerous DOT Section 4(f) resources occur on and near BQN property, within both the EA Direct Study Area (DSA) and Indirect Study Area (ISA). These include public recreation and conservation areas as well as historic properties. The Proposed Project would not result in significant impacts to Section 4(f) resources within the ISA. However it would result in the physical use of 17 Section 4(f) resources within the DSA: the 16 historic properties to be demolished south of the relocated Runway 8-26, and the existing Runway 8-26. The MOA signed by FAA, the Sponsor, and PRSHPO outlines mitigation measures to offset impacts to these properties (see **Section VI. Environmental Mitigation**).

Noise and Noise Compatible Land Use – Relocating Runway 8-26 to the south of its current alignment would shift the location of noise level contours both on and off of airport property. This would result in an increase of 1.5 decibels (dB) within the day-night average sound level (DNL) 65 dB contour for five residential structures on nine residential parcels and one recreation area, and an increase of 3 dB within the DNL 60 dB contour for 68 residential structures on 101 residential parcels, three recreation areas, and one church in the 2029 study year. The affected recreational

land uses are compatible with these noise levels. However, the affected residential structures are not included in a Part 150 noise abatement program and mitigation will be required (see **Section VI. Environmental Mitigation**).

VI. ENVIRONMENTAL MITIGATION

The MOA between FAA, the Sponsor, and PRSHPO requires the following stipulations to offset impacts of the Proposed Project to historic properties/Section 4(f) resources:

Stipulation I: Archaeological Investigation – A single archaeological survey report will be prepared by the Sponsor and submitted to the PRSHPO for review. The report will integrate the entirety of archaeological identification and evaluation work carried out in the 2015, 2018, and 2019 archaeological surveys, including all letters issued by the SHPO and an evaluation of eligibility with the basis for such recommendations. If additional subsurface testing is deemed necessary, a work plan will be submitted to the PRSHPO for review and concurrence prior to implementation. FAA will obtain consensus determinations of eligibility, assessment of effects and resolution of effects from PRSHPO.

Stipulation II: Historical Site Documentation – The Sponsor will prepare a report to document the architectural and cultural history of the airfield to include the following: 1) a history of the Airport's role during the Cold War; documentation of Ramey Air Force Base's role in the use of reconnaissance planes during the Cold War; oral histories from a locals' perspective in how the Air Force Base affected the economy of Puerto Rico; 2) the role of Ramey Air Force Base as part of a SAC which will include the mission and history of the SAC and exploration of Ramey's contribution to this command; and 3) a discussion of Ramey Air Force Base's influence on life including education, employment, and people's views concerning the base.

Stipulation III: Permanent Archival Record – Prior to acquisition and demolition of buildings, digital photographs will be taken of the buildings and landscape within the APE including views of the exterior and interior of all buildings, structural or decorative. Digital photographs showing the overall complex and its setting will also be included.

Stipulation IV: Duration – The MOA shall expire if its terms are not carried out within five years from the date which the fully executed MOA is filed with ACHP. Prior to such time, FAA may consult with the other signatories to reconsider the terms of the MOA and amend it in accordance with Stipulation VIII.

Stipulation V: Post-review Discoveries – If potential cultural resources are discovered or unanticipated effects on cultural resources found during design or construction, all work shall promptly stop and the FAA, the Sponsor, and PRSHPO will be notified and consulted on how to proceed pursuant to 36 CFR Part 800.13.

Stipulation VI: Monitoring and Reporting – Each year following the execution of the MOA, until it expires or is terminated, the Sponsor shall provide all parties to the MOA a summary report detailing work undertaken pursuant to its terms. Such report shall include any scheduling changes proposed, any problems encountered, and any disputes and objections received in the Sponsor's efforts to carry out the terms of the MOA.

Stipulation VII: Dispute Resolution – The MOA provides a dispute resolution process, should any signatory to the MOA object at any time to either the actions proposed or the manner in which the terms of this MOA are implemented.

Stipulation VIII: Amendments – The MOA may be amended when all signatories provide written agreement to any such amendment. An amendment will become effective on the date that a signed copy is filed with the ACHP.

Stipulation IX: Termination – The MOA provides a process for termination, should any signatory determine that its terms will not or cannot be completed. If the MOA is terminated, work shall stop on the undertaking. Prior to work continuing on the undertaking, FAA shall either execute an MOA pursuant to 36 CFR § 800.6, or request, take into account, and respond to the comments of the ACHP under 36 CFR § 800.7. FAA shall notify the signatories as to the course of action it will pursue.

To mitigate noise impacts to levels below FAA significance thresholds, the Sponsor commits to the measures listed below.

1. The Sponsor will acquire avigation easements for residential parcels that will experience a 3 dB or greater increase within the new DNL 60 dB noise contour resulting from the Proposed Project.
2. The Sponsor will offer owners of properties affected by a 3 dB or greater increase within the new DNL 60 dB noise contour who wish to relocate, the choice of a sales assistance program or a purchase assurance program to facilitate a timely market sale of impacted properties.
3. The Sponsor will acquire nine residential parcels that will experience a 1.5 dB or greater increase within the new DNL 65 dB resulting from the Proposed Project. All property acquisition required to support land use compatibility with the Proposed Project would be performed in accordance with the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 and with FAA Advisory Circular 150/5100-17, Change 6, *Land Acquisition and Relocation Assistance for Airport Improvement Program Assisted Projects*, including provisions and requirements for real property appraisal, real property acquisition, relocation assistance, payments for moving and related expenses, replacement housing payments, and management of acquired properties.

VII. ENVIRONMENTAL COMMITMENTS

To avoid and minimize environmental impacts to other resources, the Sponsor commits to the measures listed below in addition to the mitigation measures described in **Section VI. Environmental Mitigation**.

- The Sponsor will secure construction permits/plans required by federal and local regulations, including but not limited to a Karst Zone Special Planning Area Permit, Multi-Sector General Permit for stormwater associated with industrial activities, Stormwater Pollution Prevention Plans, and National Pollutant Discharge Elimination System Permits.
- The Sponsor will apply best management practices for sediment and erosion control, karst feature avoidance, spill prevention/containment, and stormwater treatment
- The Sponsor will minimize impacts to local public roadway traffic during the construction phase by utilizing haul routes recommended in the EA, particularly during peak traffic hours, and providing maintenance of traffic on affected roadways during construction.

VIII. PUBLIC PARTICIPATION

Agency scoping was conducted in August of 2018. An early agency scoping meeting was held by FAA and PRPA on August 01, 2018, subsequent to the FAA issuing early scoping notification letters and project information to interested agencies. A variety of Federal, state and local agency representatives attended this meeting either telephonically or in person, including City of Aguadilla, Puerto Rico Department of Planning and Environmental Resources, Puerto Rico Electric Power Authority, Puerto Rico Planning Board, Puerto Rico Tourism Company, and U.S. Fish and Wildlife Service. Early scoping comments were received and considered in the EA.

The Sponsor advertised the availability of the Draft EA in both Spanish and English, in the *Primera Hora* and *Periodico Vision* newspapers on July 23, 2020. Additionally, the Sponsor posted a Public Notice in the Rafael Hernandez Airport Terminal Building. A hard copy of the Draft EA was available for review at the Rafael Hernandez Airport Terminal building. Due to ongoing public health protections and limitations on gatherings to limit the spread of COVID19, a virtual public information website was additionally made available for the public to access and submit comments on the Draft EA. The Draft EA was available for public review and comment from July 23, 2020 through August 24, 2020. The Sponsor provided three means for the public to comment on the EA, including written comments by mail, electronic comments by email, and a public information website that allowed for comment submittal. No comments were received from the public.

IX. AGENCY FINDINGS

In accordance with applicable law, the FAA makes the following findings/determinations for the Proposed Project, based upon the appropriate information and data contained in the EA. The following determinations are prescribed by the statutory provisions set forth in the Airport Airway Improvement Act of 1982, as codified in 49 U.S.C. Sections 44502, 47106 and 47107.

- The Proposed Project is reasonably necessary for use in air commerce or for national defense [49 U.S.C. §44502(b)].
- The project is reasonably consistent with existing plans of public agencies for development of the area surrounding the airport [49 U.S.C. §47106(a)(1)].
- The interests of the community in or near which the project may be located have been given fair consideration [49 U.S.C. §47106(b)(2)].
- The airport sponsor certifies that it has provided an opportunity for a public hearing [49 U.S.C. §47106(c)(1)(A)(i)].

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(a) of NEPA and other applicable environmental requirements, and with the mitigation that is a part of the project, 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.

X. 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 Final EA, hereby acknowledged and fully and properly considered in the decision-making, resulting in this FONSI/ROD. The FAA concludes that there are no outstanding environmental issues to be resolved by the agency 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 FONSI/ROD, and supported by disclosures and analysis detailed in the Final EA, the FAA has determined that the Sponsor's Proposed Project is reasonable, feasible and practicable, and Alternative 2B is considered prudent 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 FONSI/ROD.

After reviewing the EA and all of its related materials, I have carefully considered the FAA's goals and objectives in relation to various aeronautical aspects of 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.

While this decision does not approve Federal funding for the proposed airport development and does not constitute a Federal funding commitment, it does provide the environmental findings and approval for proceeding to funding actions in accordance with established procedures and applicable requirements.

Issued in College Park, Georgia

September 1, 2020

Larry F. Clark, Manager
FAA, Atlanta Airports District Office

Date