
Appendix E – Early Agency Coordination

List of Agencies and Tribes that Received Early Coordination Letters Requesting Information and Comments

Salutation line	Contact Name	Title	Organization	Address	City, State, Zip
Federal and State Coordination - Master List					
Mr. Conway	Brian Conway	State Historic Preservation Officer	State Historic Preservation Office, State Housing Development Authority	735 E. Michigan Avenue, P.O. Box 30044	Lansing, Michigan 48909
Mr. Duffiney	Tony Duffiney	State Director	USDA - APHIS Wildlife Services	2803 Jolly Rd., Suite 100,	Okemos, MI 48864
Mr. Watling	Jim Watling	Supervisor	MDEQ, Water Resources Division, Transportation Review Unit	P.O. Box 30458	Lansing, MI 48909-7958
Mr. Simon	Charlie Simon	Chief	U.S. Army Corps of Engineers, Detroit District, Regulatory & Permits	477 Michigan Avenue, Room 603	Detroit, MI 48226-2550
Mr. Joseph	James K. Joseph	Regional Director	Federal Emergency Management Agency, Region 5	536 South Clark Street, 6th Floor	Chicago, Illinois 60605
Ms. Gagliardo	Jean Gagliardo	District Conservationist	USDA, Natural Resource Conservation Service, Portage Service Center	5950 PORTAGE RD	PORTAGE, MI 49002
Mr. Hicks	Scott Hicks	Field Office Supervisor	US Fish and Wildlife - Michigan Field Office	2651 Coolidge Road, Suite 101	East Lansing, Michigan 48823
Mr. Westlake	Kenneth Westlake	Chief	EPA Region 5 , NEPA Implementation Section	77 West Jackson Boulevard	Chicago, Illinois 60604
Mr. O'Neill	William O'Neill	Natural Resources Deputy	Michigan Department of Natural Resources, Executive Division	525 W Allegan St	Lansing, MI 48909
Local & Political Coordination - Master List					
Ms. Grewal	Mandy Grewal	Supervisor	Pittsfield Charter Township	6201 W. Michigan Ave.	Ann Arbor, MI 48108
Mayor Taylor	Christopher Taylor	Mayor	City of Ann Arbor	Larcom City Hall, 301 E. Huron St.	Ann Arbor, MI 48107-8647
Mr. Lenart	Brett Lenart, AICP	Unit Manager	Planning and Developmnet, City of Ann Arbor	Larcom City Hall,-301 E. Huron St.	Ann Arbor, MI 48107-8647
Mr. Pratt	Evan N. Pratt, P.E.	Commissioner	Washtenaw County Office of Water Resources	P.O. Box 8645	Ann Arbor, MI 48107-8645
Mr. MacDonell	Matthew F. MacDonell	Managing Director	Washtenaw County Road Commission	555 N. Zeeb Road	Ann Arbor, MI 48103
Ms. Gillotti	Teresa Gillotti	Director	Community & Economic Development, Washtenaw County	P.O. Box 8645	Ann Arbor, MI 48107
Native American Coordination - Master List					
Chairperson			Bay Mills Indian Community of Michigan	12140 West Lakeshore Drive	Brimley, MI 49175
Chairperson			Grand Traverse Band of Ottawa and Chippewa Indians of Michigan	2605 NW Bayshore Drive	Suttons Bay, MI 49682
Chairperson			Hannahville Indian Community of Michigan	N14911 Hannahville B1 Road	Wilson, MI 49896-9728
Chairperson			Huron Potawatomi, Inc	2221 1-1/2 Mile Road	Fulton, MI 49052
Chairperson			Keweenaw Bay Indian Community of Michigan	Keweenaw Bay Tribal Center, 107 Beartown Road	Baraga, MI 49908
Chairperson			Lac Vieux Desert Band of Lake Superior Chippewa of Michigan	PO Box 249 - Choate Road	Watersmeet, MI 49969
Chairperson			Little River Band of Ottawa Indians	375 River Street	Manistee, MI 49660
Chairperson			Little Traverse Bay Bands of Odawa Indians	7500 Odawa Circle	Harbor Springs, MI 49740-9692
Chairperson			Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians	PO Box 218, 1743 142nd Avenue	Dorr, MI 48323
Chairperson			Pokagon Band of Potawatomi Indians of Michigan	PO Box 180, 901 Spruce Street	Dowagiac, MI 49047
Chairperson			Saginaw Chippewa Indian Tribe of Michigan	7070 East Broadway	Mt. Pleasant, MI 48858
Chairperson			Sault-Ste. Marie Tribe of Chippewa Indians of Michigan	523 Ashman Street	Sault Ste. Marie, MI 49783
Chairperson			Burt Lake Band of Ottawa and Chippewa Indians	6461 Brutus Road, Box 206	Brutus, MI 49716
Chairperson	Fred Jacko, Jr.	Culture Department Manager	Nottawaseppi Huron Band of Potawatomi	1485 Mno-Bmadzewen Way	Fulton, MI 49052
Chairperson			Grand River Band of Ottawa Indians	1316 Front Ave NW	Grand Rapids, MI 49504

Example of Letters Sent to Federal, State, and Local Agencies

April 3, 2019

«Contact_Name»

«Title»

«Organization»

«Address»

«City_State_Zip»

Re: Early Coordination Review of Proposed Improvements
Ann Arbor Municipal Airport, Ann Arbor, Michigan

Dear «Salutation_line»:

The Federal Aviation Administration (FAA) and the Michigan Department of Transportation, Office of Aeronautics (AERO) has authorized the Ann Arbor Municipal Airport (Airport) to explore alternatives of extending Runway 6/24 (primary runway) to meet the current and future fleet mix needs of the Airport. Alternatives being considered will evaluate shifting the primary runway 150 feet to the southwest and extending the Runway 6 end by as much as 795 feet. The proposed action will potentially achieve an overall runway length of 4,300 feet.

To proceed with the proposed action, an Environmental Assessment (EA) is necessary to define and analyze potential impacts and evaluate reasonable alternatives. During the EA, investigations will be conducted to identify potential Social, Economic, and Environmental (SEE) impacts related to the improvements being proposed. The document will be developed in accordance with the National Environmental Policy Act (NEPA), FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*, and FAA Order 5050.4B. *National Environmental Policy Act (NEPA) Implementing Instructions for Airport Actions*. The EA will also be developed to determine whether any potential impacts are significant enough to necessitate an Environmental Impact Statement.

It should be noted that the FAA and AERO do not necessarily endorse the proposed action, nor have they agreed to a Preferred Alternative. They have merely directed the Airport to fully evaluate the Purpose and Need, any prudent and feasible alternatives including the No-Build Alternative, and identify associated impacts in order to select a Preferred Alternative.

A summary of the proposed action includes:

- Extend Runway 6 by 795 feet
- Shift Runway 6/24 by 150 feet to the southwest
- Extend parallel Taxiway A to match Runway 6 extension

April 3, 2019

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- Extend runway and taxiway lighting and guidance signage
- Relocate/reconstruct FAA owned Runway 6 Runway End Identifier Lights
- Remove FAA owned and decommissioned Runway 24 Omni-Directional Approach Lights

As part of our early agency coordination, we are attempting to identify key issues that will need to be addressed during the NEPA process. To accomplish this, your organization's comments are being requested for the above referenced project as it relates to the following:

- Your specific areas of concern / regulatory jurisdiction
- Specific benefits of the project for your organization or to the public
- Any available technical information / data for the project site
- Potential mitigation / permitting requirements for project implementation

For your convenience, several maps and figures are enclosed that illustrate the Airport's location and approximate project area limits. In order to sufficiently address key project issues and maintain the project schedule, your comments are requested by **DATE (usually 45 days after mailing)**.

Please send your written or email comments to:

MEAD & HUNT, Inc.
William Ballard, AICP
2605 Port Lansing Road
Lansing, MI 48906
517-321-8334 | william.ballard@meadhunt.com

In addition to the early coordination request described above, the Airport will be holding a future on-site agency scoping meeting. The purpose of this meeting is to provide project background information, tour the project area, discuss agency concerns, and solicit comments to assist the Airport in developing a comprehensive EA. The exact date and time of the on-site meeting has not been determined but is tentatively scheduled for the month of May 2019. An official invite will be sent to your organization when a date has been selected.

Sincerely,

Steve Houtteman
Aeronautics Environmental Specialist
Michigan Department of Transportation

Enclosures

Cc: Matt Kulhanek, Airport Manager
Aaron W. Comrov, Federal Aviation Administration
William Ballard, Mead & Hunt

Example of Letters Sent to Tribal Nations



U.S. Department
of Transportation
**Federal Aviation
Administration**

Air Traffic Organization
Central Service Area
Technical Operations
2300 East Devon Ave.
Des Plaines, IL 60018

April 3, 2019

«Contact_Name»

«Title»

«Organization»

«Address»

«City_State_Zip»

Re: Early Coordination Review of Proposed Improvements
Ann Arbor Municipal Airport, Ann Arbor, Michigan

Dear Chairperson:

On behalf of the Federal Aviation Administration (FAA) and the Michigan Department of Transportation, Office of Aeronautics (AERO), this letter serves to inform you of a project planned at the Ann Arbor Municipal Airport (Airport), Ann Arbor, Michigan.

The FAA and AERO has authorized the Airport to explore alternatives of extending Runway 6/24 (primary runway) to meet the current and future fleet mix needs of the Airport. Alternatives being considered will evaluate shifting the primary runway 150 feet to the southwest and extending the Runway 6 end by as much as 795 feet. The proposed action will potentially achieve an overall runway length of 4,300 feet.

A summary of the proposed action includes:

- Extend Runway 6 by 795 feet
- Shift Runway 6/24 by 150 feet to the southwest
- Extend parallel Taxiway A to match Runway 6 extension
- Extend runway and taxiway lighting and guidance signage
- Relocate/reconstruct FAA owned Runway 6 Runway End Identifier Lights
- Remove FAA owned and decommissioned Runway 24 Omni-Directional Approach Lights

Major ground disturbance activities include the shift and extension of the primary runway and the shift and extension of the parallel taxiway to match. The enclosed figures illustrate the Airport's location and approximate project construction limits.

The FAA and AERO would be pleased to receive your comments regarding this project, information you wish to share pertaining to archaeological or historical resources located in the project area, or notification that you would like to become an interested party under Section 106 of the National Historic Preservation Act. In order to sufficiently address key project issues and maintain the project schedule, your comments are requested by **May 27, 2019**.

Your response should be addressed to:

Aaron W. Comrov
Environmental Protection Specialist
Federal Aviation Administration
Infrastructure Engineering Center-Chicago, AJW-2C15H
2300 East Devon Avenue, Room 450
Des Plaines, Illinois 60018
direct: 847.294.7665
aaron.comrov@faa.gov

Sincerely,

A handwritten signature in blue ink, appearing to read 'Aaron W. Comrov', with a long horizontal stroke extending to the right.

Aaron W. Comrov
Environmental Protection Specialist

Enclosures

cc: Matt Kulhanek, Airport Manager
Steve Houtteman, Michigan Department of Transportation, Aeronautics
William Ballard, Mead & Hunt



Pokégnek Bodéwadmik • Pokagon Band of Potawatomi
Department of Language and Culture

59291 Indian Lake Road • Dowagiac, MI 49047 • www.PokagonBand-nsn.gov
(269) 462-4316 • (269) 782-2499 fax

5/7/2019

Aaron W. Comrov
Environmental Protection Specialist
Federal Aviation Administration
Infrastructure Engineering Center – Chicago, AJW-2C15H
Email: aaron.comrov@faa.gov

**Early Coordination Review of Proposed Improvements
Ann Arbor Municipal Airport, Ann Arbor, Michigan**

Dear Robin:

Migwethh for contacting me regarding these projects. As THPO, I am responsible for handling Section 106 Consultations on behalf of the tribe. I am writing to inform you that after reviewing the details for the project referenced above, I have made the determination that there will be **No Historic Properties in Area of Potential Effects (APE)** significant to the Pokagon Band of Potawatomi Indians. However, if any archaeological resources are uncovered during this undertaking, please stop work and contact me immediately. Should you have any other questions, please don't hesitate to contact me at your earliest convenience.

Sincerely,

Matthew J.N. Bussler
Tribal Historic Preservation Officer
Pokagon Band of Potawatomi Indians
Office: (269) 462-4316
Cell: (269) 519-0838
Matthew.Bussler@Pokagonband-nsn.gov

William Ballard

From: Vickers, Holly (EGLE) <VICKERSH@michigan.gov>
Sent: Wednesday, May 29, 2019 1:05 PM
To: William Ballard; Houtteman, Steve (MDOT)
Cc: Watling, James (EGLE); Shu, Minmin (EGLE)
Subject: Ann Arbor Municipal Airport

Hi,

Thank you for your invitation to meet and discuss the above airport extension. We will not be able to attend June 4, 2019 due to schedule conflicts. We would like to reschedule, if possible? My schedule is open beginning the week of June 17, 2019.

We would also ask that you please submit a request through our MiWaters database for a transportation Voluntary Preliminary Review as that will allow us to begin the coordination with other agencies as well as perform state and federal threatened/endangered species search.

Please let me know if you have questions.

Holly Vickers
Transportation Review Unit
Water Resources Division
Michigan Department of Environmental Quality
616.295.2787



Pittsfield Charter Township

6201 West Michigan Avenue, Ann Arbor, MI 48108

Phone: (734) 822-3135 • Fax: (734) 944-6103

Website: www.pittsfield-mi.gov

Office of the Supervisor

May 30, 2019

MEAD & HUNT, Inc.
c/o William Ballard, AICP
2605 Port Lansing Road
Lansing, Michigan 48906

Re: Response to Your April 15, 2019, Letter Requesting Pittsfield Township's Input regarding Ann Arbor Municipal Airport's Proposed 800' Extension of the Runway.

Dear Mr. Ballard,

As you are no doubt aware, Pittsfield Township has been opposed to lengthening the runway at Ann Arbor Municipal Airport (ARB or the "Airport") for social, economic and environmental reasons since the Airport first announced its intention to extend the runway in 2007. Extending the runway defies Pittsfield Township's Resolution opposing such an expansion. It will cause issues with the Township's noise ordinance. And the Township will lose millions of dollars in tax revenues. However, the Airport and MDOT believe that they can ignore Pittsfield Township's wishes and take on a project within its governmental jurisdiction despite the Township's adamant opposition. What makes this situation worse is that the runway extension is not needed. Pittsfield Township has been ignored and marginalized by the Airport and MDOT for 12 years. After 12 years of discussions, which have negatively affected the Township and its residents, this project needs to be set aside for good.

Since a new environmental assessment will be drafted about the extension of the runway, you have asked that the Township address specific issues. What follows is Pittsfield Township's responses to each category you mentioned in your April 15, 2019, letter.

I. Specific Areas of Concern/Regulatory Jurisdiction.

A. There Is No "Purpose" or "Need" for Lengthening the Runway at ARB.

In your April 15, 2019, letter you state that MDOT will be conducting an environmental assessment of the proposed project. Because this Project will be financed with federal funds through the FAA's Block Grant program, MDOT must comply with the federal National Environmental Policy Act (NEPA). This includes a full evaluation of the "Purpose and Need" for extending the runway. Pittsfield Township's primary concern is there is no purpose or need for extending the runway at ARB. An environmental assessment (EA) must include a discussion of the purpose and need for the proposed action which must "specify the underlying purpose and need to which the agency is responding in proposing the alternatives including the proposed action." 40 C.F.R. § 1502.13. In addressing the Purpose and Need section of an EA, FAA Order 1050.1F provides that the Purpose and Need section "presents the problem being addressed and describes what the FAA is trying to achieve with the proposed action. The purpose and need for the proposed action must be clearly explained and stated in terms that are understandable to individuals who are not familiar with aviation or commercial aerospace activities. To provide context while keeping this section of the EA brief, the FAA may incorporate by reference any supporting data, inventories, assessments, analyses, or studies." FAA Order 1050.1F, ¶ 6-2.1c. As it exists, there is no problem at ARB for which an extended runway is the best answer.

- 1. Use of the lengthened runway would rarely be required but would pose substantial risks to the surrounding community every day.**

The Airport has long claimed that an extended runway is needed because the B-II aircraft operating out of ARB "suffer" weight penalties due to the "short" runway. If this is still the case, then the environmental assessment must include any data on B-II operational usage in terms of the number of days or operations when aircraft suffered actual weight penalties, number of aircraft involved, or the actual penalties suffered on the runway. It is only then that a true analysis as to whether the extension is needed can be drafted.

However, it is possible to provide a rough statistical analysis based on usage data of how frequently the expanded runway might be necessary. FAA Advisory Circular 150/5325-4B *Runway Length Requirements for Airport Design* aids an airport in determining the recommended runway length. AC 150/5325-4B, contains a runway length curve utilized with temperatures at 83 degrees Fahrenheit or above, and an ARB elevation of 839 feet, criteria to which MDOT has stipulated, to meet the mean daily temperature during the hottest month at ARB. ARB had 63,107 total operations in 2018, of which, the FAA claims 697 were category B-II operations. An analysis of data from the National Oceanic and Atmospheric Administration Weather Station at ARB shows that in 2015 there were 42 days in which the temperature was 83 degrees Fahrenheit or above. ARB has a based population of 164 aircraft, of which 14 are category B-II aircraft. These data are based on the most current publicly available information at the time of drafting this letter.

With these data, a calculation of potential need of an expanded runway based on maximum potential need can be made. If, on every day on which the temperature reached or exceeded 83 degrees, every aircraft in the B-II fleet operated at its maximum take-off weight – a highly unlikely possibility – and required the expanded runway to take-off, based on the ARB fleet population the need for the expanded runway would be 0.00848, or 8.5 in 1,000 ($42/365 \times 14/164$). This is based on the number of days with temperatures exceeding 83 degrees and the proportion of the total ARB fleet that is Category B-II. However, if this calculation were based on the more realistic actual usage in the most recent operational year (2018), on every day the temperature reached 83 degrees or above, the actual need for an expanded runway would be 0.00127 – or about 1.25 in 1,000 ($42/365 \times 697/63107$) – the number of B-II operations relative to the total operations in the most recent year of 2018.

Thus, operational need for an expanded runway would be rare. Based on statistical analysis the expanded runway would be necessary for approximately 50 operations per year, at most. Yet, it would place citizens in the surrounding community at risk hundreds of times more frequently because aircraft would be taking off and landing 950 feet closer to residential areas, and larger and heavier aircraft will be attracted to ARB by the expanded runway. The area to the west and south of the Airport – just off the most frequently used end of the runway – is heavily residential. The Airport is not in a rural setting and more homes are being constructed close to the Airport. These risks are exacerbated because of the potential dangers posed by aircraft that would be landing just 93 feet over homes in an area heavily populated with Canada geese just west of the airport, and by the reduced margins of safety if an aircraft suffers an engine failure on or just after takeoff. Such aircraft can lose their climbing power with an engine loss and could crash into the heavily-populated neighborhood. The risk of – and liability from – such a potential accident has not been studied and should be as part of any assessment about the purpose and need of extending the runway at the Airport.

2. The “problem” that the Airport claims needs fixing is overstated.

In the April 15, 2019, letter to Pittsfield Township, MDOT stated that the document would be developed under FAA Order 1050.1F, “Environmental Impact: Policies and Procedures.” Section 6-2.1(c) of Order 1050.1F defines “need” as the problem and “purpose” as the proposed solution to the problem. The Purpose (*i.e.*, the Project) is supposed to resolve the Need (*i.e.*, the problem). Here it is the opposite, one large tenant’s desire (AvFuel Corp.) to extend the runway is driving the proposed action. This is a case of a Purpose looking for a Need. It is a project looking for a problem to justify its existence.

The claimed Need mentioned in the April 15, 2019, letter that an extended runway is needed “to meet the current and future fleet mix needs of the Airport” lacks substantive evidence. The Airport has previously defined the Need as “[n]eed of the proposed actions is to allow the critical aircraft to safely operate at their optimum capabilities without weight

restrictions (i.e. reductions in passengers, cargo, and fuel associated with cargo range) due to suitable runway length.” But that statement (and the statement in the April 15, 2019, letter) presumes that such critical aircraft cannot already operate at such capabilities regularly. There has been no evidence this is the case.

On the few occasions that a longer runway is needed, Willow Run Airport (YIP) is a short 12 miles from ARB (approximately 15 minutes by car). YIP has three runways (7500, 7300 and 6000) and robust general aviation and business aviation facilities. Thus, the Airport’s argument is that the runway needs to be lengthened so a handful of aircraft pilots and passengers need not drive an extra 12 miles to get to/from the airport on the few days that a weight restriction would be required.

This issue of justification of the need to lengthen the runway has been problematic since the idea was first raised in 2007. Even the FAA has questioned the need for an extended runway. In May 2010 comments on the 2010 Draft Environmental Assessment (DEA), the FAA asked, “[h]as it been documented that the current B-II ‘small’ users operate with load restrictions? If so, how often does this occur and what are the quantifiable impacts to their operations?” The Airport failed to answer the FAA’s question. In addition, in a separate question, the FAA asked, “the conclusion for the implementation for the preferred alternative states that a positive result of improvements is the ability of business owners to achieve improved fleet efficiency for critical aircraft by maximizing their passenger and/or cargo loads. How has this statement been substantiated? What records exist that current users at ARB are not operating at maximum passenger and/or cargo loads? What has been the economic impact of the reduction of loads if they are occurring?” To paraphrase the FAA’s questions, if there is no established, substantiated loss of passenger or cargo load opportunities, or established current negative economic impact, there is no Need. These questions must be answered before any project to lengthen the runway is even considered by MDOT.

It is also worth noting that MDOT’s federal block grant status could be at risk if it does not enforce the requirements under FAA Order 1050.1F in terms of requiring applicants to provide supporting data, inventories, assessments, analyses, or studies to support its proposed expansions, even though MDOT has not traditionally done so.

3. Not all reasonable alternatives have been considered.

The National Environmental Policy Act (“NEPA”) (42 U.S.C. §§ 4321 *et seq.*) requires that federal agencies examine all reasonable alternatives in preparing environmental documents. 42 U.S.C. § 4332(c)(iii). An agency preparing an EA should develop a range of alternatives that could reasonably achieve the need that the proposed action should address.

In the past, MDOT has ignored the possibility of using Willow Run Airport (YIP) as an alternative to the proposed project because it was determined that using YIP is not

“desirable based on proximity to corporate offices or business needs.” This is not a valid reason to not consider an alternative in an Environmental Assessment and in violation of NEPA, NEPA regulations, and FAA Order 1050.1F.

Using YIP instead of ARB meets the purpose and need of the project making it a reasonable alternative that must be considered in the Environmental Assessment. YIP has the runway length and facilities to accommodate the aircraft that may be weight-restricted from using ARB. The only reason given to dismiss it from further consideration is that it is located 12 miles from ARB and that it is a slight “inconvenience” to the corporations who want to use ARB instead of YIP. Even if lengthening the runway would benefit more than one or two aircraft, this is not an appropriate reason to dismiss an alternative from further consideration in an Environmental Assessment. If an alternative is “reasonable” (*i.e.*, it meets the purpose and need) then it must be considered in the Environmental Assessment alongside the preferred alternative and the no action alternative. *Friends of Southeast’s Future v. Morrison*, 153 F.3d 1059, 1065 (9th Cir. 1998). Since using YIP instead of ARB would achieve the purpose and need of allowing “critical aircraft” to take-off and land without weight restrictions, it is a reasonable alternative and must be fully analyzed as part of the Environmental Assessment process.

B. Expanding the Runway Will Result in an Increase in Violations of Pittsfield Township’s Ordinances and Planning Procedures

1. Noise Ordinance

Pittsfield Township, within which ARB is wholly located, has a long-standing noise ordinance making it unlawful for “any person to create, assist in creating, permit, continue, or permit the continuance of any unreasonably loud, disturbing, unusual or unnecessary noise that either annoys, disturbs, injures or endangers the comfort, repose, health, peace, or safety of others within the limits of the township.” Pittsfield Township has a duty to protect its citizens’ health, safety and property from “unreasonably loud, disturbing, unusual or unnecessary noise.”¹

How the lengthening of the runway will affect the enforcement of this ordinance has not been examined, as required by NEPA, NEPA Regulations and FAA Order 1050.1F. If the ARB runway was expanded to the west, as proposed, and the noise impacts on Pittsfield residents were to change, this ordinance would face demands from citizens for more strenuous enforcement.

Therefore, all aircraft flying in and out of ARB are subject to Pittsfield’s noise ordinance and fines can be levied on the aircraft owners for operating their aircraft if they create an “unreasonably loud, disturbing, unusual or unnecessary noise that either annoys, disturbs, injures or endangers the comfort, repose, health, peace, or safety of others within the limits of the township.”

¹ See attached Exhibit A.

2. Violation of Agreements between the City of Ann Arbor and Pittsfield Township.

The Airport and Pittsfield Township have a long and contentious history. In 1979 Pittsfield Township and the City of Ann Arbor, the owner of ARB, reached an agreement intended to resolve issues at the Airport.² In 2009, a new agreement was reached that incorporated the 1979 Agreement and sought to instill a sense of cooperation between the City of Ann Arbor and Pittsfield Township on issues regarding the Airport.³ The 2009 Agreement is up for renewal this year.

It is Pittsfield Township's position that extending the runway at ARB is a violation of the 2009 Agreement, if not to the letter of the agreement, at least to the spirit of the agreement. The 2009 Agreement was meant to foster cooperation between the City of Ann Arbor and Pittsfield Township on issues related to the Airport. However, the Airport's insistence on extending the runway over the strong opposition of Pittsfield Township is not being "cooperative." Since the 2009 Agreement is set for renewal on October 1, 2019, Pittsfield Township is considering not renewing the agreement. Pittsfield Township would then require that ARB comply with Pittsfield Township's ordinances, planning procedures and construction codes. Pittsfield Township will also consider passing an ordinance requiring all airports within its jurisdiction to receive approval from the Township Board of Trustees before extending any runway at an airport in Pittsfield Township.

C. "Safety" Issues Do not Justify Runway Expansion and Increase dangers to surrounding Communities.

One of the primary issues facing this project is that when the FAA and MDOT emphasize "safety," they are talking about safety regarding the airport, its airplanes, and their fliers. None of the environmental documents drafted have mentioned a concern for the safety or well-being of citizens in the communities surrounding the airport. This is especially troublesome given that two small jets crashed nearby – one on a runway comparable to that proposed for an expanded ARB, a crash which could have been catastrophic had it occurred at ARB.

Historically, MDOT has claimed that a goal of the Project is to prevent overruns. MDOT has concluded "[t]here is no evidence in the incident reports that any of the aircraft which overran the end of the existing 3,505-foot runway exceeded the limits of the 300-foot-long turf Runway Safety Area (RSA). Therefore, in each of these cases, the proposed 4,300-foot runway would have provided sufficient length for the small category A-1 aircraft to safely come to a stop while still on the runway pavement, without running off the runway end." Revised Draft Environmental Assessment (RDEA), p.25. However, our review of the 11 runway overrun incidents shows they were all the result of pilot error or mechanical problems – one as careless as the lack of marking construction areas on the

² See attached Exhibit B.

³ See attached Exhibit C.

runway itself by the airport operator, so the pilot was unaware of a construction berm. The FAA agreed these incidents did not support runway expansion, concluding in its comments to the 2010 DEA, "...[t]he local objective of reducing runway overrun incidents appears to conclude that if the added runway length were present, all the incidents would have been avoided. Based on the information presented, the FAA does not necessarily come to the same conclusion. There are many factors that go into any overrun incident and if additional runway length were present this may have only prolonged the overrun incident. The A-1 category of aircraft involved with the overrun incidents do not appear to have needed any length beyond the existing runway length to operate at full capacity and in a safe manner." RDEA, Appendix J, FAA letter dated 5-13-10, pp. 5-6, ¶¶ 7 (p.5) and (p.6).

But there is evidence that expanding the runway could lead to *additional* runway excursions. This results from the potential dangers created by attracting more business jets because of the extended runway length. On February 11, 2016, the National Business Aviation Association reported that runway excursions by business jets on landings cause about one-third of all runway excursions, making them the most common business aviation accident, about twice weekly somewhere in the world for about \$900 million annually. These incidents are frequently caused by not aborting landings when pilots should, landing at unfamiliar airports, and landing too fast and too far down the runway. The added risk for ARB is these larger jet aircraft, with larger fuel payloads, could pose added challenges to firefighters if an emergency occurs. Those firefighters are not based on the ARB airport, which does not actually provide on-site fire and rescue services – and are provided by Pittsfield Township.

One such excursion occurred nearby – just 20 miles northwest of Ann Arbor on January 16, 2017, at the Livingston County Spencer J. Hardy Airport (OZW) in Howell, when just such an unfamiliar pilot attempted to land his Cessna Citation 525 CJ4, but crashed on landing, destroying the aircraft and injuring the pilot. The pilot, who was the only one aboard the 10-passenger, twin-engine jet, apparently lost control on landing, skidding off the end of the runway, through a fence, across a road, and striking a clump of trees, tearing the wings from the fuselage, and causing a fire. Witnesses helped the pilot from the wreckage before emergency crews could arrive (L.T. Hansen, "Report: Plane with single occupant crash-lands at Livingston County Airport," *MLive.com*). The distance from the end of the runway to the trees is about 1,800 feet.

This is important because while the Livingston County airport runway is 5,000-foot long – 700 feet longer than the proposed ARB extended runway – the aircraft would have been more than capable of landing on an expanded ARB runway of 4,300-feet. And, the Runway Safety Zones (RSZs) and Runway Protection Zones (RPZs) frequently mentioned by MDOT as protecting neighborhoods surrounding airports from the effects from potential aircraft accidents, afforded no such benefits. If a similar incident were to have occurred at an expanded ARB, with a high-speed jet crashing, skidding not just 1,800 feet, but 2,500 feet – because the Livingston County airport runway was longer – beyond the end of an expanded 4,300-foot ARB runway, and burning, it could have ended up in homes

across Lohr Road from the end of the runway, which could have been deadly!

The NTSB has reported on the significant danger of crashes in private and charter airplanes vs. commercial aircraft, the aircraft likely to be attracted to an expanded ARB. Between 2000 and 2015, the NTSB found there were five times fatal accidents in the U.S. involving private and chartered corporate planes than airlines. Investigators cited pilot error in 88 percent of the crashes, noting crews skipping safety checks, working long days, missing rest periods, overlooking ice on wings, or trying to land when they could not see the runway as among the causes of crashes (“Private Jets Have More Fatal Accidents than Commercial Planes,” A. Levin, May 15, 2015, *Bloomberg News*).

The best way for an ARB surrounded by population centers to avoid such potential tragic problems is to not expand the existing airport and invite such larger and heavier jet aircraft to impose such dangers and risks given the small benefit any expansion would provide. The airport is safe and presents no such dangers.

II. Specific benefits and detriments of the project for your organization or to the public.

The project has no benefits to Pittsfield Township, only detriments and costs. The project will substantially harm Pittsfield Township and its neighbors. Specifically, Pittsfield Township and the surrounding communities will lose needed tax revenue because of diminished property valuations. In addition, the surrounding communities have specifically told the Airport they are opposed to lengthening the runway.

A. Runway expansion could cause Pittsfield Township to lose millions of dollars from reduced taxes.

There is extensive research to suggest an extension of the runway could cause severe economic losses to several communities surrounding the airport, including Pittsfield Township, in reduced real estate values and, reduced property and school taxes based on assessed property values. Extensive research based on other communities in which airport runways have been extended – Atlanta, Reno-Tahoe, Chicago O’Hare, the Greensboro-High Point-Winston Salem metroplex, 23 cities in Canada, among others – show property values decline as runways are expanded. The most respected such study, *The Announcement Effect of an Airport Expansion on Housing Prices*, G.D. Jud & D.T. Winker, (2006), *JOURNAL OF REAL ESTATE FINANCE AND ECONOMICS*, 33, 2, 91-103, suggests house prices decline by about 9.2 percent within a 2.5-mile band of the airport, and, beyond that, in the next 1.5-mile band, prices decline another percent once an announcement – without extraneous influences – was made.

The lengthy hold up of the proposed ARB expansion has represented an extraneous influence since the initial announcement in 2007, but that if approved, these effects would occur at ARB. To further support this claim, a literature search could find no published,

peer-reviewed research study where residential real estate values continued to rise in areas immediately surrounding an airport after runways were expanded. A decrease in property values in the areas surrounding ARB would have important consequences for the governmental bodies that benefit from property tax collections. In the corridors referenced in the Jud & Winker study noted above, there are:

- 6,239 Pittsfield Township parcels of land within the 2.5-mile area surrounding the airport; and
- 4,168 parcels within the 2.5-mile to 4-mile area.

These parcels will be subjected to a decline in real estate values of 9.2 percent and 5.7 per cent, respectively due to the expanded runway. Using those facts, the following is the estimated value of what the potential **annual** losses in property tax revenue would be for various governmental bodies based on their tax collections in the year following the extension of the runway:

- \$1.5 million less for the Ann Arbor School District;
- \$1.4 million less for the Saline School District;
- \$850,000 less for Pittsfield Charter Township; and,
- \$810,000 less for Washtenaw County.

This estimate is only for property in Pittsfield Township. These numbers understate the decline in tax revenues, because they do not consider the potential effects of property in Lodi Township, the City of Saline, (both of which could affect the Saline School District's revenues), or property in the City of Ann Arbor. Thus, governmental bodies could stand to lose millions of dollars in operating funds annually from a runway expansion project that has yet to demonstrate any real economic benefit.

B. The Airport must consider the interests of local communities.

Both Pittsfield Township, where ARB is located, and neighboring Lodi Township have passed Resolutions, (March 24, 2009,⁴ and May 12, 2009,⁵ respectively) opposing an expansion of the runway at ARB. The Resolutions oppose the expansion because of the risks from Canada geese in areas surrounding the airport, low-flying aircraft on the approaching newly expanding runway, and that 99 percent of the based aircraft can operate at their full weight capacity on the existing runway. More important, though, the Resolutions seek to protect the health and property rights of their citizens.

The Airport has ignored these Resolutions in the past and will do so again unless FAA or MDOT take them seriously when conducting an environmental assessment. Ignoring the resolutions violates NEPA, NEPA Regulations and FAA Order 1050.1F, it is also a violation of Ann Arbor's federal grant assurances, exposing the Ann Arbor to

⁴ See attached Exhibit D.

⁵ See attached Exhibit E.

litigation liability and potential loss of all federal funding for ARB. If the runway is necessary, the ARB should meet with the Township and explain why the Resolutions should be rescinded. Going forward with the project without the sign-off of the Township is not being a good neighbor or keeping with the spirit of cooperation regarding Airport issues.

Given Pittsfield and Lodi’s resolutions of opposition, the expansion of the runway contradicts the will of those governing bodies. The expansion would benefit a minute number of airport users – while placing at risk thousands of members of the Pittsfield and Lodi communities with added larger and heavier aircraft, flying much closer to their homes, at lower altitudes, in an area heavily populated by Canada geese, and in an increasingly dense residential area.

The consideration of the wishes of these local communities must be weighed and evaluated and given “fair consideration” as required by the FAA’s grant agreement with Ann Arbor. In the ten years since the proposed expansion has been pending, for example, not even one study on the potential safety effects of the expansion on the residents of Pittsfield has been conducted. ARB and MDOT have consistently ignored the interests of communities surrounding ARB.

C. Any Environmental Assessment Must Properly Consider the Intensity of the Impacts on the Surrounding Community.

NEPA Regulation 40 C.F.R. § 1508.27 requires that the Project be placed in context with the surrounding society so the Project’s impact on the affected region, the affected interests, and the locality can be properly evaluated. Any environmental document undertaken by MDOT must adequately address this aspect before the Project can be approved. This aspect of the environmental assessment process is often called “Intensity,” and it requires consideration of:

- (1) Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that the effect will be beneficial.
- (2) The degree to which the proposed action affects public health or safety.
- (4) How much the effects on the quality of the human environment are likely to be highly controversial.
- (5) How much the possible effects on the human environment are highly uncertain or involve unique or unknown risks.
-
- (10) Whether the action threatens a violation of Federal, State, or **local law** or requirements imposed for protecting the environment.”

40 C.F.R. § 1508.27 (emphasis added). *See also* FAA Order 1050.1F, § 4-3.2, p.4-3.

This proposed project has a statistically small benefit (.00175), and yet would attract larger and heavier jet aircraft in closer proximity to homes in areas heavily populated with Canada geese, potentially jeopardizing residents if an accident occurs – accidents that the FAA contends are the third most frequent that occur in terms of incidents with hazardous wildlife in aviation. The risk to public safety may far outweigh any established benefit, which has not been substantiated. Added risks in terms of additional noise and night flights have not been established, but with arrival traffic traveling just 93 feet over rooftops on an expanded runway, it could have a controversial and negative impact on the human environment of citizens in Pittsfield Township, in violation of that township’s noise ordinance and resolution, and in violation of federal law.

III. Any Available Technical Information/Data for the Project Site

A. ISO 1996-1:2016 Must Be Used in Assessing Noise Impact to the Community Surrounding ARB.

ISO 1996-1:2016, entitled “Acoustics -- Description, measurement and assessment of environmental noise -- Part 1: Basic quantities and assessment procedures,” which was published in March 2016, defines the basic qualities to be used for the description of noise in community environments and describes basic assessment procedures. ISO 1996-1:2016 predicts the potential annoyance response of a community to long-term exposure to noise based on characteristics of the community rather than based on the noise created. As a product of the International Organization for Standardization, ISO 1996-1:2016 represents the best science for assessing the impact of noise on affected communities. The FAA requires that the best scientific methods be used in technical matters to comply with the Data Quality Act (also called the Information Quality Act). Therefore ISO 1996-1:2016 must be used to avoid a violation of the Data Quality Act.

B. The Project Does Not Account for the Noise Impact of the Project on the Surrounding Community.

1. MDOT and ARB must protect the surrounding community from aviation noise.

It is “the policy of the United States - - that aviation facilities be constructed and operated to minimize current and projected noise impact on nearby communities.” 49 U.S.C. § 47101(a)(2). Part of the FAA’s mission, and therefore MDOT’s mission, is to ensure that the communities surrounding airports are not hurt by noise from aircraft at airports. This mission is expressed in 49 U.S.C. § 47101(c), which states that “[i]t is in the public interest to recognize the effects of airport capacity expansion projects on aircraft noise. Efforts to increase capacity through any means can have an impact on surrounding communities. Noncompatible land uses around airports must be reduced and efforts to mitigate noise must be given a high priority.” Thus, if noncompatible land uses around airports cannot be reduced, then the capacity of nearby airports should not be increased or

else the FAA and the airport sponsor would violate federal law. ARB and MDOT seem aware that increases in capacity at the airport will affect the noise levels in Pittsfield, because they studiously have avoided the topic.

MDOT, as the agent of the FAA, must protect residents and property owners from the deleterious effects of aircraft noise. Federal law establishes the absolute duty of the government to protect both people and property from aircraft noise. “[T]he Congress declares that it is the policy of the United States to promote an environment for all Americans free from noise that jeopardizes their health or welfare.” 42 USC § 4901(b). MDOT’s statutory duty to protect people and property on the ground from the deleterious effects of aircraft noise goes beyond its duty under NEPA to determine what it believes to be “significant” or “reportable” under FAA Order 1050.1F. Legally speaking, the MDOT cannot conclude that a proposed MDOT action purportedly not “reportable” under 1050.1F, § 14.5e⁶ or that purportedly does not have a “significant impact” under 1050.1F, § 14.37, is not subject to review and regulation under 42 USC § 4901(b), 49 U.S.C. § 40103(b)(2) and 49 U.S.C. § 44715(a)(1)(A). Those statutory obligations require that the lead agency address aircraft noise separate from its duties under NEPA because the lead agency’s proposed action will create aircraft noise that will have a deleterious effect on the public health and welfare.

2. ARB and MDOT incorrectly assume that extending the runway will not increase the number of air operations, the fleet mix or other growth-inducing effects of the Project.

When considering an airport project for federal funding, the FAA must evaluate not merely the direct impacts of a project, but also its indirect impacts, including those “caused by the action and later in time but still reasonably foreseeable.” 40 C.F.R. § 1508.8(b). Indirect impacts include a project’s growth-inducing effects, such as changes in patterns of land use and population distribution associated with the project (40 C.F.R. § 1508.8(b)). It is reasonably foreseeable that the fleet mix at ARB will change for a higher percentage of jet operations as compared to the current level of light single and multi-engine propeller driven aircraft operations. The smaller Category A-I/II and B-I aircraft account for most of ARB operations. B-II and larger category aircraft account for a low percentage of ARB operations. If a longer runway became available, it is reasonably foreseeable that the number of night operations will increase as the number of arrivals of longer-haul business jets often occur in the evening hours due to the longer time duration

⁶ See also 1050.1F B-1.4, p.B-4.

⁷ See also 1050.1F, Table 4-1, p.4-8 well as increased population, increased traffic, and increased demand for services. *City of Davis v. Coleman*, 521 F.2d 661, 675 (9th Cir. 1975). The “growth-inducing effects of [an] airport project appear to be its *raison d’etre*.” *California v. U.S. D.O.T.*, 260 F.Supp.2d at 978, citing *City of Davis, supra*, 521 F.2d at 675. Even though the Project is virtually defined by its growth-inducing impacts, ARB and MDOT have ignored this requirement completely not only in the draft EA, but in the public participation aspects of the Project as well.

of their trips. This is not merely an indirect, but also a direct effect, that the Project will have on the surrounding community. This will also affect the fleet mix of night operations to reflect a higher percentage of jet operations than exist under current conditions.

The runway need not be extended for most of ARB's "critical aircraft" to operate at the airport without weight restrictions. For example, the "load restrictions" will apply to the higher category aircraft (jets in the C-I and C-II categories). Operationally, weight is reduced by carrying fewer passengers, less baggage and/or less fuel, which discourage these aircraft from conducting operations at ARB. A Cessna Citation II (Category B-II), for example, requires 2,990 feet for takeoff at maximum certificated gross weight on a standard day, and, most days, can operate at unrestricted weight from ARB's existing 3,505-foot runway. A Lear 35 (Category C-I), requires 5,000 feet for takeoff at maximum certificated gross weight on a standard day. While extending the runway to 4,300 feet would not facilitate unrestricted operations by the Lear 35, the required weight reduction would be less than is currently required. Therefore, the runway extension to 4,300 feet would operationally benefit the Category C-I Lear 35, but would provide little or no operational benefit to the Category B-II Citation jet. Thus, while the runway extension makes ARB no more attractive to the operator of the Citation II, ARB becomes more attractive to the operator of the Lear 35, causing an increase in usage of ARB by the Lear 35, but the same usage by the Citation II. If the runway is extended there will be an increase in operations. Because there is a potential of an increase in the number of operations, it must be analyzed thoroughly.

The evidence is clear that the Project will cause an increase in both jet and night operations. It is also reasonably foreseeable these added high-performance jet aircraft operations and night operations will come with significant noise and air quality impacts. These reasonably foreseeable impacts must be analyzed in any future environmental assessment.

IV. Potential Mitigation/Permitting Requirements for Project Implementation.

A. Extending the Runway may require permitting from Pittsfield Township

As explained above, Pittsfield Township is considering not renewing the agreement between itself and the City of Ann Arbor that mandates the use of Ann Arbor's construction and electrical codes at the Airport. If the Airport moves forward with the extension of the runway, Pittsfield Township will consider not renewing the Agreement, which would terminate the Agreement on October 1, 2019. After that date, the Airport becomes subject to all of Pittsfield's ordinances, codes and planning requirements. In addition, Pittsfield Township is considering an ordinance that would require airports within its jurisdiction to receive approval of the Township Board before extending any runway at the airport.

B. The Environmental Assessment Must Account for the Effect the Project Will Have on Water Resources in the Surrounding Communities.

The Airport is the location of a porous sand/gravel formation that yields much water for pumping. Historically, the land where the airport is located was originally acquired by the City of Ann Arbor for water rights in 1921. Until recently, 15% of Ann Arbor's water supply came from the three wells on Airport property. The paving that the Project will require increases not only the impervious area on top of the aquifer, but also increases the risk of contamination. This reduces the infiltration of water that feeds the aquifer/City water supply. Adding 950 feet to the end of the runway adds another 71,250 square feet of impervious area over an aquifer vital to the City.

So critical is drinking water from the airport wells to the city that de-icing is prohibited on the airport. Due to the 'unmaintained nature' of the airport vegetation, it is acting as a buffer around the wellheads," the water faces many potential threats from a lengthened runway. Those threats become more critical because of the potential for lead to contaminate Ann Arbor's water supply. Most of the fuel utilized at ARB is consumed by piston-driven aircraft, which mostly use leaded AvGas. Any risk to the aquifer underlying the airport could pose a threat of lead contamination. With Ann Arbor's other water resources affected by dioxane risks caused by the "Gelman spill," the Airport well-field has taken on a much more significant role.

As FAA Order 1050.1F points out "[i]f there is the potential for contamination of an aquifer designated by the [EPA] as a *sole or principal drinking water resource* for the area, the responsible FAA official needs to consult with the EPA regional office, as required by section 1424(e) of the Safe Drinking Water Act, as amended." FAA Order 1050.1F, p.4-12 (emphasis added). Likewise, "[w]hen the thresholds indicate that the potential exists for significant water quality impacts, additional analysis in consultation with State or Federal agencies responsible for protecting water quality will be necessary. *Id.*, pp. A-75, A-76, & 17.4a. Finally, in situations such as this, "[i]f the EA and early consultation [with the EPA] show that there is a potential for exceeding water quality standards [or] identify water quality problems that cannot be avoided or mitigated . . . an EIS may be required." *Id.*, pp. A-75, & 17.3.

Because the wells on ARB property are a principal source of Ann Arbor's water supply, the Washtenaw County Water Resources Commissioner – another entity with whom ARB and MDOT should have been consulting from the very beginning – raised serious issues about the Project. In response to the draft EA, the Washtenaw County Water Resources Commissioner pointed out that:

The amount of impervious surface on site would increase slightly due to the extension of the runway and taxiway from the existing 7 percent of the 837 acres to 7.4 percent. This slight increase noted equates to an additional 3.348 acres or

145,839 square feet. This increase in impervious surface this office considers significant and not slight knowing that the additional runoff from this area will discharge to the Wood Outlet Drain.

Besides the dioxane contamination, water resources issues at the Airport have become even more important after it was reported in May 2012, that the water table in the Ann Arbor area, has risen substantially. In the Ann Arbor Chronicle, “[t]he only hard data that the city has collected on the water table is at the municipal airport, and there the water table measures between 2-7 feet below the surface now, compared to 15 feet below the surface 50 years ago.” This is not an insubstantial problem. With the water table at the airport now being 2-7 feet below the ground surface instead of 15 feet, when the drinking water wells were first dug, the groundwater is even more vulnerable to contamination because there is much less soil for any surface pollution to filter through or attach to soil particles before it reaches the water table. This dramatic change in the water table may also alter ground water data from the past. The rise in the water table may have altered the direction of groundwater flow, or there may now be some barrier blocking the traditional pathway for the water to flow, which would cause Ann Arbor’s principal drinking water supply to be contaminated.

ARB has a responsibility under the law to ensure the safety of the water in Ann Arbor’s wells. Further, although Pittsfield Township does not receive its drinking water from these wells, water from the same aquifer filling these wells is the source of water for numerous Pittsfield Township waterways, including the several ponds in the Stonebridge Community. Thus, beyond ensuring the Airport’s compliance with the law, Pittsfield Township and its citizens have a vested interest in ensuring the water in the aquifer be maintained to the highest possible quality level. The EA must contain a comprehensive analysis of the water quality issues, and close participation of the various water quality agencies at the local, state and federal levels.

C. Air Quality Laws and Regulations Must Be Followed.

United States federal law states at 49 U.S.C. § 47101(a)(6) that it is “the policy of the United States - - that airport development under this subchapter provide for the protection and enhancement of natural resources and the quality of the environment of the United States.” The Project will have a significant impact on the environment not only on the airport, but throughout the surrounding community. Since it is Pittsfield Township’s duty and responsibility to protect the environment within its boundaries and protect its citizens from significant environmental impacts, it has serious concerns about the environmental impact the Project will have on the community.

Section 7506 of the Federal Clean Air Act (42 U.S.C. § 7401 et seq.) mandates that “[n]o department, agency, or instrumentality of the Federal Government shall engage in, support in any way or provide financial assistance for, license or permit, or approve, any activity which does not conform to [a State Implementation Plan] after it has been

approved or promulgated under [42 U.S.C. §7410].” The Environmental Protection Agency (EPA) has promulgated regulations implementing § 7506 (the “Conformity Provision”) in 40 C.F.R. § 93.150 *et seq.* (“General Conformity Rule”). The General Conformity Rule requires, in part, that federal agencies first determine if a project is exempt from conformity analysis or presumed to conform. If it is neither, the agency must conduct a conformity applicability analysis to determine if a full conformity determination is required. *See Air Quality Procedures for Civilian Airports and Air Force Bases*, p. 13.

The project area, *i.e.*, Washtenaw County, is in attainment for five of the eight criteria pollutants, and maintenance for Ozone, PM₁₀ and PM_{2.5}. A conformity determination is required for criteria pollutants in maintenance areas. 40 C.F.R. § 93.153(b). Therefore, the EA must show that one of the following applies: (1) the project is exempt from conformity; (2) the project is presumed to conform; or (3) the agency must conduct a conformity applicability analysis to determine if a conformity determination for Ozone, PM₁₀ and PM_{2.5} is required.

D. Risk of Canada Geese strikes requires Wildlife Hazard Assessment be drafted.

The risks to the Airport because of large numbers of Canada geese surrounding ARB, would become an even greater risk given the larger number of jets attracted to a lengthened runway. Our comments to the 2010 DEA raised the risk of the large number of Canada geese and provided photographic evidence to support the claim. FAA Advisory Circular 150/5200-33B discusses Hazardous and Protected Wildlife Attractants on or Near Airports and ranks geese as No. 3 in causing damage to aircraft. It discusses how golf courses, such as the one within 1,500 feet of the proposed expanded runway end, are attractive to Canada geese. This alone, with the two large ponds at Stonebridge, is one reason for the continued sightings of large numbers of Canada geese on the flightpaths of ARB. And the potential risks these Canada geese could cause, especially if many jets are attracted to a lengthened runway at ARB, underscore the urgency of conducting such a Wildlife Hazard Assessment as part of any environmental assessment. A lengthened runway will put the aircraft lower and closer to the areas where Canada geese congregate.

Further, the Migratory Bird Act of 1918 (16 U.S.C. § 703-712) makes it illegal to kill a Canada goose or harm their nests or eggs. So, Canada geese not only pose a potential risk of causing an aviation accident, but they are also protected, causing a dual concern to the Airport. This is compounded by the fact that mute swans, a species even larger than Canada geese, also inhabit the Stonebridge area just west of ARB, and could pose a further accident risk. A Wildlife Hazard Assessment must be completed before the proposed runway expansion project can move forward.

The documented risk from Canada geese and mute Swans requires a Wildlife Hazard Management Assessment. 14 C.F.R. § 139.337(b)(4) specifies that such an assessment must be conducted *immediately* when these events occurs on or near the airport:

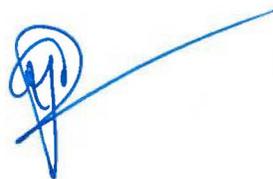
(4) Wildlife of a size, or in numbers, capable of causing an event described in paragraphs (b)(1), (b)(2), or (b)(3) of this section is observed to have access to any airport flight pattern or aircraft flight pattern or aircraft movement area.

14 C.F.R. § 139.337(b)(4). The “events described in paragraphs (b)(1) – (3)” are wildlife strikes, engine ingestion of wildlife, and/or substantial damage to aircraft from striking wildlife. Further, that completed Wildlife Hazard Management Assessment must be submitted to, evaluated, and approved by the FAA administrator before any further action on the proposed project can proceed. 14 C.F.R. § 139.337(e)(2).

V. CONCLUSION

There is no purpose or need for an extension of the runway at Ann Arbor Municipal Airport. Moreover, with residential neighborhoods to the south and west of the Airport, it would seem that extending a runway *toward* a heavily residential neighborhood makes little sense. It makes even less sense when one considers the fact that an airport capable of handling the larger, faster aircraft that ARB seeks to attract is a short 12 miles away. And then if one adds the fact that the surrounding communities have been, and continue to be, opposed to the extension of the runway for social, economic and environmental reasons, only then can one begin to grasp the hubris of the Airport to propose, yet again, the extension of the runway at ARB. When the environmental assessment is drafted, these issues must be addressed, or the environmental assessment will be incomplete. Pittsfield Township’s position has not changed – the runway should not be extended at Ann Arbor Municipal Airport.

Sincerely,



Mandy Grewal, Ph.D.
Supervisor of Pittsfield Charter Township

Exhibit A

Article VIII Noise Offenses

[Adopted 2-25-2015 by Ord. No. 317 as Ch. 14, Art. VIII, of the 2015 Pittsfield Charter Township Code]

§ 14-34 Noise general prohibition.

It shall be unlawful for any person to create, assist in creating, permit, continue, or permit the continuance of any unreasonably loud, disturbing, unusual or unnecessary noise that either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others within the limits of the Township.

§ 14-35 Specific acts prohibited.

The following acts are declared unreasonably loud, disturbing, or unnecessary noises and are unlawful and prohibited, but this enumeration shall not be deemed to be exclusive:

- A. The playing of any radio, phonograph, tape recorder, stereo, musical instrument or any sound amplification device of any character in such a manner or with such volume, at any time or place as to annoy or disturb the quiet, comfort or repose of persons in any office, dwelling, hotel or other type of residence or of any person in the vicinity.
- B. The discharge into the open air of exhaust of any steam engine, compressed air machine, stationary internal combustion engine, motor vehicle, or any other machine, except through a muffler or other device that will effectively prevent loud or explosive or disturbing noises.
- C. The creation of a loud unnecessary noise in connection with the loading or unloading of any vehicle or the opening and closing or destruction of bales, boxes, crates or their containers.
- D. Yelling, shouting, whistling, loud talking or singing on the public streets, particularly between the hours of 10:00 p.m. and 7:00 a.m., or at any other time or place as to annoy or disturb the quiet comfort or repose of persons in any office, dwelling, hotel or any other type of residence or of any persons in the vicinity.
- E. The use of any drums, loudspeakers, musical devices, or other instruments or devices for the purpose of attracting attention by the creation of noise to any performance, show or sale or display of merchandise.
- F. The use of mechanical loudspeakers, on or from motor vehicles in a manner that causes the sound emitted from the vehicle to be heard on private property, except when a specific permit is first granted by the Township Board of Trustees. The Township Board of Trustees shall cause such a permit be issued when it finds the following:
 - (1) The applicant has a noncommercial message that cannot be effectively communicated to the public by any other means of communication available.
 - (2) The applicant will limit the use of the loudspeakers to times, locations and sound levels that will not unreasonably disturb the public peace.
 - (3) The applicant will not use such equipment in residential areas between 6:00 p.m. and 9:00 a.m.
- G. Construction, repair, erection, excavation, demolition, alteration or remodeling at any time on Sunday and between 8:00 p.m. and 7:00 a.m., Monday through Saturday, except in case of urgent necessity in the interest of public safety and then only upon permission having been first obtained from the Department of Building Services or the Department of Utilities and Municipal Services.
- H. The firing of firearms, air guns, or other combustible substances for the purpose of making a noise or disturbance.
- I. The practicing and training of any drum corps, band, orchestra or other musical organization, or the practice by individuals on the various musical instruments, that produce a noise or disturbance, and which annoy the peace, repose and comfort of the residents in the vicinity.
- J. The excessive sounding of any horn or signal device, emanating from a motor vehicle, so as to create any loud or harsh sound plainly audible within any dwelling unit or residence, except as a warning of danger signal or an alert. As used in this subsection, "motor vehicle" means any vehicle that is self-propelled.
- K. The playing or operation of any device designed for sound reproduction, including, but not limited to, any radio, television set, musical instrument, audio system, including cassette tape players, compact disc players, MP3 players, and speakers, or loud speaker in such a manner or with such volume as to be plainly audible in any dwelling unit or residence which is not the source of the sound, or to operate any such device on public property or on a public right-of-way so as to be plainly audible 50 feet or more from such device.

§ 14-36 Registered owner of motor vehicle responsible for noise violations.

In a prosecution for a violation of this article, proof that the particular motor vehicle described in the citation, complaint, or warrant was used in the violation, together with proof that the defendant named in the citation, complaint or warrant was the registered owner of the motor vehicle at the time of the violation, constitutes in evidence a presumption that the registered owner of the motor vehicle was the person who operated or controlled the motor vehicle when the noise violation occurred. The person in whose name the motor vehicle is registered with the Secretary of State is presumed to be the registered owner of the motor vehicle.

Exhibit B

Council unanimously agreed with Councilmember Morris to amend Paragraph A of Section I (Annexation - General) of the policy agreement as follows:

- A. All land areas in The Township lying west of U.S. 23 Expressway and north of the centerline SOUTH LINE of Ellsworth Road from U.S. 23 to the west line of Platt STATE Road, thence southerly to the Railroad right-of-way-adjacent-to the City Landfill; thence westerly along the landfill line extended to Stone School Road, thence northerly along the east line of Stone School Road to the south line of Ellsworth Road; thence westerly to the west line of State Street, thence northerly to the south line of I-94,...

The question being the Resolution with the amended Policy Agreement.

On a voice vote, Chair declared the motion carried unanimously.

The Resolution as adopted reads as follows:

R-280-7-78

**RESOLUTION TO APPROVE CITY OF ANN ARBOR
AND PITTSFIELD TOWNSHIP AGREEMENT**

WHEREAS, the City of Ann Arbor officials and Pittsfield Township officials have spent many months negotiating an agreement of understanding; and,

WHEREAS, both governments agree to the principle of cooperation and not confrontation; and,

WHEREAS, the agreement is deemed in the best interests of the citizens of both units of government;

NOW, THEREFORE, BE IT RESOLVED that the following agreement of understanding be approved.

**CITY OF ANN ARBOR—CHARTER TOWNSHIP OF PITTSFIELD
POSITION PAPER ON PROMULGATION OF POLICIES**

Promulgation of Policies

The CITY OF ANN ARBOR "The City", and the CHARTER TOWNSHIP OF PITTSFIELD, "The Township", by their respective governing bodies, for the purpose of furthering their common welfare, do hereby promulgate certain policies, and declare their intentions to abide the same in their exercise of governmental authority so far as practical and not in conflict with law.

I—ANNEXATION—GENERAL

- A. All land area in The Township lying west of U.S. 23 Expressway and north of the south line of Ellsworth Road from U.S. 23 to the west line of State Road, thence

northerly to the south line of I-94, thence westerly to the western boundary of The Township, shall be designated as "The Territory" and shall be eventually annexed to the City in an orderly manner.

- B. It shall be understood that this aforementioned line is the unofficial boundary line until such times it can be so officially designated.
- C. Inasmuch as the Township and the City have an existing contract for sewer service for portions of the Township, the Township shall not make plans to provide municipal sewer and/or water service to any properties within said Territory, however the Township shall maintain all other legal authority and responsibility for Township lands and residents in the Territory until such time as they do become annexed to the City.
- D. Notwithstanding previous policies, decisions and procedures, the City and Township hereby agree that individual properties in the designated area may be annexed to the City even where such annexation may create new islands. Neither the City nor the Township shall interpose in any judicial or other proceeding pertaining to the annexation of any portion of the said Territory an objection to such annexation by reason that the same would create an enclave of Township land within the City.
- E. Neither the City nor the Township shall seek to require annexation to the City of any such enclave of Township land lying within the Territory, solely because of its constituting an enclave, whether now existing or hereafter created through the annexation of a portion of the Territory. Nevertheless, upon request to the City by the owner of a property within any said enclave for City water and/or sewer service to such property, the City may require such property to become annexed to the City as a condition of granting such service.
- F. The Township agrees that rather than furthering litigation in the case of the Pittsfield Islands, it will agree to the Boundary Commission decision of 1973 (File No. 8322) if the individual review procedure as set forth in paragraph I-H is applied.
- G. Through joint resolutions of the City and Township governing bodies any portion of the Territory within the designated area may be annexed to the City upon the petition therefor signed by the petitioners as provided by MCLA 117.9(8) in the case of such alternate method of annexation.
- H. Upon annexation to the City of properties within said Territory the City "deferred charges" thereon, for benefits conferred by capital improvements made prior to the annexation shall be payable at the property owners option, either in full, or in not

less than six (6) equal annual installments, provided that the same shall be payable in up to twelve (12) equal annual installments in cases of a property being, and continuing to be, the homestead of an owner occupant who has special hardship problems or is otherwise adjudged in need of special consideration. Hardship and special considerations may be conferred upon the single owner occupant at time of annexation. A transition appeals committee shall be established for the purpose of determining such need. It shall be authorized to make recommendations to City Council for special consideration and shall be comprised of two (2) members appointed from the City and one (1) member appointed from the Township.

II—MUNICIPAL AIRPORT

- A. The City agrees that the pending appeal of the decision of the Washtenaw Circuit Court in the suit of the Township vs. the City (Docket No. 77-12619) respecting the City's proceedings to annex Territories in and about the Municipal Airport and a portion of Eisenhower Boulevard shall be dismissed.
- B. The Township agrees to cooperate with the City in the establishment of an Airport Land Use Plan which recognizes the compatibility of light industrial, warehousing, gravel mining and other uses on airport lands. The Township will review and comment on the plan before City adoption. It is further understood that any private construction on Airport lands will require approval under Township zoning and site plan requirements, as well as Township Building and Safety Department permit requirements. Plans for municipal construction on Airport lands must be submitted to the Township for review and comment.
- C. The Township agrees to establish a land use plan for the environs of the Airport which recognizes only land uses which are compatible to airport operations from a safety and environmental point of view. The City will review and comment on the plan before adoption by the Township.
- D. It is further agreed that gravel mining may take place only for use on City of Ann Arbor roads and public works projects and for use on Pittsfield Township roads, and public works projects. In addition, that a gravel processing plan, a restoration plan and a soil erosion plan be filed and reviewed by the Township.
- E. Excepting as exempt by law, the Township shall assess for taxes the real and personal properties of and upon the airport lands.
- F. The Township agrees to provide right-of-way for City sanitary sewage mains to the Airport to serve Airport properties uses only.

III—LANDFILL

- A. The City desires to expand its Landfill operations to the west on property known as the Derck, Nielsen, and McCalla parcels.
- B. The Township agrees to actively support and assist in acquisition negotiations such expansion on the conditions that:
 - 1. A land use and restoration plan be developed for long range use of the landfill area.
 - 2. That a reasonable strip of land immediately east of Stone School Road, as well as along Ellsworth Road, as well as along the northern edge of what is known as the Morgan properties is excluded for environmental purposes.
- C. A Landfill Expansion Advisory Committee composed of four (4) persons appointed by the City and three (3) persons appointed by the Township shall be created to advise the City on environmental and operational plans.
- D. The Township desires that it be given preferred customer consideration by the City in the use of the Landfill or offered an opportunity for proportionate investment equity if the Landfill is to be expanded in this location.
- E. The Township shall not adopt any ordinance, rule or regulation which regulates or attempts to regulate the City's use of the landfill property so long as that property is used for disposal of refuse materials or for park purposes.

IV—SEWER/WATER SERVICEES

- A. Upon acceptance and execution of this position paper, the City agrees to immediately approve the Township's request for sewer service limited to the Township Hall and the State Road frontage of a proposed commercial development at Ellsworth and State Roads in accordance with procedures established in Paragraph 1-A of the Ann Arbor Pittsfield Sewer Service Agreement dated September 30, 1975. It is understood State Department of Natural Resources approval will be sought eagerly by the City.
- B. The sewer service will be provided at 103% of City rates in accordance with the aforementioned agreement.
- C. The City will agree to consider additional requests for service prior to the completion of the new "area wide treatment plant" on a case by case basis.

COMMUNICATIONS FROM THE MAYOR

Mayor Louis D. Belcher informed Councilmembers that he will be communicating with Mr. Robert Lillie, Pittsfield Township Supervisor, to advise him of the changes made tonight in the Pittsfield Township Agreement.

Mayor Belcher alerted Council that there are several major Planning matters coming up for consideration, such as the eighty acres of land to be developed in the Briarwood area and a proposal for downtown housing.

Mayor Belcher recommended the appointment of Hugh M. Wanty, 2061 Pauline Boulevard, to the Housing Board of Appeals to replace James J. O'Kane for an indefinite term.

Moved by Councilmember Trowbridge that Council concur in the recommendation of the Mayor.

On roll call the vote was as follows: Yeas, Councilmembers Latta, Greenberg, Morris, Senunas, Sheldon, Trowbridge, Cmejrek, Mayor Belcher, 8

Nays, 0

Councilmember Bell was absent from the Council Chamber at the time the vote was taken.

Chair declared the motion carried.

Mayor Belcher recommended the appointment of Roberta Lea Shrope, 321 South Revena Boulevard, to the Planning Commission, effective July 1, 1978 for a three year term ending June 30, 1981.

Moved by Councilmember Cmejrek that Council concur in the recommendation of the Mayor.

On roll call the vote was as follows: Yeas, Councilmembers Senunas, Sheldon, Trowbridge, Cmejrek, Bell, Mayor Belcher, 6

Nays, Councilmembers Latta, Greenberg, Morris, 3

Chair declared the motion carried.

Mayor Belcher laid the nomination on the table of Charles T. Wagner, 3425 Brentwood Court, to the Planning Commission to be confirmed at the next session of Council.

COMMUNICATIONS FROM COUNCIL COMMITTEES

None.

Exhibit C

**AGREEMENT SUPPLEMENTING 1979 POLICY STATEMENT
RELATIVE TO AIRPORT LAYOUT PLANS, AERONAUTICAL FACILITIES
AND NON-AERONAUTICAL FACILITIES AT THE ANN ARBOR AIRPORT**

This agreement ("Agreement") is between the City of Ann Arbor ("Ann Arbor"), a Michigan Municipal Corporation and Pittsfield Charter Township ("Pittsfield"), a Michigan Municipal Corporation.

RECITALS:

Ann Arbor owns and operates the Ann Arbor Airport ("Airport"), which is located in Pittsfield Charter Township.

In 1979 Pittsfield and Ann Arbor entered into an agreement entitled "Policy Statement," a portion of which has addressed certain aspects of the operation of the Ann Arbor Airport.

This Agreement is not intended to replace the Policy Statement. However, in the event of any conflict with the Policy Statement, this agreement shall apply.

Under the Michigan Aeronautics Code, MCL 259.1 et seq., Ann Arbor has jurisdictional control for the management, governance and use of the Airport, including application of its police powers, rules, regulations and ordinances, and including the zoning and planning of aeronautical facilities on the Airport property.

The City of Ann Arbor has adopted its construction code, including the building code, electrical code and mechanical code components thereof, in accordance with the Stille-DeRossett-Hale Single State Construction Code Act (MCL 125.1501 et seq.) ("construction code"). The City and the Township do not agree as to the authority granted to the City by the Michigan Aeronautics Code to extend and enforce its construction code at the Airport relative to aeronautical facilities. However, without deciding the extent of the City's authority under the Michigan Aeronautics Code, the City and the Township agree that to the extent it may be necessary, this agreement is an agreement between two public agencies that constitutes an interlocal agreement for purposes of Sections 4 and 5 of the Urban Cooperation Act (MCL 124.504 and 124.505) and Subsection 8b(2) of the Stille-DeRossett-Hale Single State Construction Code Act (MCL 125.1508b(2)) by which the City and the Township agree that the City shall extend and enforce its construction code to all aeronautical facilities constructed on Airport property, including issuing permits, inspections and enforcement of violations.

The Airport is serviced in whole by Pittsfield sanitary sewer service and is serviced in part by Pittsfield water service.

Unless and until Ann Arbor or the Airport qualifies as an authorized public agency for the Airport under Section 9110 of Part 91, Soil Erosion and Sedimentation Control, of

the Natural Resources and Environmental Protection Act, MCL 324.9110, Pittsfield has jurisdiction over the Airport for soil erosion and sedimentation control.

Wherefore, the parties agree as follows:

1. "Aeronautical facilities" means Airport buildings, landing fields and other facilities that are used for and serve aeronautical or aeronautically related operations and purposes. Aeronautical facilities include both facilities constructed by Ann Arbor and facilities that are privately constructed.
2. "Non-aeronautical facilities" means facilities whose use is unrelated to aeronautical operations or purposes.
3. A modification of the Airport Layout Plan is a land use plan as used in Section II.B. of the Policy Statement.
4. If a modification of the Airport Layout Plan is proposed, Ann Arbor will give notice to Pittsfield's Building Official or such other person as Pittsfield designates in writing, of the intent to modify the Airport layout plan at least 30 days before authorizing a professional services agreement for the modification. At least 30 days before submitting a modification of the Airport Layout Plan for approval by the Michigan Aeronautics Commission or the Federal Aviation Administration, Ann Arbor will provide Pittsfield's Building Official with copies of the documents to be submitted to those bodies. After approval of a modified Airport Layout Plan by the Michigan Aeronautics Commission or the Federal Aviation Administration, Ann Arbor will provide Pittsfield's Building Official with a copy of the proposed modification at least 30 days before the Ann Arbor City Council meeting at which it is to be submitted for approval.
5. Annually Ann Arbor will provide Pittsfield's Building Official, or such other person as Pittsfield designates in writing, with a copy of the five year Airport Improvement Plan for the Airport.
6. If Ann Arbor applies for grant funds for new or expanded facilities shown or listed on the Airport Layout Plan or Airport Improvement Plan it will notify Pittsfield's Building Official, or such other person as Pittsfield designates in writing, of the application.
7. Aeronautical facilities being constructed at the Ann Arbor Airport are not required to go through the Pittsfield site plan review and approval process. However, when civil construction drawings for a project have been completed, but prior to bid for construction of the facilities, Ann Arbor will submit copies of the civil construction drawings to Pittsfield's Building Official, or such other person as Pittsfield designates in writing, for review and comment. The plans submitted to Pittsfield shall consist of four (4) sets of full sized drawings and a description of

the type of project, the general scope and the time frame. All proposed utilities associated with civil construction drawings for a project shall meet all current Township Land Development Standards.

8. Typical administrative fees will not be charged for the review of the plans submitted pursuant to paragraph 7, but the City will be responsible for establishing an Airport Plan (AP) escrow account for costs, which Pittsfield agrees shall be limited to its actual costs for plan review and comment.
9. Pittsfield will provide a written evaluation of the plans specified in paragraph 7 based on the Pittsfield Zoning Ordinance and Land Development Standards to Ann Arbor's Fleet & Facilities Manager, or such other person as Ann Arbor designates in writing, within two (2) weeks of the submittal in order to permit Ann Arbor staff to consider its comments.
10. Ann Arbor will consider and endeavor to incorporate reasonable recommendations provided by Pittsfield.
11. Ann Arbor will obtain soil erosion and sedimentation control permits for the Airport from Pittsfield until such time as Ann Arbor or the Airport qualifies as an authorized public agency for the Airport under Section 9110 of Part 91, Soil Erosion and Sedimentation Control, of the Natural Resources and Environmental Protection Act, MCL 324.9110.
12. Ann Arbor will obtain Pittsfield utility permits as required by Pittsfield ordinance for connections to Pittsfield sanitary sewer or water lines.
13. Ann Arbor shall extend and enforce its construction code, including the building code, electrical code and mechanical code components thereof, to all aeronautical facilities constructed on Airport property and provide Pittsfield's Building Official, or such other person as Pittsfield designates in writing, with copies of all construction permit documents including the application, the permit, inspection reports and any certificate of occupancy within thirty days of being issued or received.
14. Non-aeronautical facilities at the Airport will be required to comply with Pittsfield planning and zoning requirements and the Pittsfield construction code ordinance.
15. Nothing contained in this agreement shall be construed as limiting Pittsfield's authority to enforce the State Construction Code regarding any violations of that code for non-aeronautical facilities.
16. Nothing contained in this agreement shall exempt aeronautical facilities from being in compliance with the State Construction Code unless said facilities are under the jurisdiction of the Federal Aviation Administration.

17. Ann Arbor shall extend and enforce its fire prevention code to all aeronautical facilities located on Airport property and provide Pittsfield's Building Official, or such other person as Pittsfield designates in writing, with copies of all fire inspection documents including fire alarm and detection systems and fire extinguishing system certification and test reports, and all required operational permits within thirty days of being issued or received.
18. This agreement shall be approved by the concurrent resolutions of the Ann Arbor City Council and Pittsfield Charter Township Board of Trustees.
19. This agreement shall take effect October 1, 2009 or after a copy has been filed with both the Washtenaw County Clerk and the Michigan Secretary of State, whichever is later.
20. This agreement shall have a term of 5 years beginning on October 1, 2009. It shall automatically renew for successive 5 year periods unless either party provides the other with written notice of non-renewal at least 60 days before the end of a term.

Dated: _____
City of Ann Arbor

Dated: _____
Pittsfield Charter Township

By _____
John Hieftje, Mayor

By _____
Mandy Grewal, Township Supervisor

By _____
Jacqueline Beaudry, City Clerk

By _____
Allen Israel, Township Clerk

Approved as to form:

Approved as to form:

Stephen K. Postema, City Attorney

R. Bruce Laidlaw, Township Attorney

Exhibit D

**PITTSFIELD CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN
RES #09-23
RESOLUTION OPPOSING PROPOSED EXPANSION OF THE ANN ARBOR
MUNICIPAL AIRPORT RUNWAY**

MARCH 24, 2009

Minutes of a Regular Meeting of the Township Board of Pittsfield Charter Township, Washtenaw County, Michigan, held at the Township Administration Building located at 6201 W. Michigan Avenue, in said Township, on the 24th day of March, at 6:30 p.m.

Members Present: Grewal, Israel, Scribner, Ferguson, Hunt, Krone, Yi.

Members Absent: None.

The following preamble and resolution were offered by Member Scribner and supported by Member Ferguson.

WHEREAS, the Ann Arbor airport is under the jurisdiction of the City of Ann Arbor and operated by an independent Authority and the land is located within Pittsfield Charter Township immediately adjacent to a residential area; and

WHEREAS, the existing width and length has not posed any substantial safety concerns in the past with only five incidents of landing mishaps out of a total of 600,000 landings in the past eight years; and

WHEREAS, the proposed changes and expansion would shift the runway dangerously close to a busy township roadway (Lohr Road) and closer to dense residential subdivisions; and

WHEREAS, such a runway expansion will significantly increase air traffic volumes and noise pollution experienced by residential subdivisions in the vicinity of the Ann Arbor airport, thereby resulting in a decline of residential home property values; and

WHEREAS, the City of Ann Arbor has not fully demonstrated the economic and safety justifications for undertaking the proposed runway expansion; and

WHEREAS, the City of Ann Arbor appears to have not taken into consideration the negative safety implications such a runway expansion may impose on the surrounding residential subdivisions by expanding a runway closer to residential subdivisions

NOW THEREFORE BE IT RESOLVED, the Pittsfield Charter Township Board of Trustees urges the City of Ann Arbor to reconsider the merits of expanding the Ann Arbor Airport runway in light of the negative implications such an expansion would impose on the residents of Pittsfield Charter Township.

AYES: Grewal, Israel, Scribner, Ferguson, Hunt, Krone, Yi.
NAYS: None.
ABSENT: None.
ABSTAIN: None.

RESOLUTION DECLARED ADOPTED.

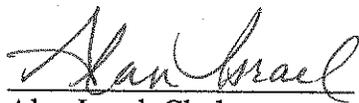


Alan Israel, Clerk
Pittsfield Charter Township

DATED: March 24, 2009.

CERTIFICATE

I, Alan Israel hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board of Pittsfield Charter Township, County of Washtenaw, State of Michigan, at a Regular Meeting held on March 24, 2009, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.



Alan Israel, Clerk
Pittsfield Charter Township

DATED: March 24, 2009.

Exhibit E

**LODI TOWNSHIP
WASHTENAW COUNTY, MICHIGAN
RESOLUTION # 2009-009
A RESOLUTION OPPOSING PROPOSED RUNWAY EXPANSION OF THE ANN ARBOR
MUNICIPAL AIRPORT**

WHEREAS, the Ann Arbor airport is under the jurisdiction of the City of Ann Arbor and operated by an independent Authority and the land is located within Pittsfield Charter Township immediately adjacent to residential areas, including Lodi Township;

WHEREAS, the existing width and length of Runway 6-24 has not be posed any substantial safety concerns in the past with only five incidents of landing mishaps out of a total of 600,000 landings in the past eight years; and

WHEREAS, the proposed changes and expansion would shift the runway so that it ends a mere 700 yards from a busy roadway (Lohr Road) and closer to dense residential subdivisions; and

WHEREAS, such a runway will significantly accommodate larger and heavier aircraft, increase air traffic volumes, and increase noise pollution experienced by residential subdivisions in the vicinity of the Ann Arbor airport, thereby resulting in a decline in residential home property values; and

WHEREAS, the City of Ann Arbor has not fully demonstrated the economic and safety justifications for undertaking the proposed runway expansion; and

WHEREAS, the City of Ann Arbor appears to have not taken into consideration the negative safety implications such a runway expansion may impose on the surrounding residential subdivisions by expanding a runway closer to residential subdivisions;

NOW, THEREFORE BE IT RESOLVED, the Lodi Township Board of Trustees urge the City of Ann Arbor to reconsider the merits of expanding the Ann Arbor Airport runway in light of the negative implications such an expansion would impose on the residents of Lodi Township.

ROLL CALL VOTE:

Ayes: Masters, Staebler, Lindemann, Canham, Foley, and Godek.

Nays: Rentschler.

Absent: None.

Abstain: None.

RESOLUTION DECLARED ADOPTED

Elaine Masters, Clerk, Lodi Township

DATED: May 12, 2009

William Ballard

From: Ihnken, Matthew <matthew_ihnken@fws.gov>
Sent: Thursday, May 30, 2019 9:20 AM
To: William Ballard
Cc: ernest.gubry@faa.gov; Kennedy, Daniel (DNR)
Subject: Re: Early Coordination for the Proposed Ann Arbor Municipal Airport Expansion

Mr. Ballard,

The Service has received your request for early coordination for the proposed Ann Arbor Municipal Airport expansion. These comments are provided pursuant to the Endangered Species Act (ESA) (87 Stat. 884; 16 U.S.C. 1531 et seq.).

This project area falls within the range of the endangered Indiana bat (*Myotis sodalis*) and the threatened northern long-eared bat (*Myotis septentrionalis*). USFWS records show the presence of two maternity roost trees approximately one mile southeast of the site. Given the close proximity of known NLEB roost trees and the presence of approximately 200 acres of suitable forested habitat directly south of the project, it is likely that NLEB occur in the action area. If suitable habitat for listed bat species is proposed to be removed as a part of the preferred alternative then consultation under section 7 of the ESA is necessary prior tree clearing activities.

Trees should be considered suitable habitat for bats if they are greater than 3 inches in diameter and within 1000 feet of any contiguous block of trees that is 10 or more acres.

We appreciate the opportunity to provide comments on this project at this time. If you have any questions regarding these comments, please contact me by email or at the contact info below.

Sincerely,

Matt Ihnken, CWB®
Fish & Wildlife Biologist
Transportation Liaison

U.S. Fish & Wildlife Service
Michigan Ecological Services Field Office
2651 Coolidge Road, Suite 101
East Lansing, Michigan 48823-6316
(517) 351-8474



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

JUN 03 2019

REPLY TO THE ATTENTION OF: E-19J

Ernie Gubry
Environmental Protection Specialist
Federal Aviation Administration
Detroit Airports District Office, DET-ADO-600
11677 South Wayne Road, Suite 107
Romulus, Michigan 48174

Steve Houtteman, Environmental Specialist
Planning and Development
Michigan Department of Transportation
Office of Aeronautics
2700 Port Lansing Road
Lansing, Michigan 48906-2160

Re: NEPA scoping comments: Ann Arbor Airport – Runway 6/24 and Parallel Taxiway A Extensions – Ann Arbor, Washtenaw County, Michigan

Dear Messrs. Gubry and Houtteman:

The U.S. Environmental Protection Agency is responding to a request for scoping comments per Michigan Department of Transportation's (MDOT Aeronautics) letter dated April 15, 2019. Our comments in this letter are provided in accordance with our responsibilities under the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR 1500-1508), and Section 309 of the Clean Air Act.

The scoping information provided to EPA indicates the Federal Aviation Administration (FAA) and MDOT Aeronautics have authorized the Ann Arbor Municipal Airport (Airport) to explore alternatives designed to meet current and future fleet mix needs. Proposed actions include:

- ✓ Extend Runway 6 by 795 feet;
- ✓ Shift Runway 6/24 by 150 feet to the southwest;
- ✓ Extend parallel Taxiway A to match the Runway 6 extension;
- ✓ Extend runway and taxiway lighting and guidance signage;
- ✓ Relocate/reconstruct FAA-owned Runway 6 Runway End Identifier Lights; and
- ✓ Remove FAA owned/decommissioned Runway 24 Omni-Directional Approach Lights.

EPA's detailed comments are enclosed with this letter. We recognize scoping and other early coordination as an efficient means to resolve potential issues upfront, facilitate accelerated project timelines, inform project decision-making, and improve project outcomes. Our scoping comments offer recommendations to inform development of the Environmental Assessment (EA). If you have

any questions concerning the contents of this scoping response, EPA's lead reviewer, Kathleen Kowal, is available at kowal.kathleen@epa.gov or 312-353-5206.

Sincerely,



Kenneth A. Westlake
Deputy Director, Office of Multimedia Programs
Office of the Regional Administrator

Enclosures:

EPA's Detailed Scoping Comments

cc via email:

Matt Kulhanek, Airport Manager, Ann Arbor Municipal Airport

William Ballard, Mead & Hunt, Inc.

Melissa Letosky, Michigan Department of Environment, Great Lakes, and Energy
(MDEGLE)

Scott Hicks, US Fish and Wildlife Service

Casey Reitz, Michigan Department of Natural Resources

EPA's Detailed Scoping Comments for the Ann Arbor Airport
Runway 6/24 and Parallel Taxiway A Extensions
Ann Arbor, Washtenaw County, Michigan
June 3, 2019

Project Description and Reasonable Range of Alternatives

The Council on Environmental Quality (CEQ) National Environmental Policy Act (NEPA) Implementing Regulations state, “Federal agencies shall to the fullest extent possible ... [u]se the NEPA process to identify and assess the reasonable alternatives to proposed actions that will avoid or minimize adverse effects of these actions upon the quality of the human environment.”¹ What constitutes a reasonable range of alternatives depends on the nature of the proposal and the facts in each project. While keeping the range within reason, it is important to not overly limit the number and scope of alternatives to be analyzed in the NEPA document. For example, having more than one airport with appropriately-sized runways and taxiways available to the public would be beneficial in determining the need to construct the proposed changes at the Airport.

Recommendations for the EA:

- Provide substantiation for the purpose and need statement in the scoping materials regarding the needs of the critical aircraft currently using the Airport (e.g., not able to fly at full load out of the Airport).
- Provide forecasts for critical aircraft reasonably-expected to use the Airport following proposed construction. In particular, will the Airport Reference Code (ARC) for the Airport remain the same or does the Airport have plans to revise the ARC to include larger aircraft in the reasonably-foreseeable future? Proposed improvements per the Airport Layout Plan (ALP) should be analyzed as part of the EA.
- Indicate whether proposed improvements will be sufficient to allow identified critical aircraft to operate without constraints at the Airport (e.g., with a full load during all types of weather following construction).
- Briefly discuss all alternatives that FAA considered for the proposed project, including surrounding airports. Having received a scoping request for Willow Run Airport in neighboring Ypsilanti (dated May 16, 2019), it is essential to demonstrate 1) how the Airport and the Willow Run Airport fit into regional plans and 2) how proposed construction at the two airports complement each other, rather than provide duplicative services or services available at a nearby regional airport.
- Provide a rationale and supporting data to demonstrate that eliminated alternatives are not reasonable.
- For each alternative analyzed, describe the location, footprint, and function of all project elements.
- Include maps clearly depicting each alternative and all project elements.
- Include the most recent ALP as an appendix.

Surface Water/Water Quality

Review of aerial photography indicates that surface waterbodies and wetlands appear to be present within Airport property and in the area where the proposed expansion would occur. If any streams within the project area are on the MDEGLE Clean Water Act Section 303(d) list of impaired

¹ CEQ's NEPA Regulations, available at: https://www.energy.gov/sites/prod/files/NEPA-40CFR1500_1508.pdf

waterbodies, the EA should note that and discuss how implementation of the proposed project could affect listed impairments of that waterbody.

A wetland delineation should be conducted for the entire project footprint, with emphasis on areas south of the existing runway. This will allow for a factual determination of the location of regulated aquatic resources and where direct and indirect impacts (e.g., fill and/or changes to hydrology) will occur as a result of the proposed extension and construction. The delineation should be submitted to MDEGLE for verification of wetland boundaries and appropriate permitting. Approvals of proposed impacts to wetlands and regulated waterbodies are contingent upon the project complying with the Section 404(b)(1) guidelines under the Clean Water Act. These guidelines are summarized as follows:

- Least Environmentally Damaging Practicable Alternative (LEDPA)² – There must be no practicable alternative to the proposed discharge (impacts) which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences;
- No Violation of Other Laws – The proposed project must not cause or contribute to violation of state water quality standards or toxic effluent standards, and must not jeopardize the continued existence of federally-listed endangered or threatened species or their critical habitat(s);
- No Significant Degradation – The project must not cause or contribute to significant degradation of Waters of the United States; and
- Minimization and Mitigation of Adverse Impacts – The project must include appropriate and practicable steps to avoid impacts to regulated Waters of the United States; where impacts are unavoidable, demonstration of how impacts have been minimized; and must provide compensatory mitigation to offset unavoidable, minimized impacts to the aquatic ecosystem.

The forthcoming EA should discuss how sequencing established by the Clean Water Act Section 404(b)(1) guidelines has been applied, namely, avoidance first, then demonstration of impact minimization, then mitigation for unavoidable, minimized impacts. A discussion of proposed mitigation for unavoidable, minimized wetland and stream impacts should be included. A list of all Federal, state, and local permits that will be required to undertake the proposed actions should also be included in the EA.

Impacts to surface and ground water resources from construction, increases in amounts and locations of impermeable surfaces, and potential increases in pollutants (such as chemicals, fuel spills, etc.) should be identified. Existing drinking water supply wells or water intakes in the vicinity should also be noted.

Additionally, the EA should identify opportunities for green stormwater management practices,³ such as rainwater harvesting, permeable pavement, green parking, and green roofs.

Secondary and Cumulative Impacts

The EA should include discussion of the secondary (indirect) impacts⁴ that can be expected due to implementation of the proposed project. Additionally, the forthcoming EA should include a

² Furthermore, an alternative is considered practicable if “it is available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes.” [40 CFR Part 230.3]

³ Additional information is available online at: www.epa.gov/greeninfrastructure.

⁴ Secondary effects are those that are “caused by an action and are later in time or farther removed in distance but are still reasonably foreseeable” (40 CFR 1508.8). Generally, these impacts are induced by the initial action, and

cumulative effects⁵ analyses for resources that would be affected, including, but not limited to, wetlands, surface and ground water quality, air quality, and wildlife. Such analyses can and should inform amounts and types of mitigation to be undertaken to maintain and/or enhance the quality of the environment in the project area. Guidance on evaluating cumulative impacts has been issued by both the Council on Environmental Quality⁶ and EPA's Office of Federal Activities⁷.

Vegetation and Tree Clearing / Visual Effects / Part 77 Obstructions

Aerial photography shows the likely presence of regulated aquatic resources to the southeast and southwest of existing Runway 6/24. In particular, the area surrounding the proposed 795-foot-extension, the Runway Object Free Area (ROFA), and the Runway Protection Zone (RPZ) is located in areas that appear to be scrub/shrub wetlands. It is reasonable to assume tree removal in areas that may contain forested wetlands to clear the RPZ will be necessary.

Recommendations for the EA:

- The EA should provide an overview of all identified Part 77 obstructions, including a location map of obstructions. Further narrative and visual information on the location of trees, shrubs, buildings, etc., in relation to delineated wetland areas and identified streams is necessary to understand the extent of proposed impacts and inform any mitigation plans.
- Regarding proposed tree trimming and removal, the EA should disclose the types and numbers (and acreage of shrubby areas or trees) that are proposed to be cleared or "topped" due to implementation of the proposed action, and disclose whether these clearing areas are located in wetlands or streams. EPA recommends the discussion of tree and shrub clearing or removal (if in wetlands) specify if trees/shrubs will be mechanically cleared (bulldozed) or cut at their base (leaving the trunks intact). This differentiation in tree/shrub removal is important with regard to regulatory requirements under Section 404 of the Clean Water Act.
- The EA should indicate whether any streams are proposed to be relocated, crossed with culverts, or encapsulated.
- EPA strongly recommends FAA, MDOT Aeronautics, and the Airport sponsor commit to voluntary mitigation for tree loss on the property. Mitigation might include, but is not limited to, replanting of native hardwood tree species on Airport property outside safety areas, or assisting local, county, or state agencies with any appropriate ongoing or planned reforestation plans. The EA should discuss any voluntary mitigation measures to be undertaken to compensate for the loss of trees. EPA encourages proposed obstruction removal activities to be undertaken in an ecologically-sensitive manner as outlined in FAA orders.
- Effects on biodiversity due to the proposed actions, in accordance 40 CFR 1507.2(e), 1508.8(b) and 1508.27, should also be considered and discussed.

Noise

Sensitive receivers adjacent to or near the Airport (such as schools, churches, hospitals, and residences) may be impacted due to project implementation. EPA notes that the closest sensitive

comprise a wide variety of effects, including but not limited to, changes in land use, water quality, economic vitality and population density.

⁵ Cumulative effects are impacts which result from the incremental consequences of an action when added to other past and reasonably foreseeable future-actions (40 CFR 1508.7).

⁶ See CEQ's handbook "Considering Cumulative Effects Under NEPA" at <http://ceq.hss.doe.gov/nepa/ccenepa/ccenepa.htm>

⁷ See EPA's advisory memorandum "Consideration of Cumulative Impacts in EPA Review of NEPA Documents" at <http://www.epa.gov/compliance/resources/policies/nepa/cumulative.pdf>.

receptors, existing residential homes, are located within approximately one-half mile of the project location. EPA recommends that sensitive receptors be determined and that the forthcoming EA identify and discuss existing noise levels and any proposed changes to noise levels (based on appropriate modeling). Noise mitigation should be discussed and implemented as applicable. FAA should determine if proposed actions will result in a general overall noise increase. This information, along with supplemental information on whether or not noise analysis and mitigation is needed, should be included in the EA.

Compatible Land Use

The Site Map of Surrounding Land Uses included with the scoping request shows subdivisions surrounding the Airport on four sides.

Recommendations for the EA:

- Discuss possible conflicts between future proposed actions and Federal, state, regional, or local land use plans⁸, policies, or controls for the area and approaches to resolving those conflicts.

Construction Impacts

EPA recommends the EA include specific measures and best management practices that will be undertaken to minimize construction impacts to air quality, water resources, soil, and other regulated resources.

Waste Materials / Reuse and Recycle

Scoping materials indicate the existing runway would be shifted 150 feet to the southwest.

Recommendations for the EA:

- Address the fate of removed runway materials and the feasibility of reusing these materials.

Resiliency

The National Climate Assessment finds that in the Midwest extreme heat, heavy downpours, and flooding will affect infrastructure, health, air and water quality, and more.⁹

Recommendations for the EA:

- Consider precipitation and temperature trends (e.g., over last 15 years) and modeled future conditions for the project area, which are available in the National Climate Assessment.
- If needed, incorporate resiliency and adaptation measures or plans. See EPA's Adaptation Resource Center¹⁰ for assistance.

Air Quality

Discuss whether Washtenaw County is currently in attainment for all National Ambient Air Quality Standards (NAAQS) and how the proposed project will affect Washtenaw County's NAAQS designations.

Air quality recommendations focus on the construction phase of the proposed project. Temporary fugitive dust and diesel exhaust emissions from construction activities, such as material hauling,

⁸ Land use management plans include all types of formally-adopted documents for land use planning, zoning, and related regulatory requirements, including formally proposed plans. Local plans should be included even though they are subject to future change. Proposed land use plans should also be included if they have been formally proposed in written form and are being actively pursued.

⁹ U.S. Global Change Research Program, 2017 Climate Science Special Report: Fourth National Climate Assessment, Volume 1, available at: <https://www.globalchange.gov/browse/reports>

¹⁰ EPA's Climate Adaptation Resource Center, available at: <https://www.epa.gov/arc-x>

would occur. In 2002, EPA classified diesel emissions as a likely human carcinogen, and in 2012 the International Agency for Research on Cancer concluded that diesel exhaust is carcinogenic to humans. Diesel exhaust can also lead to other serious health conditions and can worsen heart and lung disease, especially in vulnerable populations, such as children and elderly people.

Recommendations for the EA:

- Discuss the potential impacts to air quality from construction of the proposed project. Include the potential release of all criteria pollutants and hazardous air pollutants, if applicable.
- Consider committing to creating a plain-language list of construction best-practices that contractors would be required to follow. Make the list readily available to neighboring communities during project construction, both online and physically posted at construction sites. Include a phone number for residents to call if they notice a violation, such as exceedances of truck idle times.
- Discuss the attainment status with the NAAQS for the project area, whether the proposed project could harm attainment or maintenance of the NAAQS, and General Conformity requirements with the State Implementation Plan for air quality.

Children's Health and Safety

Executive Order 13045 on children's health and safety directs each federal agency to make it a high priority to identify and assess environmental health and safety risks that may disproportionately affect children, and to ensure that its policies, programs, activities, and standards address these risks. Children can be particularly vulnerable to the toxic effects of contaminants because their bodies and systems are not fully developed and they generally eat more food, drink more water, and have higher inhalation rates relative to their size. Best practices for material hauling and construction minimize health risks.

Recommendations for the EA:

- Identify if construction activities would take place adjacent to where children congregate, such as schools, daycare facilities, or parks.
- Evaluate potential direct, indirect, and cumulative impacts from the proposed project on children's health.
- Commit to specific measures to protect children's health from project impacts. For example:
 - Site staging areas and other sources of air emissions away from places where children congregate to the extent possible.
 - Require strict implementation of applicable measures that affect air quality.
 - Prior to construction, require a construction traffic management plan to ensure that trucks hauling materials and heavy machinery avoid areas where children congregate, when possible. Aim to route construction truck traffic away schools, daycare facilities, and parks, and use crossing guards when such areas cannot be avoided.

Energy Efficiency

The proposed project would also include installation of runway end identifier lights, runway edge lights, and roadway lighting under the bridges.

Recommendations for the EA:

- Commit to installing energy-efficient airfield lighting.

Federally-Listed Species, Critical Habitat, Migratory Birds, And State-Listed Species

In 2015, USFWS introduced a project planning tool known as IPAC – Information for Planning and Conservation¹¹ – which is designed to streamline the USFWS environmental review process. When designating a project location in IPAC, USFWS recommends considering not only the physical location of project activities where direct impacts are likely to occur, but also consider the surrounding area on the landscape where potential indirect effects to species may occur (e.g., consider direct and indirect effects such as noise or dust).¹²

Recommendations for the EA:

- Describe how the proposed project will (or will not) impact Federally- or state-listed species and/or critical habitat.
- Any work restriction dates (including tree clearing restriction dates) or recommendations from USFWS and/or MDNR should be discussed.
- Coordination with USFWS and MDNR regarding trust resources should be included as an appendix to the EA.

The Fish and Wildlife Coordination Act¹³ (FWCA) requires that agencies consult with USFWS and state wildlife agencies concerning the conservation of wildlife resources where the water of any stream or other water body is proposed to be controlled or modified by a Federal agency or any public or private agency operating under a Federal permit.

Recommendations for the EA:

- Coordination pursuant to FWCA should be included in the EA.

Coordination with wildlife management specialists from the US Department of Agriculture's Animal and Plant Health Inspection Service (APHIS) Wildlife Services program or other qualified wildlife biologists may be needed because of the proposed actions.

Recommendations for the EA:

- Document any wildlife hazards and attractants, such as open water or vegetation on/near Airport property, and disclose any safety issues associated with wildlife at the Airport.
- Discuss existing or potential problems with nuisance wildlife or wildlife strikes, and identify measures the Airport has taken or proposes to take to reduce risks.
- Coordination with APHIS Wildlife Services program should be discussed in the EA, if applicable. Coordination should focus on proposed activities, including mitigation efforts, to prevent creating wildlife-aircraft hazards or exacerbating existing hazards.

Cumulative Impacts

Forthcoming NEPA documentation should discuss the history of the Airport, including previous expansions¹⁴ and construction history. The narrative discussion of cumulative impacts should discuss cumulative impacts to water resources (e.g., fill) associated with previous impacts on Airport property.

¹¹ <https://ecos.fws.gov/ipac/>

¹² For projects with a federal nexus that are required to consult with USFWS under Section 7 of the Endangered Species Act, definitions of Action and Action Area can be found at 50 CFR 402.02.

¹³ 16 USC §§661-666c; PL 85-624

¹⁴ EPA is familiar with the parallel taxiway construction permitted in 2010 (USACE #LRC-2010-00285-IN, previously LRE-2003-1450330-J10; IDEM #2010-19-45-EMP-A) as well as subsequent drainage work in the past few years.

Consultation

EPA recommends attaching consultation documents to future NEPA documents regarding wetlands, streams, historic resources, Federal and state threatened and endangered species, and wildlife services, as applicable.

USEPA Databases

The following databases can provide environmental information about the project area:

- EnviroMapper¹⁵: <https://www.epa.gov/waterdata/waters-watershed-assessment-tracking-environmental-results-system>
- Envirofacts¹⁶: <https://www3.epa.gov/enviro/facts/multisystem.html>
- EJSCREEN: <https://www.epa.gov/ejscreen>
- NEPAassist¹⁷: <https://www.epa.gov/nepa/nepassist>
- Clean Water Act 303(d) Listed Impaired Waters: <https://www.epa.gov/exposure-assessment-models/303d-listed-impaired-waters>

¹⁵ The **Watershed Assessment, Tracking & Environmental Results System (WATERS)** unites water quality information previously available only from several independent and unconnected databases.

¹⁶ Includes enforcement and compliance information.

¹⁷ NEPAassist is a tool that facilitates the environmental review process and project planning in relation to environmental considerations. The web-based application draws environmental data dynamically from EPA Geographic Information System databases and web services and provides immediate screening of environmental assessment indicators for a user-defined area of interest. These features contribute to a streamlined review process that potentially raises important environmental issues at the earliest stages of project development.

