



# **Aeronautics Division**

## **Tennessee Department of Transportation**

### Environmental

# Standard Operating Procedure

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## Purpose and Scope

The Tennessee Department of Transportation Aeronautics Division's (TAD) Environmental Standard Operating Procedure (SOP) provides guidance and instructions for airports, airport sponsors, consultants, and TAD staff to ensure the proper level of environmental documentation is scoped, completed, and approved for all State and federally-funded projects in compliance with the National Environmental Policy Act (NEPA), Federal Aviation Administration (FAA) guidance, State Block Grant Program's (SBGP) Memorandum of Agreement (MOA), TAD's project phasing requirements, and all other applicable policies, procedures, and special purpose laws.

## Applicable Regulations, Policies, and Guidance

Requirements detailed in this SOP have been developed from various laws, regulations, and guidance documents, such as the following laws, FAA Orders, and FAA Advisory Circulars:

- [National Environmental Policy Act of 1969 \(NEPA\), as amended](#)
- [Council of Environmental Quality Regulations \(CEQ\) for Implementing the Procedural Provisions of NEPA \(40 CFR Parts 1500-1508\)](#)
- [FAA Order 1050.1 \(latest version\) \*Environmental Impacts: Policies and Procedures\*](#)
- [FAA Order 1050.1 \*Environmental Desk Reference for Airport Actions\*](#)
- [FAA Order 5050.4 \(latest version\) \*National Environmental Policy Act \(NEPA\) Implementing Instructions for Airport Actions\*](#)
- [FAA Order 5100.38 \*Airport Improvement Program \(AIP\) Handbook\*](#)
- [FAA ARP Standard Operating Procedure for CATEX Determinations \(ARP SOP 5.1\)](#)

For a more-detailed listing of the laws, regulations, and guidance documents, please see [Appendix B](#)

## Types of Environmental Documentation and Templates

### Simple Written Record (SWR)

An SWR is used for projects that meet the following criteria:

- The project meets the definition of a CATEX<sup>1</sup>; and
- The project clearly does not involve extraordinary circumstances (FAA ARP SOP No. 5.1)

## **Documented Categorical Exclusion (CATEX)**

For actions where there is greater potential for extraordinary circumstances or other reasons that warrant additional CATEX documentation in accordance with FAA Order 1050.1F paragraph 5-3.b., as well as FAA Order 5050.4B paragraph 607.b., a Documented CATEX will be used (FAA ARP SOP No. 5.1).

*(Note: The FAA and/or TAD may, at its discretion, decide to prepare an Environmental Assessment to assist agency and/or Division planning and decision-making even if a proposed action fits within a CATEX and extraordinary circumstances do not exist, except for actions subject to categorical exclusion under Section 213 of the FAA Modernization and Reform Act.)*

## **Short Form Environmental Assessment (EA)**

The Short Form EA is used for projects that meet all of the following conditions:

- The federal action cannot be categorically excluded because of involvement with extraordinary circumstances or because the action is not consistent with any CATEX described in FAA Orders 1050.1F or 5050.4B (or subsequent versions),
- Impacts from the federal action would be limited to one extraordinary circumstance,
- The federal action would not create significant impacts to any environmental category unless it is mitigated to the point of non-significance, and
- The action is not considered controversial.

*(Note: In certain cases, the FAA and/or the TAD may decide to prepare a full Environmental Assessment even if these conditions appear to be met.)*

## **Environmental Assessment (EA)**

The purpose of an EA is to determine whether a proposed action has the potential to significantly impact the human environment. An EA is a public document that briefly provides sufficient evidence and analysis for determining whether to prepare an Environmental Impact Statement or a Finding of No Significant Impact (FONSI). An EA may facilitate the preparation of an Environmental Impact Statement when one is necessary.

An EA, at minimum, must be prepared when the proposed action:

- Does not normally require an Environmental Impact Statement and does not fall within the scope of a CATEX; or
- Falls within the scope of a CATEX, but there are one or more extraordinary circumstances.

Examples of projects that normally require an EA include the following:

- Acquisition of three acres or more of land for the construction of new facilities,
- Establishment or relocation of approach lighting systems that are not on airport property,
- Unconditional Airport Layout Plan approval,
- Location of a new airport that would serve only general aviation,
- Removal of obstructions on three acres or more of land, and
- Runway strengthening that has the potential to increase off-airport noise impacts significantly.

## **Environmental Impact Statement (EIS)**

An EIS is a detailed written statement required under Section 102(2)(C) of NEPA that is prepared for a project that includes actions that would significantly impact one or more environmental impact categories and mitigation measures would not reduce the impacts below significant levels, resulting in a significant impact on the quality of the human environment.

Examples of projects that normally require an EIS include the following:

- New commercial service airport,
- Major runway extension, and
- New runway to accommodate air carrier aircraft at a commercial service airport located in a Metropolitan or Micropolitan Statistical Area (MSA)

## **Environmental Documentation Templates**

### **EDC/SWR, Documented CATEX, and Short Form EA Templates**

The EDC/SWR, Documented CATEX, and Short Form EA template forms are downloadable from the TAD's Engineering webpage under the Environmental section using the following link: [Engineering and Development \(tn.gov\)](#)

### **EA Template**

There is no standard EA template provided by the FAA or TAD. When completing an EA, the requirements outlined in FAA Order 1050.1F and 5050.4B (or subsequent versions) must be met, such as Chapter 6 in FAA Order 1050.1F and Chapter 7 in FAA Order 5050.4B.

### **EIS Template**

There is no standard EIS template provided by the FAA or TAD. When completing an EIS, the requirements outlined in FAA Order 1050.1F and 5050.4B (or subsequent versions) must be met, such as Chapter 7 in FAA Order 1050.1F and Chapters 9 through 13 in FAA Order 5050.4B.

## **Environmental Documentation Requirements Per Project Type**

### **Airport Improvement Project**

Airport Improvement Projects include any projects that require project formulation phases (i.e., land study, obstruction survey, preliminary design, etc.) that lead to a construction or land acquisition phase.

Examples of Airport Improvement Projects include the following:

- Runway, taxiway, or apron rehabilitation and reconstruction projects,
- Obstruction removal projects, and
- Land or easement acquisition projects.

The TAD has two methods in which airport sponsors can be reimbursed for Preliminary Project Formulation activities.

**IMPORTANT:** While both methods require the environmental documentation for a project to be completed and approved prior to receiving a grant for Final Project Formulation activities, the methods slightly differ in the timing in which the environmental documentation must be completed, submitted, and approved during the Preliminary Project Formulation phase.

Please reference the appropriate method below based on the method chosen by the airport sponsor.

## Method 1 – Planning Grant Followed by a Design Only Grant

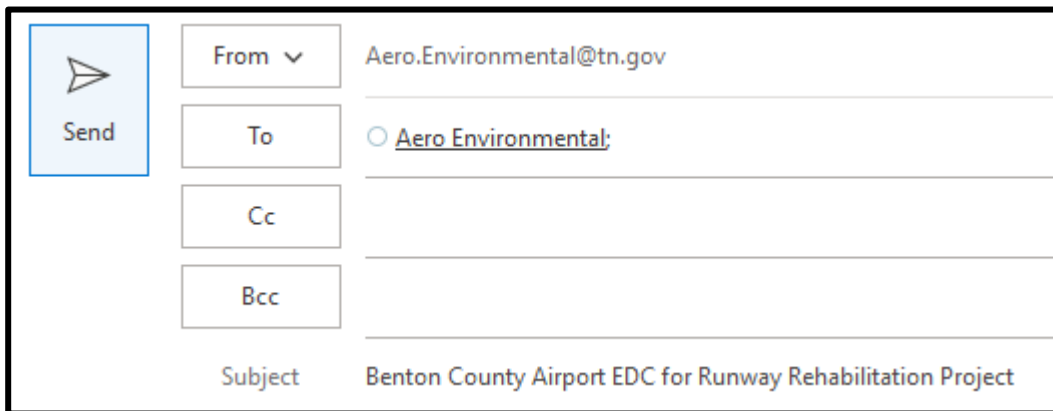
To review the Method 1 Granting Process, please use the following link: [Method 1 Granting Process](#)


### *Preliminary Project Formulation Environmental Documentation Requirements*

Prior to submitting a Preliminary Project Formulation funding request to the TAD, the airport, airport sponsor, airport’s consultant, TAD Project Manager, and TAD Planning and Environmental staff should meet to discuss and scope the project, including any anticipated environmental concerns or impacts of the proposed project.

Following this meeting, the airport, airport sponsor, and/or airport’s consultant (“airport’s representative”) must submit a completed Environmental Determination Checklist (EDC) for the proposed project to [Aero.Environmental@tn.gov](mailto:Aero.Environmental@tn.gov). The EDC must be submitted by the deadline established for the intended Project Staff Review (PSR) date when the Preliminary Project Formulation funding request will be submitted to TAD for approval. The Environmental Submittal Schedule found on the TAD’s Planning webpage - [Planning \(tn.gov\)](#) – details these deadlines.

The subject line of the email must utilize the following standardized format: (Official Airport Name) EDC for (Proposed Project Name). See the below example.



	From ▾	Aero.Environmental@tn.gov
	To	<input type="radio"/> <a href="#">Aero Environmental:</a>
	Cc	
	Bcc	
	Subject	Benton County Airport EDC for Runway Rehabilitation Project

Once received, the TAD Planning and Environmental staff will review the EDC, request any necessary revisions or additional documentation, and issue the determination of the level of environmental review needed for the project within the established [processing times](#). The airport’s representative will then follow one of the two scenarios below based on the determination.



## Scenario 1 – Determination is an SWR

The TAD Planning and Environmental staff will document the applicable CATEX paragraph(s) on the EDC from the current versions of FAA Order 1050.1, Order 5050.4, and/or other applicable FAA orders, advisory circulars, or guidance documents.

No further action is needed by the airport's representative. Besides the EDC, no additional environmental documentation costs should be included in the proposed project's scope of work and fees.

## Scenario 2 – Determination is a Documented CATEX, Short Form EA, EA, or EIS

The airport's representative must incorporate the determined level of environmental review needed for the project along with any special studies or coordination with other agencies into the Preliminary Project Formulation's scope of work, schedule, and fee breakdown.

The environmental documentation must be completed and approved during the Preliminary Project Formulation phase prior to receiving funding approval at the Tennessee Aeronautics Commission (TAC) and/or PSR for a Final Project Formulation grant.

Please refer to the Environmental Submittal Schedule on the TAD's Planning webpage - [Planning \(tn.gov\)](#) - to determine the deadline to submit the environmental document for review and approval to the TAD via email ([Aero.Environmental@tn.gov](mailto:Aero.Environmental@tn.gov)) based on when the Final Project Formulation funding request will be submitted for PSR.

***Note: Any environmental documents received after the cutoff dates identified in the Environmental Submittal Schedule may result in the funding request being deferred until next PSR unless an exception is approved by the TAD.***

## *Final Project Formulation and Airport Improvement Project Environmental Documentation Requirements*

The environmental documentation for the proposed project must be approved prior to receiving funding approval for the Final Project Formulation and Airport Improvement Project requests. Therefore, no further review or environmental documentation is needed from the airport's representative ***unless*** the project meets any of the considerations identified in the [Special Considerations](#) section of this SOP that warrants additional environmental documentation, reviews, and approvals.

## **Method 2 - Design-Only Grant Backdated to Reimburse Preliminary Project Formulation Costs**

The environmental procedures for Method 2 slightly differ from Method 1. Please use the following link to review the Method 2 Granting Process: [Method 2 Granting Process](#).

For Method 2, the same procedures under Method 1 must still be utilized; however, there is not a specific time or deadline during the Preliminary Project Formulation phase in which the EDC must be submitted to the TAD for a determination on the level of environmental review. Although, it is recommended the EDC be submitted before the Preliminary Project Formulation activities begin unless some design work is needed to better understand the environmental impact of the proposed project.

The airport's representative must submit the EDC for a determination and the determined level of environmental documentation for approval to the TAD via email at [Aero.Environmental@tn.gov](mailto:Aero.Environmental@tn.gov) by the deadline(s) detailed in the Environmental Submittal Schedule located on the TAD Planning webpage - [Planning \(tn.gov\)](#) - for the specific PSR that the airport's sponsor wants to submit a Final Project Formulation funding request. The determined level of environmental review needed for the project must be approved prior to receiving approval for the Final Project Formulation funding request at PSR and/or TAC.

*Note: Any environmental documents received after the cutoff dates identified in the Environmental Submittal Schedule may result in the funding request being deferred until next PSR unless an exception is approved by the TAD.*

## **Planning Projects**

There is no action required by the airport's representative, and no environmental documentation fees should be included in the scope of work. The TAD Planning and Environmental staff will document the NEPA requirements for Planning Projects.

Planning projects include, but are not limited to, the following:

- Airport Layout Plan (ALP),
- Airport Master Plan,
- Exhibit "A" Updates,
- Operations Data Counter System purchases,
- Runway Width Justification Studies,

- Runway Length Justification Studies,
- Alternatives Analysis, and
- Runway Safety Area Inventory (RSAI) and Determination (RSAD) forms

### Safety and Security Equipment Projects (Not Fencing Related)

For non-fencing related safety and security equipment projects, the airport’s representative must submit a completed EDC for the proposed project to [Aero.Environmental@tn.gov](mailto:Aero.Environmental@tn.gov). The EDC must be submitted by the deadline established for the intended PSR date when the safety and security equipment project funding request will be submitted to TAD for approval. The Environmental Submittal Schedule found on the TAD’s Planning webpage - [Planning \(tn.gov\)](http://Planning.tn.gov) – details these deadlines.

The subject line of the email must utilize the following standardized format: (Official Airport Name) EDC for (Proposed Project Name). See the below example.

The image shows a screenshot of an email composition interface. On the left is a blue 'Send' button with a paper plane icon. To its right are several input fields: 'From' with a dropdown arrow, containing 'Aero.Environmental@tn.gov'; 'To' with a radio button and containing 'Aero Environmental'; 'Cc' and 'Bcc' fields which are currently empty; and 'Subject' containing 'Smyrna Airport EDC for Security Cameras Purchase'.

Unless otherwise determined, it is assumed these types of projects qualify for an SWR, so the TAD Planning and Environmental staff will document the applicable CATEX paragraph(s) on the EDC. Therefore, no further action will be needed by the airport’s representative following the submission and any applicable revisions of the EDC. Only the completion of the EDC should be included in the project’s scope of work and fees.

***Note: Any environmental documents received after the cutoff dates identified in the Environmental Submittal Schedule may result in the funding request being deferred until next PSR unless an exception is approved by the TAD.***

Examples of Safety and Security Equipment Projects include, but are not limited to, the following:

- Security Cameras,
- Airport Rescue and Fire Fighting (ARFF) Equipment and Vehicles Purchase,
- Security Vehicles Purchase, and
- Snowplows Purchase.

## **Projects Exempt From Environmental Review**

The following projects are exempt from environmental review:

- Airfield Maintenance Equipment Purchases (i.e., mowers, bush hogs, leaf blowers)
- Purchases Made or Actions Taken Through the State Maintenance Grant

## **Important Information**

- ***Any actions taken towards the completion of a project without prior environmental coordination and/or approvals may result in the work completed not being eligible for reimbursement.***
- The EDC fees must be clearly broken out in the fee breakdown of the proposed project.
- It is the responsibility of the airport's representative to coordinate with the assigned TAD Project Manager when a grant needs to be backdated for completing the EDC.

## **Special Considerations**

- If at any time the project's scope of work or impacts change from what was included in the approved environmental documentation, the new scope of work must be submitted to [Aero.Environmental@tn.gov](mailto:Aero.Environmental@tn.gov) so the TAD Planning and Environmental staff can assess whether additional environmental review, documentation, coordination, and/or approval are needed for the project. Environmental approval of the changes is required prior to proceeding with the new proposed scope of work.

- If the project only needs additional funding and/or additional time on the grant, the TAD Planning and Environmental staff will document this action. No additional environmental documentation is needed from the airport's representative.

## **FAA ADO Coordination Requirements**

The TAD Planning and Environmental staff must consult with the FAA Memphis Airports District Office (ADO) for the level of environmental review and approval of the environmental documentation for projects that meet at least one of the following criteria:

- Projects using Discretionary, Supplemental, Bipartisan Infrastructure Law (BIL) Airport Terminal Program (ATP) or Federal Contract Tower (FCT), or other special FAA funding sources as identified by the FAA,
- Projects that include a Major Federal action and use of federal funds,
- Projects involving the release of Federally acquired or Federally conveyed land,
- Projects involving Part 150 Airport Noise Compatibility Planning Studies,
- Projects involving landfill construction and expansion proposals,
- Projects involving tribal consultation, or
- Projects requiring an EIS.

The consultation with the FAA Memphis ADO will determine the TAD Planning and Environmental staff's level of involvement in the environmental process for these project types.

## **Environmental Site Assessment (ESA) in Relation to NEPA**

If the airport sponsor chooses to conduct an ESA for a land acquisition project, the determined environmental documentation must be approved prior to conducting the ESA.

The ESA and NEPA environmental documentation are considered two separate actions. The ESA evaluates and proposes mitigation efforts for existing conditions at a specific site. In contrast, the NEPA documentation and process evaluates the potential impact(s) of a proposed project on the environment and proposes mitigation efforts to minimize that potential impact. Therefore, the proposed land use or project utilizing the land must receive NEPA approval prior to proceeding with the ESA and ultimately the purchase of the land.

Please coordinate with the assigned TAD Project Manager to conduct the ESA after the determined environmental documentation has been approved by the TAD Planning and Environmental staff.

## **Environmental Submittal Schedule**

The TAD has an Environmental Submittal Schedule that is updated annually on the Division’s Planning webpage - [Planning \(tn.gov\)](http://Planning.tn.gov). The schedule sets the deadline for the airport’s representative to submit the completed environmental documentation for an upcoming project funding request and sets the expectations for the TAD Planning and Environmental staff to review, provide comments on, request revisions, request additional documentation, and approve the environmental documentation prior to the intended PSR date.

It is the responsibility of the airport’s representative to submit the environmental documentation for a project in accordance with the Environmental Submittal Schedule and this Environmental SOP to meet the specific deadlines for the intended PSRs.

Any environmental documentation submitted after the deadlines for the PSRs based on the Environmental Submittal Schedule may result in the specific project(s) being deferred to the next PSR unless an exception is approved by the TAD. This is due to TAD Planning and Environmental staff not having adequate time to process and review the environmental documentation.

*Please note, for a Short Form EA, an EA, or an EIS, the public comment period must have ended, the public hearing was held (if any), and all public review comments (if any) were responded to and incorporated into the final draft of the Short Form EA, EA, or EIS. The final draft document must be submitted by the deadline established in the Environmental Submittal Schedule for the intended PSR that the project will be submitted for funding request approval. The TAD will not accept a draft Short Form EA, EA, or EIS that have not completed these action items unless an exception has been approved ahead of the submittal deadline.*

## Appendix A - Additional Online Databases and Resources

- Federal Emergency Management Agency (FEMA)
  - National Flood Hazard Layer (NFHL) Viewer - [FEMA's National Flood Hazard Layer \(NFHL\) Viewer \(arcgis.com\)](#)
  
- Tennessee Department of Environment and Conservation (TDEC)
  - Website: <https://tdec.tn.gov>
  - Division of Water Resources - Watersheds Viewer: [Tennessee Watersheds \(tn.gov\)](#)
  
- Tennessee State Historic Preservation Office (SHPO) / Tennessee Historical Commission (THC)
  - Section 106 Review - [Section 106 Review \(tn.gov\)](#)
  - Tennessee Historical Commission Viewer - [TN Historical Commission Viewer](#)
  
- Tennessee Wildlife Resources Agency (TWRA)
  - Website: [Tennessee Wildlife Resources Agency - TN.gov](#)
  
- United States Army Corps of Engineers (USACE)
  - Nashville District website: [Nashville District, U.S. Army Corps of Engineers](#)
  
- United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS)
  - Form AD-1006 – Farmland Conversion Impact Rating – [Microsoft Word - M 440 523 F AD-1006.rtf \(usda.gov\)](#)
  
- United States Department of Transportation (DOT)
  - Section 4(f) Properties: [https://www.environment.fhwa.dot.gov/env\\_topics/4f\\_tutorial/properties.aspx](https://www.environment.fhwa.dot.gov/env_topics/4f_tutorial/properties.aspx)
  
- United States Environmental Protection Agency (EPA)
  - Region 4 (Southeast) website: [About EPA Region 4 \(Southeast\) | US EPA](#)
  
- United States Federal Infrastructure Projects Permitting Dashboard
  - Website: [All Projects | Permitting Dashboard \(performance.gov\)](#)
  
- United States Fish and Wildlife Service (USFWS)
  - National Wetlands Inventory - [National Wetlands Inventory \(usgs.gov\)](#)
  - Information for Planning and Consultation (IPaC) - [IPaC: Getting Started - Draw on Map \(fws.gov\)](#)

## Appendix B - Applicable Regulations, Policies, and Guidance

- FAA Order 1210.20 – American Indian and Alaska Native Tribal Consultation Policy and Procedures
- Archeological and Historic Preservation Act of 1974
- Native American Graves Protection and Repatriation Act
- Clean Air Act
- Coastal Barrier Resources Act
- Coastal Zone Management Act
- National Marine Sanctuaries Act
- Flood Disaster Protection Act of 1973
- Title 49, USC, Section 303 (Section 4(f))
- Wild and Scenic Rivers Act
- Bald and Golden Eagle Protection Act
- Endangered Species Act
- Fish and Wildlife Coordination Act
- Magnuson-Stevens Fishery Conservation and Management Act
- Marine Mammal Protection Act
- Migratory Bird Treaty Act
- CEQ Guidance on Incorporating Biodiversity Considerations into Environmental Impact Analysis Under the National Environmental Policy Act
- Memorandum of Understanding to Foster the Ecosystem Approach
- Land and Water Conservation Fund Act of 1965
- Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users
- US Department of Defense Reauthorization
- Section 4(f) of the U.S. Department of Transportation (USDOT) Act
- Farmland Protection Policy Act
- CEQ Memorandum on the Analysis of Impacts on Prime or Unique Agricultural Lands in Implementing the National Environmental Policy Act
- Comprehensive Environmental Response, Compensation, and Liability Act
- Emergency Planning and Community Right to Know Act
- Federal Facilities Compliance Act
- Hazardous Materials Transportation Act
- Oil Pollution Act
- Pollution Prevention Act
- Resource Conservation and Recovery Act
- Toxic Substances Control Act
- CEQ Memorandum on Pollution Prevention and the National Environmental Policy Act
- American Indian Religious Freedom Act
- Antiquities Act of 1906
- Archeological and Historic Preservation Act
- Archaeological Resources Protection Act



- Historic Sites Act of 1935
- Public Building Cooperative Use Act
- DOT Order 5650.1, Protection and Enhancement of the Cultural Environment
- Airport and Airway Improvement Act of 1982
- Airport Safety, Protection of Environment, Criteria for Municipal Solid Waste Landfills
- Energy Independence and Security Act
- Energy Policy Act
- The Control and Abatement of Aircraft Noise and Sonic Boom Act of 1968
- The Noise Control Act of 1972
- Aviation Safety and Noise Abatement Act of 1979
- Airport Noise and Capacity Act of 1990
- Prohibition on Operating Certain Aircraft Weighing 75,000 Pounds or Less Not Complying with Stage 3 Noise Levels
- Uniform Relocation Assistance and Real Property Acquisitions Policy Act of 1970
- Title VI of the Civil Rights Act of 1964
- Memorandum of Understanding on Environmental Justice and Executive Order 12898
- DOT Order 5610.2(a), Environmental Justice in Minority and Low-Income Populations
- CEQ Guidance: “Environmental Justice: Guidance Under the National Environmental Policy Act”
- Revised Department of Transportation Environmental Justice Strategy
- Clean Water Act
- DOT Order 5660.1A, Preservation of the Nation’s Wetlands
- National Flood Insurance Act
- DOT Order 5650.2, Floodplain Management and Protection
- Rivers and Harbors Act
- Safe Drinking Water Act Executive Order 13112, Invasive Species
- Executive Order 13186, Responsibilities of Federal Agencies to Protect Migratory Birds
- Executive Order 13514, Federal Leadership in Environmental Energy and Economic Performance
- Executive Order 13653, Preparing the United States for the Impacts of Climate Change
- Executive Order 13693, Planning for Federal Sustainability
- Executive Order 13089, Coral Reef Protection
- Executive Order 13547, Stewardship of the Ocean, Our Coasts, and the Great Lakes
- Executive Order 12088, Federal Compliance with Pollution Control Standards
- Executive Order 12580, Superfund Implementation
- Executive Order 13423, Strengthening Federal Environmental, Energy, and Transportation Management
- Executive Order 13514, Federal Leadership in Environmental, Energy, and Economic Performance
- Executive Order 11593, Protection and Enhancement of the Cultural Environment
- Executive Order 13006, Locating Federal Facilities on Historic Properties in Our Nation’s National Historic Preservation Act of 1966
- Executive Order 13007, Indian Sacred Sites

- Executive Order 13175, Consultation and Coordination with Indian Tribal Governments
- Executive Memorandum, Government-to-Government Relations with Native American Tribal Governments
- Executive Memorandum on Tribal Consultation
- Executive Order 13423, Strengthening Federal Environmental, Energy, and Transportation Management
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations
- Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks
- Executive Order 11990, Protection of Wetlands
- Executive Order 11988, Floodplain Management

# Appendix C – CATEX Decision-Making Process Flowchart

ARP SOP No. 5.1

Effective Date: June 2, 2017

**Figure 1. CATEX Decision-Making Process**

