

U.S. Department of Transportation  
Federal Aviation Administration  
Great Lakes Region  
Dakota-Minnesota Airports District Office

Finding of No Significant Impact/  
Record of Decision

Supplemental Environmental Assessment for the  
Runway 2/20 Uninterrupted Service  
Project at the Rochester International Airport  
City of Rochester, Olmsted County, Minnesota

May 2023

## **I. Introduction & Background**

The Federal Aviation Administration (FAA) prepared this Finding of No Significant Impact and Record of Decision (FONSI/ROD) for the Supplemental Environmental Assessment (SEA) analyzing updates to the Runway 2/20 Uninterrupted Service Project at the Rochester International Airport (RST). The SEA was prepared in accordance with the guidelines and requirements set forth by the Council on Environmental Quality (CEQ) and the FAA to implement the environmental review and disclosure provisions of the National Environmental Policy Act of 1969 (NEPA).

In accordance with FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*, FAA Order 5050.4B, *NEPA Implementing Instructions for Airport Actions*, and based on the evaluation in the Final SEA, there are no significant impacts associated with the proposed revised project. Therefore, a Federal Environmental Impact Statement (EIS) will not be prepared and a FONSI/ROD is being issued. This FONSI/ROD provides a review of the Airport Sponsor's Proposed Project, mitigation requirements, and the basis for the FAA's finding. Project details are included in the SEA.

In July 2021, the FAA issued a FONSI/ROD for the Runway 2/20 Uninterrupted Service Project Environmental Assessment (EA). The airport improvements evaluated in the 2021 EA and approved in the FONSI/ROD are summarized in Chapter 1 of the SEA. Since issuing the 2021 EA FONSI/ROD, the FAA has determined that the approved action needs to be updated to include the following project components not explicitly considered in the 2021 EA:

- Adjusted southern tie-in point for the relocated BP pipeline that extends 2.52 acres beyond the project boundary identified in the 2021 EA
- Increased petroleum pipeline Limits of Disturbance (LOD) from a 50-foot-wide corridor to a 150-foot-wide corridor
- Construction staging areas for roadway, pipeline, and utilities
- Revised fee acquisition boundaries for Parcels 29, 30, 31, and 32
- Wider road easements (from 66 feet to 100 feet or more) needed for 95th Street SW and 31st Avenue SW north of 90th Street SW due to grading and stormwater requirements
- Relocated field accesses due to grading and relocated roadways
- Relocated communication lines along existing 90th Street SW, 31st Avenue SW north of 90th Street, and County State Aid Highway 8 (and all previous rights extinguished)
- Additional tree clearing required because of ditch grading, pipeline route, and runway approach
- Vacation of existing road easements, including a segment of former 31st Avenue SW right-of-way where the roadway was previously moved but rights remained
- New PAPI and RVR access roads
- Runway guard lights for Runway 2/20

The SEA was prepared to document the changes from the Final EA and FONSI/ROD completed for the Runway 2/20 Uninterrupted Service Project.

## **II. Purpose and Need (SEA Chapter 2)**

The purpose of the project identified in the 2021 EA is to minimize the potential for loss of runway availability for several regular operators. The Runway 2/20 project will provide

users such as Mayo Clinic Medical Transport, FedEx, and air carriers the runway length needed at RST if Runway 13/31 and the intersection are closed for future reconstruction or otherwise become unavailable.

The project will require several supplementary actions. The purpose of these actions is to meet the goals of the Runway 2/20 Uninterrupted Service Project, and specifically: to accommodate pipeline construction in accordance with the Minnesota Public Utilities Commission permit; to provide surface transportation using the appropriate design standards; to update airport and utility property interests; and to minimize wildlife hazards.

The need for these supplementary actions are discussed in more detail in Chapter 2 of the SEA. These actions include: a pipeline tie-in and expanded limits of disturbance associated with pipeline relocation activities; updated construction staging areas; additional fee-simple property acquisition; easement acquisition and vacation; farm field access; relocated communication lines; additional tree clearing; NAVAID access roads; and the addition of Runway Guard Lights.

### **III. Alternatives Considered (SEA Chapter 3)**

In accordance with FAA Order 1050.1F, SEA Chapter 3 identifies and evaluates all reasonable alternatives for these actions discussed above. For the purposes of the SEA, the approved action in the alternatives analysis represents what was approved in the 2021 EA FONSI/ROD dated July 2021. Alternatives to supplemental actions were analyzed considering the purpose and need of the actions addressed in SEA Chapter 2, FAA design standards, and practical factors. A table comparing the supplemental actions to the related 2021 EA FONSI/ROD Approved Action, screened against the updated purpose and need for the project, is found in Table 3-1 in the SEA.

### **IV. Airport Sponsor's Proposed Project**

Based on the preferred alternatives selected in SEA Chapter 3, the airport sponsor's proposed supplemental actions include the following:

1. Move southern tie-in point for relocated BP pipeline southeast by approximately 343 feet to meet PUC pipeline depth requirements
2. Add two approximately 1.8-acre temporary workspace easements at north and south pipeline tie-in points
3. Add 100-foot temporary construction easement for pipeline corridor (50 feet on each side of permanent 50-foot easement)
4. Establish construction staging areas for roadway (1.26 acres), pipeline (4.99 acres), and utilities (0.36 acres)
5. Acquire a minimum of 25.47 acres in fee-simple land in parcels 29, 30, and 31 for the ultimate Runway 2 RPZ, included in 2021 EA action 14, and potentially up to an additional 15 acres in these parcels to mitigate possible impacts to landowners
6. Revise fee-simple property acquisition boundaries for parcel 32 to 0.74 acres, an uneconomic remnant associated with future 95<sup>th</sup> Street SW in 2021 EA action 14
7. Establish roadway easements ranging from approximately 100 to 197 feet wide for future 95<sup>th</sup> Street SW and 66 to 238 feet wide for relocated 31<sup>st</sup> Avenue SW

8. Establish .66-acre temporary road easement for temporary road bypass during pipeline construction
9. Provide field accesses on future 95<sup>th</sup> Street SW
10. Relocate communication lines and associated permitted rights along relocated 31<sup>st</sup> Avenue SW (north of 90<sup>th</sup> Street SW) within township road utility easement and along CSAH 8 within County road utility easement
11. Replace communication lines along existing 90<sup>th</sup> Street SW beneath future Runway 2 end, with earlier rights extinguished and new easement/subordination agreement between utility owner and Airport sponsor
12. Clear 3 acres of trees to remove wildlife attractant from Runway 2 RPZ and beneath approach, amending 2021 EA action 22
13. Clear minimal additional trees for roadway grading, amending 2021 EA action 22
14. Add access roads to the ultimate Runway 20 PAPI and ultimate Runway 13/31 midpoint RVR. Final alignments of roadways to be determined during final design.
15. Install runway guard lights on connecting taxiways (A and B1-B4) to Runway 2/20, amending 2021 EA action 18
16. Extinguish any additional unneeded roadway easements in the project area, including 31<sup>st</sup> Avenue SW

These actions supplement the Runway 2/20 Uninterrupted Service Project, for which the FAA issued a FONSI/ROD in July 2021.

A comparison of the action approved in July 2021 and the proposed supplemental actions is illustrated in Table 3-2 in the SEA.

## **V. Environmental Consequences, Permitting & Mitigation**

After careful analysis and consultation with various state and federal resource agencies, the Airport selected the airport sponsor's proposed project as the preferred alternative. This alternative satisfies the purpose and need for the project while causing minimal environmental impacts. Chapter 4 of the SEA discusses the environmental consequences of the Airport Sponsor's Proposed Project in greater detail.

No significant impacts are anticipated as a result of the proposed supplemental actions in any resource category or cumulatively. A summary of the impacts described in Chapter 4 of the SEA is included below in Table 4-2. This table includes the impacts from the 2021 EA FONSI/ROD approved action and impacts associated with the supplemental action, as well as any required mitigation, permits, or associated actions.

**Table 4-2: Summary of Environmental Consequences EA vs SEA**

Applicable Environmental Impact Category		Approved Action: Significant Impact?	Supplemental Action Significant Impact?	Permitting/Mitigation & Associated Actions
<b>Biological Resources (including fish, wildlife, and plants)</b>		No. Tree removal is minimal; approximately 1.7 acres	No. Additional tree removal (3.75 acres, for a total of 4.98 acres)	To align with recommended conservation measures tree removal will occur outside of the Northern Long-eared Bat's maternity season May 15-Aug 15.
<b>Farmlands</b>		No. 130 acres directly converted 15 acres indirectly converted	No	Crops within fence will be limited to short crops such as soybeans or wheat.
<b>Hazardous Materials, Solid Waste, and Pollution Prevention</b>		No	No	<ul style="list-style-type: none"> <li>- Dispose of construction materials and solid waste in accordance with state and local laws.</li> <li>- Asbestos Notification Potential (BP) Soil/Material Management Plan</li> </ul>
<b>Historic/Architectural &amp; Archaeological Resources</b>		No	No	Discovery Plan in effect during construction
<b>Land Use</b>	<b>Ground Transportation</b>	No. Public roadways removed from RPZ; Partial closure of 90 <sup>th</sup> Street SW	No. Public roadways removed from RPZ; Partial closure of 90 <sup>th</sup> Street SW; wider roadway easements	<ul style="list-style-type: none"> <li>- Vacate abandoned rights-of-way and/or extinguish easements</li> <li>- Establish new rights-of-way and/or easements</li> </ul>
	<b>Utilities</b>	No. Pipeline removed from Airport property; Above and below ground utilities relocated	No. Pipeline removed from Airport property; Above ground utilities relocated; Communication lines under Rwy 2 remain in place	<ul style="list-style-type: none"> <li>- Vacate abandoned rights-of-way and/or extinguish easements</li> <li>- Establish new rights-of-way and/or easements or permits</li> <li>- Subordinate communication line use to Airport</li> </ul>

Applicable Environmental Impact Category		Approved Action: Significant Impact?	Supplemental Action: Significant Impact?	Permitting/Mitigation & Associated Actions
Land Use	Wildlife Attractants	No. Compost facility closed	No. Trees in RPZ/Rwy 2 approach removed	None
Socioeconomics, Environmental Justice, and Children's Health & Safety		No	No	Land acquisition (fee simple and easements) in compliance with Uniform Relocation Assistance and Real Property Acquisition Act
Water Resources	Surface Water & Stormwater	No. Net impervious surface increase of 32 acres	No. Minimal additional impervious surface due to NAVAID access roads.	<ul style="list-style-type: none"> <li>- Construction Stormwater Pollution Prevention Plan</li> <li>- On site Best Management Practices</li> <li>- NPDES Multi Sector General permit compliance/City of Rochester</li> <li>- Olmsted County Grading permit</li> <li>- Grading permit for pipeline (BP) from Township Cooperative Planning Association (TCPA) for High Forest Township</li> </ul>
	Floodplains	No	No	None
	Groundwater	No	No	<ul style="list-style-type: none"> <li>- MDNR appropriation permit (if necessary)</li> <li>- Proper abandonment of wells</li> </ul>
	Wetlands	No <ul style="list-style-type: none"> <li>- Waters of the US</li> <li>- 4.21 acres direct permanent wetland impact under State regulation</li> <li>- 0.53 acres temporary wetland impacts</li> </ul>	No. Temporary impact to 0.08 acres Waters of the US, also under State regulation. (For a total of 0.61 acres of temporary impacts and 4.21 acres of permanent impacts.)	<ul style="list-style-type: none"> <li>- Compliance with Minnesota Wetland Conservation Act/Replacement Plan Mitigation at Approved Bank Service Area (BSA)</li> <li>- Additional minor impacts to Waters of the US qualify for authorization under the USACE St. Paul District Transportation Regional General Permit (TRGP). The project will comply with TRGP conditions and associated Sec. 401 CWA certification.</li> </ul>
Cumulative Impacts		No substantial impacts	No substantial impacts	None

The Airport shall implement the following mitigation measures as a condition of environmental approval of the proposed development:

1. The Airport will obtain any necessary permits prior to beginning construction.
2. Mitigation will be required for wetland impacts under WCA. The required purchase of wetland mitigation banking credits in an appropriate wetland mitigation bank service area is ongoing.
3. To reduce impacts near affected landowners due to roadway relocation, signage will be placed on impacted roads.
4. The Airport will protect wetlands and waters of the U.S. not directly impacted by the Proposed Action during construction.
5. Use of BMPs to avoid additional unnecessary and/or unauthorized impacts to surface waters and aquatic resources.
6. The Airport developed an Inadvertent Discovery Plan covering any human remains discoveries that is, and will continue to be, in effect throughout all phases of construction. In the event that human remains or cultural resources are discovered during construction, all work will cease until the Airport notifies appropriate authorities, the State Historic Preservation Office (SHPO), MN State Archeologist, appropriate Tribal governments, and the FAA Dakota Minnesota Airports District Office (ADO). The Airport shall protect the area with carefully placed tarps or construction back fill until cultural resource concerns have been appropriately addressed, and the Airport will take action to comply with the National Historic Preservation Act, the Native American Graves Protection and Repatriation Act, and the Archeological Resources Protection Act, as appropriate.
7. A soil/material management plan will be developed that provides instructions for characterization, storage, and handling of all waste streams.
8. There is the potential that the BP Pipeline has coating that contains regulated asbestos-containing material (RACM). BP's asbestos inspector will make the determination in the field during excavation as to whether the pipeline contains RACM. If it does, a notification for management and disposal of friable asbestos material would be submitted to the relevant regulatory agency.
9. During construction, in the event that previously unknown contaminants are discovered or if a reportable spill occurs, work shall cease until the Airport notifies appropriate local, state, and Federal agencies.
10. Jurisdictions affected by airport zoning will convene a Joint Airport Zoning Board (JAZB) to accommodate the new runway ends.
11. If endangered species are sighted during construction, work shall cease in the immediate area of the endangered species and all sightings shall be reported to the USFWS and the FAA.

12. To avoid impacts to the Northern Long-eared Bat (NLEB), tree removal in the required areas will occur between August 16 and May 14. If project impacts to listed species change beyond what is identified in the EA or SEA, the Airport will have to inform the FAA Dakota-Minnesota ADO. The ADO will reinstate consultation with the USFWS as required.
13. The actions included in items 3, 5-11 & 16 in Section IV above, detailed on SEA Figure 3-11, shall be executed prior to completing the runway extension project. Documentation for these actions shall be submitted to the FAA upon completion as required.

## **VI. Public Review and Comment**

The Draft SEA was made available for public and agency review and comment from January 15 through March 3, 2023. The document was available for viewing online at <https://FlyRST.com/EA>, and in person at the RST Airport Administration office at 7600 Helgerson Dr. SW, Rochester, MN 55902. A public notice ran in the *Post Bulletin* on January 14, 2023. The public notice of the Draft SEA Availability and Public Hearing is included in Appendix D, along with an affidavit of publication. A copy of the public notice was sent to agencies that had commented on the 2021 EA, members of the Wetlands Technical Evaluation Panel, and agencies overseeing a relevant subject matter addressed in the SEA. Copies of these agency notification emails are included in Appendix D. A copy of the public notice was also mailed to landowners surrounding the project area approximately two weeks before the public hearing. There was a virtual public hearing held February 15, 2023, beginning at 6:00 p.m. Attendees included staff from the Airport, the Airport's consultant, the FAA, BP, BP's consultant, and the court reporter. No members of the public attended the hearing. There were no requests to provide testimony during the public hearing and no comments were received during the public comment period.

## **VII. Agency Findings**

I have carefully and thoroughly considered the facts contained in the attached SEA. Based on that information, I find the proposed Federal action is consistent with existing national environmental policies and objectives of Section 101(a) of the National Environmental Policy Act of 1969 (NEPA) and other applicable environmental requirements. I also find the proposed Federal action will not significantly affect the quality of the human environment or include any condition requiring any consultation pursuant to section 102(2)(C) of NEPA. As a result, the FAA will not prepare an Environmental Impact Statement (EIS) for this action.

APPROVED:



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Lindsay Terry – Manager  
FAA Dakota-Minnesota ADO Manager

Date: May 9, 2023



## RIGHT OF APPEAL

This ROD constitutes a Final Order of the FAA Administrator and is subject to exclusive judicial review under 49 U.S.C. § 46110 by the U.S. Circuit Court of Appeals for the District of Columbia or the U.S. Circuit Court of Appeals for the circuit in which the person contesting the decision resides or has its principal place of business. Any party having substantial interest in this order may apply for review of the decision by filing a petition for review in the appropriate U.S. Court of Appeals no later than 60 days after the order is issued in accordance with the provisions of 49 U.S.C. § 46110.