

U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION  
NORTHWEST MOUNTAIN REGION

FINDING OF NO SIGNIFICANT IMPACT  
and  
RECORD OF DECISION

FOR THE AMENDMENT TO THE OPERATIONS SPECIFICATIONS FOR AIR CARRIER  
OPERATIONS AND AMENDMENT TO THE PART 139 AIRPORT OPERATING CERTIFICATE

Snohomish County Airport/Paine Field, Everett, Washington

February 20, 2019

## **I. Introduction**

This document serves as the Federal Aviation Administration's (FAA) Finding of No Significant Impact and Record of Decision (FONSI/ROD) and provides final agency determinations and environmental approvals for the federal actions necessary to implement the initiation of commercial service at Snohomish County Airport/Paine Field. The approvals are amendments to the Operations Specifications for Air Carrier Operations, an amendment to the Part 139 Airport Operating Certificate, and the unconditional approval of a Segmented Circle as shown on the Airport Layout Plan (ALP). This FONSI/ROD is based on the information and analysis contained in the Final Environmental Assessment (EA) (2012) incorporated by reference and the Final Supplemental Environmental Assessment (FSEA) dated February 15, 2019, attached hereto.

## **II. Background**

Snohomish County Airport/Paine Field (Paine Field) is a public-use airport owned and operated by Snohomish County. The airport is located southwest of the City of Everett (adjoining the City boundary) and approximately 30 miles north of downtown Seattle.

Paine Field is designated in the Federal Aviation Administration's (FAA) *National Plan of Integrated Airport Systems* (NPIAS)<sup>1</sup> as an airport having a national role. The NPIAS also defines the airport's Service Level as a Reliever Airport (for Seattle-Tacoma International Airport).<sup>2</sup> The airport currently has a Class IV Part 139 Airport Operating Certificate (allowing unscheduled air carrier operations but not commercial air service). Title 14 Code of Federal Regulations (CFR) Part 139 provides certification requirements for airports to provide scheduled or unscheduled commercial air service. There is currently no scheduled commercial air service at Paine Field.

In 2008, Allegiant Air and Horizon Air each requested FAA approvals and issuance of amendments to their respective Operations Specifications for Air Carrier Operations to conduct scheduled commercial air service at Paine Field. The Proposed Action analyzed in the 2012 Final EA included the initiation of scheduled commercial air service to Paine Field in 2013 by Allegiant Air using 150-seat Boeing MD-83 aircraft and by Horizon Air, using 76-seat Bombardier Q400 aircraft. At the same time, Snohomish County sought FAA approval of amendments to Paine Field's Part 139 Airport Operating Certificate to change the airport's certificate from Class IV to Class I. A Class I certificate is required for an airport to serve scheduled commercial air service operations by aircraft with 31 or more seats. Because the existing terminal building at Paine Field was not suited to serve the projected number of passengers, the County proposed to construct a new terminal building with the aid of federal funds available through the FAA's Airport Improvement Program. The proposed new passenger

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1 *Report to Congress, National Plan of Integrated Airport Systems (NPIAS) 2017-2021*. Federal Aviation Administration. September 30, 2016.

2 Reliever airports are airports designated by the FAA to relieve congestion at Commercial Service airports and to provide improved general aviation access to the overall community.

terminal building was to be a 18,000-square foot building placed on an existing paved aircraft parking apron located west of, and connected via a covered breezeway, to the existing terminal building. Aircraft parking apron and vehicle parking space was sufficient to accommodate the proposed commercial air service, and no apron or parking lot improvements were proposed.

An EA was prepared for the requested amendments to: 1) the Operations Specifications of Allegiant Air and Horizon Air, 2) Paine Field's Part 139 Airport Operating Certificate, and 3) FAA approvals necessary to issue grants for the construction of the new terminal building. The EA, hereinafter referred to as the "2012 Final EA," examined the environmental impacts of the requested federal actions and concluded there would be no significant impacts associated with the proposed federal actions. Based on the information and analyses contained in the 2012 Final EA, including agency and public comments, the FAA issued a FONSI/ROD on December 4, 2012.<sup>3</sup>

On January 31, 2013, a petition was filed in the United States Court of Appeals for the Ninth Circuit challenging the FONSI/ROD.<sup>4</sup> The petitioners claimed the FAA failed to analyze "reasonably foreseeable" impacts of amendments to Paine Field's Part 139 Airport Operating Certificate, alleging that it would open the airport to "virtually unlimited commercial passenger operations" and would allow Allegiant Air and Horizon Air to offer "unconstrained service" at Paine Field. The petition also challenged the proposed terminal improvements. The FAA argued that it did not consider the possibility of unlimited commercial service at Paine Field as reasonably foreseeable. The FAA pointed to a number of constraints and physical limitations at Paine Field that would control the number of commercial air service operations that can be accommodated at the airport including the size and capacity of the proposed modular passenger terminal. The FAA also noted that additional environmental review would be required for expansion of the proposed terminal, the introduction of service at Paine Field by another airline, or the introduction of another aircraft model at Paine Field by either Allegiant Air or Horizon Air.

During the litigation, funding sources for the terminal building changed, and neither Allegiant Air nor Horizon Air moved to initiate commercial air service at Paine Field. This inaction by the two airlines caused the court to withhold a final ruling until it could be determined if a legal controversy regarding the future of Paine Field continued to exist. In September 2015, the U.S. Department of Justice informed the court that the challenged FONSI/ROD remained valid. In March 2016, the Court issued its ruling, denying the petition for review and upholding the FAA's decisions and issuance of the FONSI/ROD.

Thereafter, Snohomish County Planning and Development Services received an application for a building permit from Propeller Group. After the County's review of the 2012 EA, the County issued a Mitigated Determination of Nonsignificance in accordance with the State Environmental Policy Act, and granted its approval to allow construction of the terminal building. Paine Field

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<sup>3</sup> The 2012 Final EA and FONSI/ ROD are incorporated herein by reference. They are available at: <https://www.paineairport.com/documentcenter/view/209>.

<sup>4</sup> *City of Mukilteo v. FAA*, No. 13-70385 (9th Cir. 2016)

also executed a lease with the Propeller Group, a private entity, requiring Propeller to construct the facility and make it available to air carriers. The construction of the terminal building is complete and local permits would be obtained prior to the initiation of commercial service.

In May 2016, December 2017, and January 2018, respectively, Alaska Airlines and its partners (Horizon Air and SkyWest Airlines),<sup>5</sup> United Airlines, Inc. and its partner (SkyWest Airlines operating as United Express), and Southwest Airlines Co. submitted separate requests to the FAA to amend each airline's Operations Specifications<sup>6</sup> to conduct scheduled commercial air service at Paine Field. The federal actions of amending the airlines' Operations Specifications and amending the Part 139 Airport Operating Certificate at Paine Field are subject to environmental review under the *National Environmental Policy Act of 1969* (NEPA).

As mentioned above, the only action taken on the previous approvals was the construction of a terminal building. The current requests to amend the Operations Specifications by Alaska Airlines and United Airlines (and their partners) (current Proposed Action) would result in the introduction of new service by different airlines, using different aircraft, and creating different operational levels at Paine Field than what the prior 2012 EA analyzed. Therefore, a Supplemental EA was prepared to review any potentially significant changes to the previously studied environmental impacts from the prior environmentally approved scheduled commercial air service at Paine Field. The Supplemental EA was prepared pursuant to Section 102(2)(c) of NEPA and the President's Council on Environmental Quality (CEQ) Regulations Title 40 CFR §§ 1500-1508, the implementing regulations for NEPA. This Supplemental EA has also been prepared in accordance with 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 evaluation of these proposals (Proposed Action) was presented in the Draft Supplemental EA (DSEA) released for public review and comment in September 2018.<sup>7</sup> In early November 2018, after publication of DSEA and the subsequent Public Information Workshop/Public Hearing in October 2018, the FAA was informed that Southwest Airlines had withdrawn its proposal to operate at Paine Field. Southwest Airlines stated that business considerations resulted in its decision to not commence service to Paine Field. The gate allocations (five flights per day) proposed by Southwest Airlines were acquired by Alaska Airlines in early November 2018. Below is a description of the revised proposal, hereinafter referred to as the "Current Proposed Action" for the FSEA.

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5 Horizon Air is owned by Alaska Air Group, Inc., but is independently managed and operated. SkyWest Airlines is a regional partner for Alaska Airlines and United Airlines, among others.

6 Title 14 CFR Part 119, "Certification: Air Carriers and Commercial Operators," requires airlines to obtain an Air Carrier Certificate, Operating Certificate, and Operations Specifications from the FAA. Operations Specifications prescribe the authorizations, limitations, and procedures under which each kind of operation must be conducted, including routes, areas served, and aircraft types.

7 The term "Proposed Action" refers to the actions including Southwest Airlines that were presented and analyzed in the Draft Supplemental EA. The term "current Proposed Action" reflects the withdrawal of Southwest Airlines and encompasses the changes in fleet mix due to the revised gate allocation analyzed in this Final Supplemental EA.

### **III. Current Proposed Action**

Alaska Airlines and United Airlines (and their partners) propose to conduct scheduled commercial air service at Paine Field. The service, which currently is proposed to commence in early 2019, would offer up to 24 daily domestic round-trip flights using Embraer 175 (starting in 2019) and both Embraer 175 and Boeing 737 aircraft (Boeing 737 service is anticipated to start in 2024). A summary of the proposed commercial air service to and from Paine Field in 2019 (first full year of service) and 2024 (the second study year) is presented in Chapter One of the FSEA current Proposed Action. All of the market airports that would be served by Alaska Airlines and United Airlines (and their partners) from Paine Field are currently served by scheduled air carriers using turbojet aircraft of a size equal to or greater than the Boeing 737.

The proposed commercial service at Paine Field would be supported by customer service agents, ramp employees, fleet service personnel, and other providers (e.g., aircraft fueling). The flights would also be supported by ground support equipment (GSE), including, but not limited to, belt loaders, baggage carts, push-back tugs, lavatory trucks, and water trucks. While parked, the aircraft would be serviced by mobile and/or jet bridge-mounted ground power units, consistent with Alaska Airlines and United Airlines standards. The use of aircraft auxiliary power units (APUs) would be minimal; the APU is only used between engine shutdown/startup and APU connection/disconnection. Aircraft that remain overnight would be parked at assigned passenger gate positions or at the existing remain overnight (RON) parking position.

There will be no new construction or expansion of the existing terminal building, concourses, aircraft parking aprons, or support buildings at Paine Field. The airlines would use the airport's newly constructed commercial passenger terminal building. However, the level of service proposed by Alaska Airlines and United Airlines (and their partners) would require approximately 424 additional public parking spaces on existing airfield pavement areas. The installation of a Segmented Circle<sup>8</sup> is also required pursuant to the Part 139 Airport Operating Certificate amendment.

The FAA, upon review of the current Proposed Action determined that there would likely be a reduction in impacts when compared to the results analyzing the Proposed Action presented in the Draft Supplemental EA and at the Public Information Workshop/Public Hearing. The current Proposed Action did not result in a change in the total number of aircraft operations, and the change in aircraft results in a decrease in both passenger enplanements and impacts, the FAA determined that an additional comment period would not be necessary before issuing the Final Supplemental EA.

### **IV. The Agency Actions and Approvals**

The FAA actions, determinations, and approvals necessary for this project to proceed include:

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<sup>8</sup> A segmented circle is a visual ground-based structure, utilized when the Paine Field air traffic control tower is closed, to provide aircraft traffic pattern information. It typically includes wind direction, landing direction, landing strip, and traffic pattern indicators.

- Issuance of the Operations Specifications amendments for Alaska Airlines and its partners (Horizon Air and SkyWest Airlines) and United Airlines and its partner (SkyWest Airlines operating as United Express) to permit scheduled commercial air service at Paine Field using Embraer 175 and Boeing 737 aircraft, pursuant to 14 CFR Part 119.
- Issuance of an amendment to the Snohomish County Airport/Paine Field Part 139 Airport Operating Certificate.
- Unconditional approval of the Segmented Circle as shown on the Airport Layout Plan (ALP).

## **V. Purpose and Need for the Proposed Action**

The purpose and the need for the project as documented in the 2012 Final EA has been re-examined and re-affirmed in light of the current Proposed Action.

The current Proposed Action evaluated in the FSEA would allow up to 24 daily domestic round trip flights for passengers to fly between Paine Field and domestic markets such as Denver, CO; Las Vegas, NV; Los Angeles, CA; Orange County, CA; Portland, OR; Phoenix, AZ; San Diego, CA; San Francisco, CA; and San Jose, CA.

The purpose of the current Proposed Action is to allow passengers to fly between Paine Field and destinations in Arizona, California, Colorado, Nevada, and Oregon. The FAA evaluated the requests from Alaska Airlines and United Airlines (and their partners) to amend their Operations Specifications to allow scheduled commercial air service to Paine Field, and to authorize the amendment to the Part 139 Airport Operating Certificate for Paine Field in light of current conditions. The need for the Proposed Action is to meet demand for scheduled commercial air service within the area, as identified by Alaska Airlines and United Airlines (and their partners) remains valid.

## **VI. Alternatives**

The current Proposed Action and reasonable alternatives were considered for the Final SEA. To determine the range of alternatives considered, the FAA looked at the ability to meet the demand for commercial air service within the greater Seattle area, as identified by Alaska Airlines and United Airlines. The current Proposed Action was also compared to the Proposed Action evaluated in the 2012 Final EA. A further comparison was made after the proposal was revised in November, 2018

Because the nature of the 2012 proposal and the current Proposed Action are substantially similar (i.e., introduction of scheduled commercial service at Paine Field), the alternatives that were identified (and retained or dismissed) in the 2012 Final EA were again evaluated in light of the current Proposed Action to determine if they would be considered.

### No Action Alternative

Under the No Action Alternative, neither of the airlines (nor their partners) would initiate scheduled commercial service at Paine Field, and the Airport's Part 139 Airport Operating Certificate would not be amended. The No Action Alternative would not meet the demand for commercial air service within the greater Seattle area. The passenger terminal building that was previously approved and is now constructed would remain empty, or be re-purposed for other aviation or non-aviation uses. Although the No Action Alternative would not satisfy the purpose of and need for the current Proposed Action, the alternative was retained for further detailed evaluation in the FSEA in accordance with NEPA.

### Current Proposed Action

The FAA would approve an amendment to the Part 139 Airport Operating Certificate and issue amendments to Alaska Airlines and United Airlines (and their partners) Operating Specifications based upon their proposal to conduct scheduled commercial air service at Paine Field. The service, which currently is proposed to commence in early 2019, would offer up to 24 daily domestic round-trip flights using Embraer 175 (starting in 2019) and both Embraer 175 and Boeing 737 aircraft (Boeing 737 service is anticipated to start in 2024). A summary of the proposed commercial air service to and from Paine Field in 2019 (first full year of service) and 2024 (the second study year) can be found in Chapter One.

Amendments to Paine Field's Part 139 Airport Operating Certificate would also require the installation of a Segmented Circle, which would be located on previously disturbed airfield land.

### Use of Other Airports

This alternative would use and/or develop facilities at other public-use airports to accommodate the demand for commercial air service within the greater Seattle area. Offering scheduled commercial air service at a particular airport is a business decision made by each airline.

The FAA does not have the authority to direct or place influence upon commercial service providers to provide commercial air carrier services at a particular airport or to require them to shift services from one airport to another. Because the concept of directing air carrier services to use another airport is not reasonable, this evaluation concurred with the similar finding in the 2012 Final EA and this alternative was not retained for further consideration in the FSEA.

### Use of Other Aircraft

This alternative would direct the airlines to operate different aircraft when providing scheduled commercial service at Paine Field. However, the FAA and Airport Sponsors do not dictate what aircraft use an airport or what aircraft are assigned to commercial air carrier routes if the proposed aircraft could safely operate at the proposed airport in compliance with all applicable statutes. Additionally, public use airports such as Paine Field cannot deny access to an aircraft operator if they can safely operate at that facility.

After careful consideration of the analysis of the impacts of the various alternatives considered, and of the ability of these alternatives to satisfy the identified purpose and need for the proposed project; and after review and consideration of the testimony at the public hearing for the original EA and the subsequent public hearing for the SEA, and of comments submitted in response to the original 2012 Draft EA and the 2018 Draft SEA, of coordination with federal, state, and local agencies; and after considering federal policy, the FAA hereby selects the current Proposed Action as the Preferred Alternative in the FSEA for federal support.

## **VII. Affected Environment**

Snohomish County Airport/Paine Field is located in an unincorporated area of the County and consists of approximately 1,250 acres. The northern and eastern portion of airport property abuts the City of Everett, while the western portion of airport property abuts the city of Mukilteo. There is also a small portion of airport property in the northwest corner of the airport that is within the City of Mukilteo. The corporate boundaries of the cities of Lynnwood and Edmonds are approximately three miles to the south of airport property.

FAA Order 5050.4B, Paragraph 706e, requires an Environmental Assessment to include an Affected Environment chapter that "...describes only those environmental resources the proposed action and its reasonable alternatives, if any, are likely to affect" (see also FAA Order 1050.1E, Change 1, paragraph 405e).

Based on a review of information contained in the 2012 EA and the existing condition information presented in the FSEA, the resource categories of Farmlands and Wildlife and Scenic Rivers are not present in the defined study areas; therefore, they were not evaluated further in the FSEA. The existing conditions for all other resource categories along with an explanation of the regulatory requirements were described in Chapter Five of the FSEA.

## **VIII. Environmental Consequences**

The impact analysis in Chapter Six of the FSEA presents the Proposed Action evaluated in the DSEA as well as the current Proposed Action that reflects the change in the proposal described above. In addition, a brief summary of the analysis and findings from the 2012 EA are presented. Because the change in aircraft type from the Boeing 737-700 that was evaluated in the DSEA to the Embraer 175 did not appear to have a measureable impact on certain resource categories, a qualitative review of the potential impacts on those resource categories was conducted. This rationale applied to Biological Resources; Coastal Resources; Hazardous Materials, Solid Waste, and Pollution Prevention; Historic, Architectural, Archaeological, and Cultural Resources; Land Use; Natural Resources, Energy Supply, and Sustainable Design; Socioeconomics, Environmental Justice, and Children's Environmental and Safety Risks; Visual Effects; and Water Resources,. For the other environmental resource categories, Air Quality, Climate, Noise and Noise-Compatible Land Use, and Surface Transportation, where the change in aircraft type could result in measurable impacts due to associated changes such as the number of passengers or noise level, a **screening** of the potential impacts in comparison to the proposed action in the DSEA was conducted.

Below is a summary of the evaluation and findings in each of the resource category for the Proposed Action and the current Proposed Action. For a complete description of the evaluation and findings for both, please refer to Chapter Six.

### Air Quality

The Air Quality evaluation in the DSEA was completed using AEDT, Version 2d for aircraft operations. Changes in associated vehicle emissions were assessed using the latest version of U.S. EPA MOVES 2014 model. Stationary source emissions were also calculated. No significant impacts were identified.

A screening process was conducted for the current Proposed Action in the FSEA. The screening consisted of using FAA's AEDT, Version 2d, to compare the annual emissions associated with the Boeing 737-700 to the Embraer 175. This screening confirmed that there is a reduction in aircraft air emissions based on the replacement of the higher-emitting Boeing 737-700 aircraft that would have been used by Southwest Airlines with the lower-emitting Embraer 175 aircraft proposed by Alaska Airlines (and its partners). Additionally, because the Embraer 175 aircraft has fewer seats, surface traffic emissions are anticipated to be less. As a result of the reduction in passenger enplanements, the associated traffic analysis indicates a reduction in daily trips by approximately 9 percent in 2019 and approximately 6 percent in 2024. The reduction in daily trips would result in a similar change in Vehicle Miles Travelled (VMT) and a reduction in overall surface traffic emissions. Therefore, air quality impacts from the current Proposed Action would be less than the air quality impacts presented in the Draft Supplemental EA. As no significant impacts were identified in the Draft Supplemental EA and the current Proposed Action emissions are expected to be lower, there would be no significant impacts from the current Proposed Action. Therefore, the emissions models were not rerun to fully quantify this reduction.

### Biological Resources

Potential impacts associated with the proposed action were evaluated for federally-listed endangered species and/or their critical habitat, state priority species and migratory birds in the DSEA. No significant impacts were identified due to no effects were found on federally-listed species and their critical habitats and the lack of state priority species within the study areas.

The change in aircraft type from the Boeing 737-700 that was evaluated in the DSEA to the Embraer 175 would not have a measurable impact on biological resources; therefore, a qualitative review was conducted of the current Proposed Action. The footprint of the Detailed Study Area (DSA), as well as the Generalized Study Area (GSA), would not change as a result of the current Proposed Action. Additionally, there is no change in impervious surface or stormwater because of the current Proposed Action and no impact on habitat, fish, wildlife, or plants. As no significant impacts were identified in the DSEA and the current Proposed Action impacts are expected to be unchanged, no significant impacts are associated with the current Proposed Action. Therefore, the results and conclusions as presented in the Draft Supplemental EA remain valid and biological resources were not evaluated further.

## Climate

Greenhouse gas evaluations were performed using the AEDT 2d model and the EPA MOVES 2014 model in the DSEA. There are no significance thresholds for aviation GHG emissions, and the FAA has not identified specific factors to consider in making a significance determination for GHG emissions, especially as it may be applied to a particular project. Due to the negligible change the Proposed Action would have on Paine Field's existing operational footprint, there would be little, if any, increase in vulnerability to future climate impacts on the Airport from the implementation of the Proposed Action as presented in the DSEA.

It was anticipated that the change in aircraft type would have a small, but measurable reduction in greenhouse gas emissions. To verify this assumption, a screening process was conducted. The screening confirmed that there is a reduction in aircraft greenhouse gas emissions based on the replacement of the higher-emitting Boeing 737-700 aircraft that would have been used by Southwest Airlines with the lower-emitting Embraer 175 aircraft used by Alaska Airlines.

Additionally, because the Embraer 175 aircraft has fewer seats, surface traffic emissions are anticipated to be reduced. Because of the reduction in passenger enplanements, the associated traffic analysis indicates a reduction in daily trips by approximately 9 percent in 2019 and approximately 6 percent in 2024. The reduction in daily trips would result in a similar change in Vehicle Miles Travelled (VMT) and a reduction in overall surface traffic emissions.

The results of the screening are presented in the FSEA. The greenhouse gas emissions from the current Proposed Action would be less than the greenhouse gas emissions presented in the DSEA. As no significant impacts were identified in the DSEA, and the current Proposed Action emissions are expected to be lower, there would be no significant impacts from the current Proposed Action. Therefore, the emission models were not rerun to fully quantify this reduction.

## Coastal Resources

The Airport is not located within a shoreline of the state; therefore, development on the Airport is not subject to the Shoreline Management Act. However, once the NEPA process is complete, the County would request a Certification of Consistency through the Washington State Coastal Zone Management (CZM) Program as administered by Washington Department of Ecology (WDOE). Since the Proposed Action would not affect coastal resources, it should be considered consistent with the CZM Program.

The change in aircraft type would not have a measurable impact on coastal resources; therefore, a qualitative review was conducted for the current Proposed Action. The footprint of the DSA would not change as a result of the current Proposed Action and there would be no changes that would impact Coastal Zone Management Program consistency. As no significant impacts were identified in the DSEA and the current Proposed Action impacts are expected to be unchanged, no significant impacts are associated with the current Proposed Action. Therefore, the results and conclusions as presented in the DSEA remain valid. Accordingly, coastal resources were not evaluated further.

#### Department of Transportation Act, Section 4(f) or 6(f)

The Proposed Action presented in the DSEA does not include any ground disturbance or land acquisition; therefore, there is no direct impact to Section 4(f) or 6(f) resources. The 2019 and 2024 Day Night Level (DNL) 65 dB contours do not encompass any Section 4(f) or Section 6(f) resources, including those designated since 2012; therefore, there would be no indirect effects or constructive use on Section 4(f) or Section 6(f) resources. There will be no impacts from the associated with the traffic to Section 4(f) or 6(f) resources.

The change in aircraft type would not have a measurable impact on any Section 4(f) or Section 6(f) resources; therefore, a qualitative review was conducted of the current Proposed Action. There would be no change in the DSA, ground disturbance, or land acquisition as a result of the current Proposed Action. Based on the screening conducted in Section 6.11, Noise and Noise Compatible Land Use, the contour area, which is the basis for the GSA, would decrease as a result of the current Proposed Action. As no significant impacts were identified in the DSEA and the current Proposed Action impacts are expected to be unchanged, no significant impacts are associated with the current Proposed Action. Therefore, the results and conclusions as presented in the DSEA remain valid. Accordingly, Section 4(f) and 6(f) resources were not evaluated further.

#### Hazardous Materials, Solid Waste, and Pollution Prevention

The DSEA presented the analysis for hazardous materials, solid waste and pollution prevention and found no significant impacts.

The change in aircraft type would not have a measurable impact on hazardous materials or pollution prevention; therefore, a qualitative review was conducted of the current Proposed Action. Neither the DSA nor GSA changed nor the number of aircraft operations was unchanged; therefore, there is no anticipated change in hazardous materials or pollution prevention. Because the number of passengers would decrease, there is a potential to reduce solid waste impacts as a result of the current Proposed Action. As no significant impacts were identified in the DSEA and the current Proposed Action impacts are expected to be unchanged or reduced, no significant impacts are associated with the current Proposed Action. Therefore, the results and conclusions as presented in the DSEA remain valid. Accordingly, hazardous materials, solid waste, and pollution prevention were not evaluated further.

#### Historic, Architectural, Archaeological, and Cultural Resources

An evaluation of the potential impacts from the Proposed Action was presented in the DSEA. There are no recorded cultural resources within the Area of Potential Effect (APE). The nearest NRHP listed or eligible historic resources are over 1.5 miles from the APE. The nearest recorded archaeological site is 45-KI-595, which is historic residential ruins and has been recommended Not Eligible for the NRHP. The Proposed Action would result in no new ground disturbing activities or indirect impacts to historic buildings or structures near Paine Field. Consistent with the 2012 EA, FAA consulted with the Washington Department of Archaeology and Historic Preservation (DAHP) and conducted government-to-government consultation with

the Stillaguamish Tribe, Sauk-Suiattle Tribe, and Tulalip Tribes. Based on the review of the DSEA APE, the Proposed Action would result in “No Historic Properties Affected” (36 CFR 800.4 (d) (1)).

Because the change in aircraft type would not have a measurable impact on any historical, architectural, archeological, or cultural resources, a qualitative review was conducted of the current Proposed Action. There would be no change in the APE as a result of the current Proposed Action. Based on the screening for Noise and Noise Compatible Land Use, the contour area, which is the basis for the indirect APE, would decrease as a result of the current Proposed Action. As no significant impacts were identified in the DSEA and the current Proposed Action impacts are expected to be unchanged, no significant impacts are associated with the current Proposed Action. Therefore, the results and conclusions as presented in the DSEA remain valid. Accordingly, historic, architectural, archaeological, and cultural resource were not evaluated further.

#### Land Use

The evaluation of the potential land use impacts associated with the Proposed Action were presented in the DSEA. Since there are no incompatible land uses, change in land use or land acquisition, no significant impacts were identified.

A qualitative review was conducted based upon the change in aircraft for the current Proposed Action. There would be no change in the DSA or land acquisition as a result of the current Proposed Action. Based on the screening conducted for Noise and Noise Compatible Land Use, the contour area, which is the basis for the GSA, would decrease as a result of the current Proposed Action. As no significant impacts were identified in the DSEA and the current Proposed Action impacts are expected to be unchanged, no significant impacts are associated with the current Proposed Action. Therefore, the results and conclusions as presented in the DSEA remain valid. Accordingly, land use was not evaluated further.

#### Natural Resources, Energy Supply, and Sustainable Design

The Proposed Action presented in the DSEA would lead to a minor increase in fuel consumption related to initiation of scheduled commercial passenger service. In addition to increased ground support and aircraft fuel consumption, an increase in vehicular traffic to the project site would occur because of passenger arrivals and departures via automobile. However, it is anticipated that increased energy consumption would be minimal, and would have no significant impact to the energy supply

The change in aircraft type would not have a measurable impact on natural resources, energy supply, or sustainable design; therefore, a qualitative review was conducted for the FSEA current Proposed Action. The change in aircraft type would not alter energy use at the Airport. Additionally, the reduction in passenger enplanements would reduce vehicle trips and associated fuel consumption. As no significant impacts were identified in the DSEA and the current Proposed Action impacts are expected to be unchanged or reduced, no significant impacts are associated with the current Proposed Action. Therefore, the results and conclusions

as presented in the DSEA remain valid. Accordingly, natural resources, energy supply, and sustainable design were not evaluated further.

#### Noise and Noise-Compatible Land Use

A noise analysis for the Proposed Action was completed using AEDT Version 2d and presented in the DSEA. The increased operations for the Proposed Action did not result in a 1.5 dB or more increase within a noise sensitive area with the DNL 65 dB contour for 2019 or 2024. Accordingly, no significant impacts were found.

To determine the change in noise expected from the replacement of the Boeing 737-700 with the Embraer 175 in opening year, a screening was conducted using the Area Equivalent Method (AEM) for 2019 and 2024. The AEM is a noise screening tool used to determine the type and magnitude of change expected from increases in activity and changes in aircraft fleet. The AEM provides an indication of the expected change in the size of DNL contours, while AEDT indicates where those contours fall on the ground. Because the AEM uses simplified inputs and conservative assumptions, AEM contour areas will differ slightly from the AEDT contour areas even for the same analysis scenario. If the AEM calculations indicate that the action would result in less than a 17 percent (approximately a DNL 1 dB) increase in the DNL 65 dB contour area, there would be no significant impact over noise sensitive areas and no further noise analysis would be required. If the AEM calculations indicate an increase of 17 percent or more, or if the action is such that use of the AEM is not appropriate, then the noise analysis must be performed using the AEDT to determine if significant noise impacts would result (FAA 1050.1F Desk Reference, July 2015). Using the AEM to evaluate the change in aircraft types, it is estimated that the area within the DNL 65 dB contour would decrease by approximately 2.9 percent in 2019 and 2.3 percent in 2024 when compared to the DSEA Proposed Action. This decrease in area indicates a reduction in sound exposure as a result of the current Proposed Action when compared to the DSEA.

The AEM screening tool indicated that there would be a reduction in the size of the DNL contours; however, the noise contours presented in this FSEA remain unchanged. Aircraft noise from the current Proposed Action would be less than the impacts presented in the DSEA and outlined above. As no significant impacts were identified in the DSEA and the current Proposed Action noise is expected to be lower, there would be no significant impacts from the current Proposed Action. Therefore, the AEDT model was not rerun to fully quantify this reduction.

#### Socioeconomics, Environmental Justice, and Children's Environmental Health and Safety Risks

The Proposed Action presented in the DSEA would not affect demand for housing or public utilities and services. No residential or business locations would be required to accommodate the Proposed Action because of noise or other types of nuisance or hazard impacts, as no substantial impacts would occur in proximity to existing residences or businesses. The Proposed Action would not emit substantial amounts of air pollutants or substantially increase noise at nearby residences or schools, it would not expose children to increased hazardous air pollutant emissions or significant increases in aircraft noise levels. Further, the Proposed Action would not adversely affect drinking water, recreational waters, or soil, nor would it introduce new

sources of hazards or hazardous materials that could adversely affect children's health and safety. Thus, no adverse air quality or noise impacts would occur that could disproportionately affect the minority or low-income populations. No other resource areas addressed including land use, surface transportation, and water resources, would have adverse effects that could disproportionately affect minority or low-income populations.

The change in aircraft type would not have a measurable impact on socioeconomic, environmental justice, or children's environmental health and safety risks; therefore, a qualitative review was conducted of the current Proposed Action. There would be no change in the DSA or land acquisition as a result of the current Proposed Action. Based on the noise screening process the GSA would decrease as a result of the current Proposed Action. Additionally, the number of aircraft operations did not change and the emissions from the Embraer 175 are less than the emissions from the Boeing 737-700. As no significant impacts were identified in the DSEA and the current Proposed Action impacts are expected to be unchanged, no significant impacts are associated with the current Proposed Action. Therefore, the results and conclusions as presented in the DSEA remain valid. Accordingly, socioeconomic, environmental justice, and children's environmental health and safety risks were not evaluated further.

#### Surface Transportation

The Proposed Action as presented in the DSEA would not cause any Snohomish County arterials or any WSDOT, City of Mukilteo, or City of Everett intersections to change from an acceptable to a deficient level of service. All of the Snohomish County arterials analyzed are anticipated to operate at acceptable levels of service with implementation of the Proposed Action for both 2019 and 2024. However, the Proposed Action would result in increased trips to local traffic and therefore, it will be subject to local traffic mitigation fees.

Because the 143-seat Boeing 737s that would have been used by Southwest Airlines are being replaced smaller 76-seat Embraer 175 aircraft, this substitution will result in a decrease in passenger enplanements, which results in a decrease in passenger trips. The current Proposed Action would generate approximately 1,994 daily vehicle trips in 2019, whereas 2,185 trips were analyzed in the Draft Supplemental EA. In 2024, the current Proposed Action would generate 2,075 daily trips, whereas 2,212 trips were analyzed in the DSEA. The reduction in daily trips would be approximately 9 percent in 2019 and approximately 6 percent in 2024, as a result of the change in aircraft. The mitigation fees depicted in Chapter Six of the FSEA are based on passenger enplanements and were updated to reflect this reduction. The reduction in daily trips would result in a similar change in Vehicle Miles Travelled (VMTs). The 2019 peak-hour trip generation only had a minimal reduction, and the 2024 peak-hour trips did not change; therefore, the studies were not remodeled.

A screening of the current Proposed Action and change in passenger enplanements described above indicated that there would be a reduction in vehicle trips (and as a result, a decrease in traffic). Therefore, surface transportation impacts from the current Proposed Action would be less than the impacts presented in the DSEA. As no significant impacts were identified in the

DSEA and the current Proposed Action traffic impacts are expected to be lower, there would be no significant impacts from the current Proposed Action. Therefore, the emissions models were not rerun to fully quantify this reduction. The local mitigation fees associated with the current Proposed Action have been adjusted as appropriate.

### Visual Effects

The evaluation of visual effects from the Proposed Action was presented in the DSEA. No significant impacts were identified.

Based upon the change in aircraft type, a qualitative review was conducted of the current Proposed Action. There would be no additional light sources or changes in the visual environment of the Airport as a result of the current Proposed Action. As no significant impacts were identified in the DSEA and the current Proposed Action impacts are expected to be unchanged, no significant impacts are associated with the current Proposed Action. Therefore, the results and conclusions as presented in the DSEA remain valid. Accordingly, visual effects were not evaluated further.

### Water Resources

The DSEA presented the evaluation of the potential impact on wetlands; floodplains; surface waters; including stormwater runoff and drainage; water quality; and groundwater. No significant impacts were identified.

Due to the change in aircraft type, a qualitative review was conducted for water resources including wetlands, floodplains, surface waters, stormwater runoff and drainage, water quality, and groundwater for the current Proposed Action. The footprint of the DSA, as well as the GSA, would not change as a result of the current Proposed Action. Additionally, there is no change in impervious surface or stormwater as a result of the current Proposed Action. As no significant impacts were identified in the DSEA and the current Proposed Action impacts are expected to be unchanged, no significant impacts are associated with the current Proposed Action. Therefore, the results and conclusions as presented in the DSEA remain valid. Accordingly, water resources including wetlands, floodplains, surface waters, stormwater runoff and drainage, water quality, and groundwater were not evaluated further.

### Cumulative Impacts

As no significant impacts were identified in the DSEA and the current Proposed Action impacts are expected to be unchanged or reduced, no significant impacts are associated with the current Proposed Action. It is anticipated that Snohomish County will continue to experience increased population growth and continued private development/redevelopment of land for residential, commercial, and industrial uses off Airport property. Establishment of new activities and land uses in the region may cumulatively:

- Increase or redistribute vehicle traffic
- Contribute criteria pollutant emissions and greenhouse gases

- Increase ambient noise
- Alter socioeconomic conditions
- Adversely affect water quality and other aquatic resources
- Convert or fragment available wildlife habitat

In response to the growth experienced in the region, the Snohomish County 2035 Comprehensive Plan (2017) provides land use policies that encourage compatible adjacent land uses, and Paine Field is designated therein as an Airport Influence Area. While it is not anticipated that the current Proposed Action will specifically induce or otherwise contribute to this growth, it is envisioned that the project and continued efficient operation at Paine Field will help efficiently serve the region as continued development occurs and may alleviate some of the issues currently experienced as a result.

The current Proposed Action, individually and cumulatively, is anticipated to result in negligible incremental impacts to common resources including surface transportation, air quality, climate, noise and noise compatible land use, and socioeconomics that are affected by other stressors in the region.

### **IX. Mitigation**

As defined by FAA Order 1050.1F, consideration of mitigation is only required for significant impacts that cannot be avoided. There are no significant impacts under NEPA because of the current Proposed Action. Any potential impacts do not exceed federal thresholds of significance. The mitigation considered within this section relates to state, county, and locally-required traffic mitigation.

The Washington Growth Management Act and Revised Code of Washington 82.02.050(2) authorize local jurisdictions to establish proportionate share traffic mitigation fees in order to fund capital facilities, such as roads and intersections. Snohomish County Code (SCC) 30.66B applies that authority to developments in order to fund road improvements that would accommodate development. Additionally, through SCC 30.66B and the State Environmental Policy Act, Snohomish County has established reciprocal traffic mitigation fee interlocal agreements with WSDOT and the City of Mukilteo that are within the influence area of the current Proposed Action.

The 2012 EA and Snohomish County Mitigated Determination of Nonsignificance (part of the State Environmental Policy Act process) identified total traffic mitigation fees for payment to Snohomish County, WSDOT, and the City of Mukilteo of \$333,262.85. Snohomish County has already been paid \$206,161.40, the WSDOT has been paid \$32,695.20, and the City of Mukilteo has been paid \$94,406.25 for mitigation fees.

The current Proposed Action would generate approximately 1,994 daily vehicle trips in 2019, whereas 2,185 trips were analyzed in the DSEA. In 2024, the current Proposed Action would generate 2,075 daily trips, whereas 2,212 trips were analyzed in the DSEA. The mitigation fees described below are based on trip generation/passenger enplanement data and the mitigation fees have been updated since the publication of the DSEA to reflect the passenger

enplanement/trip reduction. The total traffic mitigation fees, based on the trip generation (passenger enplanement data) and applicable codes and agreements, identified for payment to Snohomish County, WSDOT, and the City of Mukilteo for the current Proposed Action evaluated in this Supplemental EA total an estimated \$642,235.63. The Snohomish County estimated mitigation fees are \$447,473.75, the WSDOT estimated mitigation fees are \$70,965.00, and the City of Mukilteo estimated mitigation fees are \$123,796.88. These fees are based on the total impact of the current Proposed Action, and the fees already paid (\$333,262.85) need to be credited to these estimated totals. Accordingly, the remaining mitigation fee balance is an estimated \$308,972.78. The remaining balance is an estimated \$241,312.35 mitigation fees for Snohomish County, \$38,269.80 for WSDOT, and \$29,390.63 for the City of Mukilteo.

Before any of the federal actions described in Section IV can occur, payment of these local fees is required.

## **X Public Involvement**

Information on public involvement and agency coordination can be found in Chapter 7 and Appendices G and H of the FSEA. A Notice of Availability of the DSEA and Notice of a Public Information Workshop/Public Hearing was published in the Everett Herald newspaper on September 29, 2018 and September 30, 2018. The Notice was also placed on Paine Field's website on September 29, 2018 at: <https://www.painefield.com/219/2018-Air-Service-Environmental-Assessmen>.<sup>9</sup> A subsequent notice was published in the Everett Herald on October 21, 2018 as an additional reminder. Copies of the DSEA were available for public review during regular business hours at the locations listed below:

- Paine Field Administrative Office - 3220 100th St. SW, Suite A, Everett, WA 98204
- Mukilteo Library - 4675 Harbour Pointe Blvd, Mukilteo, WA 98275
- Everett Public Library - 2702 Hoyt Ave, Everett, WA 98201
- Lynnwood Library - 19200 44th Ave W, Lynnwood, WA 98036

There were approximately 300 attendees at the Public Information Workshop/Public Hearing.

## **XI. Agency Findings**

The FAA makes the following determinations for this project based upon a careful review of the attached FSEA, comments on the Draft and Final EAs, the supporting administrative record, and appropriate supporting information.

- A. The Current Proposed Action is consistent with the requirement that a person who is properly and adequately equipped and is able to operate safely under this part and regulations and standards prescribed under this part shall be issued an air carrier operating certificate. Such certificate shall contain terms necessary to

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<sup>9</sup> The Paine Field website has since been updated. The new link is: <https://www.painefield.com/220/2018-Air-Service-Environmental-Assessmen>

ensure safety in air transportation and specify the places to and from which, and the airways of the United States over which the person may operate as an air carrier.[49 USC Section 44705]

The determination prescribed by this statutory provision is a precondition to agency approval of amending an air carrier operating specification to a person desiring to operate as an air carrier. When the air carrier requests approval to operate at the airport, the Principle Operations Inspector (POI) will determine the adequacy of the airport and its facilities to support the air carrier's safe operation into and out of that airport. Upon satisfactory determination, the POI will issue Operations Specifications to allow the air carrier to operate at the airport.

- B. The Current Proposed Action project is consistent with the requirement that an applicant for an airport operating certificate is entitled to a certificate if (1) the applicant provides written documentation that air carrier service will begin on a date certain; (2) the provisions of Section 139.103 of this subpart are met; (3) the Administrator finds that the applicant is properly and adequately equipped and able to provide a safe airport operating environment; and (4) the Administrator approves the airport certification manual. [14 CFR Part 139, Section 107]

The determination prescribed by this statutory provision is a precondition to agency approval of amending an airport's operating certificate from a Class IV to a Class I operating certificate to serve scheduled commercial air service operations by large aircraft. Upon notification of a date certain of an air carrier wishing to start service at the airport, the airport will be inspected to ensure compliance with 14 CFR Part 139 requirements for a Class I airport.

- C. The Current Proposed Action will comply with the enforceable policies of Washington State approved coastal management program and will be conducted in a manner consistent with such a program. [15 C.F.R. Part 930.51]

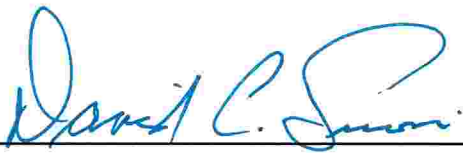
A Certification of Consistency with the Washington State Coastal Zone Management Program will be applied for by the County. As stated in the FSEA, the airport sponsor will submit the Certification of Consistency with the Washington State Coastal Zone Management Program for Federally Licensed or Permitted Activities.

## **XII. Decision and Order**

After careful and thorough consideration of the facts contained herein, the undersigned finds that the proposed Federal action, namely the Preferred Alternative (current Proposed Action), is consistent with existing national environmental policies and objectives as set forth in Section 101 (a) of NEPA and other applicable environmental requirements and is not a major federal action significantly affecting the quality of the human environment or otherwise, including any condition requiring consultation pursuant to Section 102(2)(c) of NEPA.

The FAA has carefully and thoroughly considered the FAA's goals and objectives in relation to various aeronautical aspects of the proposed projects discussed in the attached FSEA, including the purpose and need to be served by the project, the alternative means of achieving them, the environmental impacts of these alternatives, and the mitigation necessary to preserve and enhance the environment. I find that the current Proposed Action described in the FSEA is reasonably supported and that issuance of a finding of no significant impact is appropriate. As a result, the FAA will not prepare an Environmental Impact Statement.

Accordingly, under the authority delegated to me by the Administrator of the FAA, I approve and direct that agency action be taken to carry out implementation of the current Proposed Action discussed more fully in Section X of this Record of Decision.



David Suomi  
Regional Administrator  
Northwest Mountain Region  
Federal Aviation Administration



Date

### **RIGHT OF APPEAL**

This FONSI/ROD constitutes a final order of the FAA Administrator and is subject to exclusive judicial review under 49 U.S.C. Section 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. Section 46110. Any party seeking to stay implementation of the ROD must file an application with the FAA prior to seeking judicial relief as provided in Rule 18(a) of the Federal Rules of Appellate Procedure.

