Appendix J
Public Involvement and Agency Coordination

Introduction

Appendix J contains cooperating agency communication between the U.S. Air Force (USAF) and Federal Aviation Administration (FAA).

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SAF/IEE  
1665 Air Force Pentagon  
Washington, DC 20330-1665

Mr. Dennis Robert  
Director, Airspace Services (AJV-1)  
Federal Aviation Administration  
800 Independence Avenue SW, Room 400 East  
Washington, DC 20591

Dear Mr. Robert:

The Air Force requests your formal participation in preparation of an environmental impact statement (EIS) for the Proposed Airspace Modifications, Oregon Air National Guard, 142d Fighter Wing, Portland International Airport, Portland, Oregon, as prescribed in the President’s Council on Environmental Quality National Environmental Policy Act (NEPA) Regulations, 40 CFR § 1501.6, Cooperating Agencies.

As a cooperating agency, the Air Force requests you participate in various portions of the EIS development as may be required. Specifically, the Air Force asks for your support as a cooperating agency by:

- Participating in the scoping process;
- Assuming responsibility, upon request by the Air Force, for developing information and preparing analyses on issues for which you have special expertise;
- Making staff support available to enhance interdisciplinary review capability; and
- Responding, in writing, to this request.
To avoid unnecessary delays in the NEPA process, the Air Force must have timely support from cooperating agencies. In turn, the Air Force will ensure it provides the necessary information and related materials in a timely fashion to enable your agency to complete its review and respond promptly. Should you or your staff have further questions regarding this memo, our points of contact for this action are Mr. Jack Bush and Mr. Alan Shafer. Mr. Bush can be reached at (703) 614-0237 or jack.bush@pentagon.af.mil. Mr. Shafer can be reached at (202) 767-8633 or alan.shafer@pentagon.af.mil.

Sincerely,

TIMOTHY K. BRIDGES
Deputy Assistant Secretary of the Air Force
(Environment, Safety and Occupational Health)

Attachment:
FAA/DoD MOU Concerning Environmental Review of SUA

cc:
SAF/IEI/GCN
HQ USAF/A7C/A30
NGB/A7A/A3A
AFLOA/JACE
OCT 11 2012

Mr. Timothy Bridges
Deputy Assistant Secretary of the Air Force
SAF/IEE
Department of the Air Force
1665 Air Force Pentagon
Washington DC 20350-1665

Dear Mr. Bridges:

Thank you for your letter requesting the Federal Aviation Administration (FAA) participate as a cooperating agency in the Environmental Impact Statement (EIS) to evaluate the potential environmental consequences resulting from the Proposed Air Space Modifications, Oregon Air National Guard, 142nd Fighter Wing, Portland International Airport, Portland Oregon.

Since the proposal involves special use airspace (SUA), the FAA will cooperate following the guidelines described in the Memorandum of Understanding (MOU) between the FAA and the Department of Defense Concerning SUA Environmental Actions, dated October 4, 2005, and in accordance with 40 CFR § 1501.6, NEPA regulations regarding cooperating agencies.

Modification of SUA resides under the jurisdiction of the Western Service Center, Operations Support Group, 1601 Lind Ave. SW, Renton, Washington. The Western Service Center will be the primary focal point for matters related to both airspace and environmental matters. Mr. John Warner is the Manager of the Operations Support Group. FAA Order 7400.2, Procedures for Handling Airspace Matters, Chapter 32, indicates that the airspace aeronautical and environmental processes should be conducted in tandem as much as possible; however, they are separate processes. Approval of either the aeronautical process or the environmental process does not automatically indicate approval of the entire proposal. I have enclosed Appendix 2, 3, and 4 of FAA Order 7400.2 for additional details.

A copy of the incoming correspondence and this response is being forwarded to Mr. Warner of the Western Service Center, Operations Support Group. Mr. Warner can be contacted at 425-203-4500 for further processing of your proposal.

Sincerely,

Dennis E. Roberts
Director, Airspace Services
Air Traffic Organization

3 Enclosures
Appendix 2. Procedures For Processing SUA Actions
Environmental Process Flow Chart

(This Chart is for use with Appendix 4 and the numbers correlate to the numbers in the Environmental column of that table.)

Proposing SUA Pre-action Concept
(see App. 3, 1.)

Potential Environmental Issues?
(See App. 3, 2.)

No

See Appendix 3

Yes

1. Propose a SUA Pre-action Concept Request to FAA Office of System Operations Airspace & AIM

2. Propose submits Preliminary Draft Env. Documents to Service Area Env. Spec.


5. Propose prepares & submits Final Env. Document to Service Area Env. Specialist.


See Appendix 3, 9-11.

8. HQ Env. Specialist submits Env. Document to Chief Counsel for review.


See Appendix 3, 12-13.
Appendix 3. Procedures For Processing SUA Actions
Aeronautical Process Flow Chart

(This Appendix is for use with Appendix 4 and the numbers correlate to the numbers in the Aeronautical column of that table.)

1. Proposant SUA
   Pre-Action Concept

2. Potential
   Environmental
   Issues?
   Yes      No
   > See Appendix 2

3. Proposant Prepares Prelim. SUA Proposal &
   Holds Informal Meetings w/Facility

4. Proposant Submits Proposal
   To Service Area

5. Rulemaking
   8. Service Area Airspace Spec. forwards Proposal
      to HQ, Airspace & Rules, for NPRM

6. Service Area Circularizes Proposal
   7. Service Area Airspace Spec. forwards Proposal and FAA & Proponents Env. Doc. to HQ, Airspace & Rules

   (see App. 2,7)

9. HQ Airspace Spec. forwards NPRM
   comments to Service Area

10. Service Area Airspace Spec. forwards final recommendation, Proposal, and FAA & Proposant's
    Env. Doc. to HQ, Airspace & Rules

11. HQ Airspace Spec. forwards airspace package and FAA & Proponents Env. Document to HQ, Env. Programs.

12. Non-Rulemaking
    Notice Published in NFDD

13. Rulemaking
    Final Rule Published in FR

14. Action Sent for Charting

Procedures for Processing SUA Actions Aeronautical Process Flow Chart

Appendix 3-1
**Appendix 4. FAA Procedures for Processing SUA Actions Aeronautical and Environmental Summary Table**

(The aeronautical and environmental processes may not always occur in parallel.)

(This Appendix is for use with Appendix 2 and Appendix 3, and the numbers correlate to numbers on those charts.)

(See note below.)

<table>
<thead>
<tr>
<th>AERONAUTICAL</th>
<th>ENVIRONMENTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Proponent shall present to the Facility a Pre-draft concept (i.e., new/ revisions to SUA needed or required).</td>
<td>1. Proponent shall discuss with the Service Area, at the earliest time, the potential for environmental impacts associated with the proposal.</td>
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<td>2. If there is the potential for environmental impacts, Proponent shall make a request to the FAA for a Cooperating Agency (CA) status when Proponent decides to initiate the environmental process. Proponent shall forward the request to the Director of the System Operations Airspace and AIM. The Director will transmit the request to the Environmental Programs Group who prepares and forwards the response to the responsible Service Area. The Service Area environmental specialist works as the FAA point of contact throughout the process in development of any required environmental documentation.</td>
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<td>3. Proponent submits a Preliminary Draft EA or EIS to the Service Area environmental specialist. The Service Area environmental specialist shall provide comments, in consultation with the airspace specialist and the Environmental Programs Group, back to Proponent.</td>
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<tr>
<td></td>
<td>Step Description</td>
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<tr>
<td>2.</td>
<td>Proponent forwards the aeronautical proposal to the FAA Service Area for review and processing by the airspace specialist.</td>
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<td>4.</td>
<td>Proponent prepares a Draft EA or EIS with a 45-day public comment period. As the FAA CA point of contact, the Service Area environmental specialist reviews the associated draft environmental documentation to ensure that the Proponent addressed adequately all environmental concerns submitted on the Preliminary Draft. If required, the Service Area environmental specialist forwards the draft environmental documentation to the Environmental Programs Group for review and comment by the headquarters environmental specialist and the Office of Chief Counsel.</td>
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<td>3.</td>
<td>The Service Area airspace specialist, in accordance with this order, determines the type of airspace action(s) necessary, either Non-Rulemaking or Rulemaking. FAA Service Area and Proponent determine if informal Airspace Meetings are required.</td>
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<td>5.</td>
<td>The Proponent reviews comments received on their Draft EA/FONSI or EIS and prepares their responses to the comments, in consultation with the FAA and other cooperating agencies, if necessary, and in accordance with Chapter 32 of this order.</td>
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<td>4.</td>
<td>The Service Area airspace specialist sends out a circularization with a 45-day public comment period. The Service Area airspace specialist reviews and prepares, in consultation with the Proponent, responses to the aeronautical comments from the study and circularization in accordance with Chapter 21 of this order.</td>
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<td>6.</td>
<td>Proponent prepares and submits their Final EA/FONSI or EIS/ROD to the Service Area environmental specialist.</td>
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<td>7.</td>
<td>The Service Area environmental specialist prepares a Draft FAA FONSI/ROD or Draft FAA Adoption Document/ROD.</td>
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<tr>
<td>8.</td>
<td>The Service Area environmental specialist submits the Draft FAA FONSI/ROD or Draft FAA Adoption Document/ROD and the Proponent's Final EA/FONSI or EIS/ROD to the Service Area airspace specialist for inclusion with the airspace proposal package.</td>
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<tr>
<td>5.</td>
<td>The Service Area airspace specialist then sends the completed package containing the aeronautical proposal, response to comments, Proponent's Final EA/FONSI, and the Draft FAA FONSI/ROD to the Headquarters Airspace and Rules Group with their recommendation.</td>
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<td><strong>For Rulemaking:</strong></td>
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<td>6. The Service Area airspace specialist sends the proposal to the Airspace and Rules Group who prepares a Notice of Proposed Rulemaking (NPRM). The Headquarters Airspace and Rules Group submits the NPRM for publication in the Federal Register with a 45-day comment period in accordance with Chapter 2 of this order.</td>
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<td>7. The Headquarters airspace specialist sends comments received on the NPRM to the Service Area airspace specialist for resolution.</td>
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<tr>
<td>8. The Service Area airspace specialist then sends the completed package containing the response to comments, final service area recommendation, the proposal, Proponent’s Final EA/FONSI or EIS/ROD, and the Draft FAA FONSI/ROD or Draft FAA Adoption Document/ROD to the Headquarters Airspace and Rules Group for preparation of the Final Rule.</td>
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<td>9. The Headquarters airspace specialist forwards the draft final rule package or draft non-rulemaking case summary (NRCs) with all supporting documentation to the Headquarters Environmental Programs Group for review (after all aeronautical comments have been resolved).</td>
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<td>9. The Headquarters environmental specialist reviews the package for environmental technical accuracy; then submits the environmental documentation to the Office of the Chief Counsel, Airports and Environmental Law Division, for legal sufficiency review (having collaborated throughout the process).</td>
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<tr>
<td>10. The Chief Counsel’s environmental attorney’s comments are incorporated into the final FAA environmental decision and signed by Headquarters Environmental Programs Group Manager. The package is then returned to the Headquarters Airspace and Rules Group.</td>
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<td>10. For Non-rulemaking: The non-rulemaking action is published in the National Flight Data Digest.</td>
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<tr>
<td>11. For Rulemaking: The Final Rule is published in the Federal Register. The Final Rule will contain a reference to the decision rendered and documentation for the associated environmental process.</td>
<td></td>
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</table>

FAA Procedures for Processing SUA Actions Aeronautical and Environmental Summary Table  Appendix 4-3
Consult the following documents throughout the process for further information:

1. Council on Environmental Quality Regulations for Implementing the National Environmental Policy Act (NEPA), 40 CFR Parts 1500-1508
2. FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures"
4. FAA Order 7400.2, Chapter 32, "Environmental Matters" and the associated appendices (for specific SUA environmental direction)

NOTE: The time periods below are for a non-controversial aeronautical proposal and its associated environmental process. The time periods are for FAA review/processing only. Times for proponent and/or environmental contract support processing must be added.

ENVIRONMENTAL: The estimated time of completion for EA processing is 12 to 18 months or, for EIS processing, 18 to 36 months.

AERONAUTICAL (Non-Rulemaking): A minimum 4 months is required from submission of the Formal Airspace Proposal by the Proponent to the Service Area through completion of the circularization process. Additionally, a minimum of 6 months is required from submission of the Formal Airspace Proposal by the Service Area to Headquarters through completion of the charting process.

AERONAUTICAL (Rulemaking): A minimum 6 weeks for Service Area processing, and a minimum of 9 months to complete rulemaking once the formal package is received at Headquarters.