



34<sup>th</sup> Annual Basics of Airport Law Workshop and 2018 Legal Update

**Session #10**

**PREPARING FOR NEW AIRPORT  
PROJECTS: A CONVERSATION  
WITH FAA AND AIRPORT COUNSEL**

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# TODAY'S DISCUSSION

- Introduction to airport planning
- Introduction to NEPA and environmental review
- Successful integration of planning and NEPA

# PLANNING BASICS

- Master Plans or another comprehensive planning effort
- Airport Layout Plans
- Forecasts of aviation activity
- Identified “need” for facilities
- Capital Improvement Plans (CIPs)

# ELEMENTS OF GOOD PLANNING (DOS!)

- Forethought (pre-planning)
- Substantiated aeronautical demand
- Identification of facilities needed, minimum parameters to meet needs
- Understanding the complete story (including what can't be done)
- Financial plan

# ELEMENTS OF GOOD PLANNING (DOS!)

- Environmental inventory depicting environmentally sensitive areas
- Preliminary environmental analysis
- No unresolved planning or implementation issues with other FAA Lines of Business
- Community involvement
- Flexibility

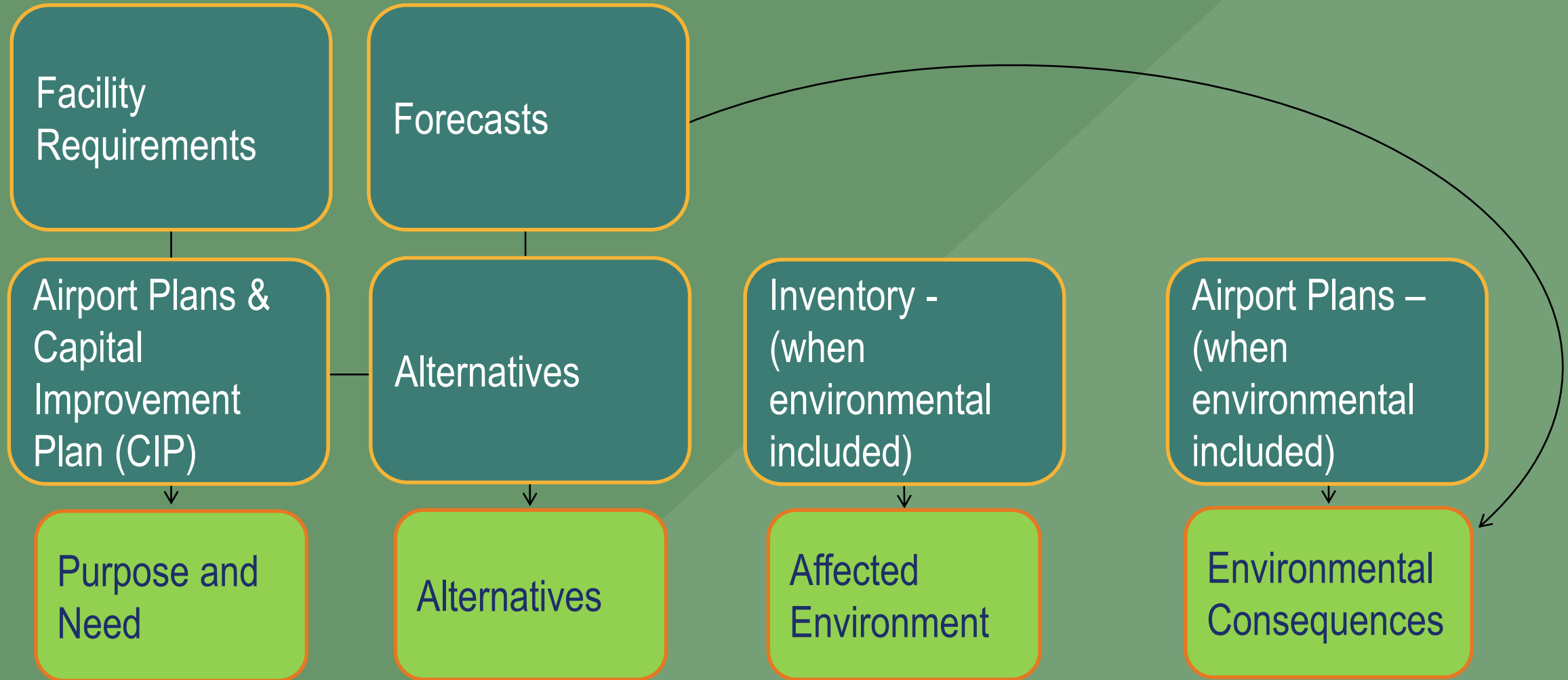
# NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)

- Federal agencies must prepare a “detailed statement” when they propose to take a “major federal action significantly affecting the quality of the human environment”
  - Three different levels of review
  - Required content
  - Required process

# NEPA IN THE AIRPORT CONTEXT

- Based on projects and actions, not day-to-day operations
  - Runways, airspace redesign, terminal redevelopment
- Triggered when there is a federal action
  - ALP approval
  - AIP/PFC funding decisions
  - Airspace decisions

# CONNECTING PLANNING AND NEPA





# NOT-SO-GOOD PLANNING (DON'Ts)

- Planning is stale or incomplete
- Poorly justified project
- Project drift
  - Concept changes/inconsistencies
  - Inability to fully define what the project is
- Sponsor expectations can't be met
- Time passage

# NEPA TROUBLE SPOTS

- Purpose and need
- Technical writing
- Responses to comments
- Changes between draft and final documents
- New / evolving data

# QUESTIONS?

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