



**US Army Corps
of Engineers**®
San Francisco District

Regulatory Division, Eureka Field Office
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Eureka, CA 95501

SAN FRANCISCO DISTRICT

PUBLIC NOTICE

PROJECT: Jack McNamara Field Airport (CEC) Runway Safety Area (RSA) Project

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INTRODUCTION:

The Border Coast Regional Airport Authority (BCRAA) in the County of Del Norte (150 Rupert Road, Crescent City, California 95531) through their agent Jim Bernard (707-464-7288) has applied for an individual permit (5-year) for their Runway Safety Area (RSA) Improvement Project, located at APN's 110-010-10, 110-010-17, and 110-010-21, at the Jack McNamara Field Airport (CEC) at 150 Dale Rupert Road, Del Norte County, California. CEC in Crescent City is owned by the County of Del Norte and operated and managed by the BCRAA. The BCRAA is sponsoring this project and its members include representatives of Del Norte County; the City of Crescent City; Elk Valley Rancheria; Smith River Rancheria; the City of Brookings, Oregon; and Curry County, Oregon. The Federal Aviation Administration (FAA) requires that commercial airports, regulated under Part 139 safety rules, have a standard RSA. The FAA has a high priority program to enhance safety by upgrading the RSAs at commercial airports and providing federal funding to support those upgrades. The runway safety area enhances the safety of airplanes which undershoot, overrun, or veer off the runway, and it provides greater accessibility for firefighting equipment during such incidents. The BCRAA proposes to implement a RSA project at CEC to meet FAA standards. This application is being processed pursuant to the provisions of Section 404 of the Clean Water Act of

1972, as amended (33 U.S.C. § 1344 *et seq.*) and Section 10 of the Rivers and Harbors Act of 1899, as amended (33 U.S.C. § 403 *et seq.*).

2. PROPOSED PROJECT:

Project Site Location: The CEC is located at APNs 110-010-10, 110-010-17, and 110-010-21, at 150 Dale Rupert Road, Del Norte County, California. The site is located at: °N 41.7781 and °W-124.2303.

Project Site Description: The Del Norte County Regional Airport is located on the coastal terrace about 60-feet above mean sea level. The general project site and CEC are located within the lower Smith River watershed. This watershed generally drains toward the north and into the Pacific Ocean, while the proposed project site drains to the south. Lake Earl is located about 3.5 miles north of the CEC. Average annual rainfall is 65.8 inches. Storm water runoff within the general project site is drained by the various creeks and generally discharges directly into the ocean. The CEC property and the immediate area are relatively flat, but gently slopes west toward the ocean. Much of the airport drains into areas of undefined man-made drainage channels. Existing drainage is poor in several areas around the project site where there is significant standing water and surface conditions are wet during the rainy season, which lasts from October through April. The groundwater table is

high in the rainy season. A system of drop inlets, culverts, and open drainage channels between the runways and taxiways help drain the majority of airport area, generally in a southerly direction. Existing facilities adjacent to the RSA project site include the airport terminal building and associated facilities. The terminal building was built in 1950 and is about 2,020 square feet. A separate double-wide modular building about 980 square feet is adjacent to the terminal building and accommodates homeland security screening facilities.

Project Description: The attached drawings (Figures 1, 2, and 3), indicate the location of the project including the mitigation site locations and the location of the runway safety improvement project. The proposed project would construct RSA's which have been designed to comply with FAA standards for both Runways 11/29 and 17/35 and to relocate western security fence abutting point St. George. Also it includes proposed mitigation at the Pacific Shores subdivision as indicated in Figure 2. The proposed RSA project has that been identified as alternative G in the Environmental Impact Report (EIR), April 2, 2009.

RSA Improvements: The proposed RSA construction would be accomplished by filling and grading the uneven terrain that exceeds the allowable gradient in the RSA's along the length and width of the runways. The proposed RSA would provide a smooth transition with minimal change in elevation and surface variation between the existing paved runway surfaces and adjacent terrain, comprised of compacted and mowed groundcover. Additionally, the maximum gradient would not exceed 5% based on FAA approval and requirements, within the RSA. To achieve the required RSA 300-foot length beyond the end of Runway 17, the runway threshold would be relocated 150-feet from the existing runway to the south. This is a permissible method to achieve RSA compliance yet results in a shorter available runway length of about 150-feet. The fill and displaced threshold would eliminate impacts to wetlands past the end of Runway 17. FAA evaluated six different alternatives to achieve compliance with the RSA

standards, while maintaining existing aviation operations at CEC.

Runway 11/29: Runway 11/29 is considered the primary runway with precision instrument approach capability and three non-precision instrument approach procedures. This runway does not meet FAA RSA design standards for ARC C-III (aircraft classification). The existing length of the runway will be maintained at 5,002-feet. Currently, the departure end of the Runway 11, RSA, extends 300-feet beyond the end of the paved portion of the runway and is proposed to extend an additional 700-feet, for a total of 1,000-feet of length beyond the runway to comply with FAA RSA design standards. The width of the RSA would be maintained at 500-feet to comply with FAA RSA design standards. The proposed runway 11/29 improvements include the following components to comply with FAA requirements stated above: (1) Nonstandard objectives or conditions would be relocated, removed, or otherwise addressed. Nonstandard objectives or conditions include variations in terrain within the RSA's that would be filled and graded. (2) Adjustments would be made to the existing runway and identifier lights to account for changes in grade. (3) Adjustments would be made to the existing instrument landing system to account for changes in grade.

Runway 17/35: Runway 17/35 is designated as the crosswind runway, with two non-precision instrument approach procedures. Runway 17/35 is currently an ARC B-II runway. To comply with FAA standards, the existing length of the runway would be maintained at 5,002-feet and 150-foot width. However, the Runway 17 threshold would be displaced 150-feet to the south and declared distances would be implemented, allowing for development of a fully compliant RSA that minimizes impacts to lacustrine wetlands beyond the runway 17 end point. This would result in a reduction of available runway length. This length would be 4,852-feet. The end of the Runway 35 RSA would be extended by 50-feet to provide a total of 300-feet, in order to comply with FAA standards. The terrain within the existing runway

RSA includes unacceptable grade and depressions. Alternatives identified by FAA and Caltrans division of Aeronautics would bring this runway RSA into compliance with FAA standards including: soil stabilization, grading, filling, drainage improvements, relocating items not fixed-by-function, and replacing items that do not have frangible mountings. The improvements would include the following components: (1) Nonstandard objects or conditions would be relocated, removed or otherwise addressed accordingly. Nonstandard objectives or conditions would be addressed including various terrains within the RSA that would be filled and graded. (2) Adjustments would be made to the existing runway identifier lights. (3) A section of service road passing through the runway RSA would be removed.

Fencing: The BCRAA is required to replace its remaining temporary and non-compliant perimeter security fencing at the airport. The last section of temporary and non-compliant airport fencing exists on the border between Point St. George and the airports western property boundary. The fencing must be replaced to meet the following requirements: 10 to 12-foot chain-link fence with three strand barbed wire outriggers to keep deer off of aircraft movement areas, obstruction clear zone setbacks to satisfy airspace protection regulations, and setbacks for metal objects of 550-feet from the navigational aid to avoid any signaling interferences. The security fencing proposed for the Westside of the airport would be similar to that installed in 2006 and 2009 and would complete fencing of the perimeter of the airport operations area

Timing of Operations: The state environmental review process is complete and approval of the proposed project was provided in 2011. Therefore, the RSA construction is proposed to commence if and when remaining permits are obtained, with a requested date of no later than September 2013. Project construction would be completed by November 2014. The existing airport facility would remain operational during construction. Construction of the RSA's is planned to be complete

within one dry season, probably between May through October. It is expected that construction of the project would be undertaken in phases for each runway during the five-month dry season.

Basic Project Purpose: The basic project purpose comprises the fundamental, essential, or irreducible purpose of the project, and is used by USACE to determine whether the project is water dependent. The basic project purpose is runway safety. (40 C.F.R. Section 230.10(a)(3)).

Overall Project Purpose: The overall project purpose serves as the basis for the Section 404(b)(1) alternatives analysis, and is determined by further defining the basic project purpose in a manner that more specifically describes the applicant's goals for the project, while allowing a reasonable range of alternatives to be analyzed. The overall project purpose is the BCRAA's improvements of the RSA's at the CEC. (Paragraph 9.b.(4) of Appendix B to 33 C.F.R. Part 325 and 40 C.F.R. Section 230.10(a)(2)).

Project Impacts: Impacts to waters of the United States would total 16.77-acres of wetlands.

Proposed Mitigation: Wetland impacts that are unavoidable are proposed to be compensated by a compensatory mitigation project implemented at the Pacific Shores Subdivision and point St. George. To compensate for impacts to wetland waters of the U.S., wetland restoration, in the form of reestablishment, would occur at the Pacific Shores subdivision which is situated directly northwest of Lake Earl and Lake Tolowa and is bordered on the north and southwest by the 5,000-acre Tolowa Dunes State Park. The site is located in the coastal plain and is part of the coastal region dune habitat which contains a complex landscape mosaic of coastal habitats including sensitive plant and animal species. The CDFW holds 6,144-acres of land that makes up the Lake Earl Wildlife Area. This once contiguous dune complex is now fragmented and disconnected from adjacent hydrologic features, altering sensitive species habitat. Wetland reestablishment in this area would include removal

of existing asphalt road base, site preparation, and planting. Project components that are under consideration for this area are: reestablishment of palustrine and persistent emergent freshwater wetlands by road removal, and enhancement of existing wetland habitat. (33 C.F.R. Section 332.4(b) of the Mitigation Rule).

Additionally, enhancement of Oregon silverspot butterfly habitat by removing invasive species and seeding host and nectar plants utilized by the butterfly, reestablishment and enhancement of upland dune habitat are proposed to satisfy the requirements of other regulatory agencies.

West of the existing fence line that borders the CEC and point St. George, there is an opportunity to enhance three western lily sub-populations that are currently impacted by deer grazing and encroachment of coastal shrub species. Western lily was listed in 1994 and point St. George in Del Norte County is one of 28 known sites that have been surveyed. The easternmost occurring population exists adjacent to and west of the CEC fence line which borders the point St. George management unit. Restoration activities proposed are to provide early-stage wetland habitat that fits requirements for western lily. Activities proposed include vegetation removal followed by a routine mowing regime to maintain the actively cleared area; thus, providing the western lily restored habitat.

The mitigation construction for the RSA project is planned to begin in April 2014 through November 2014.

3. STATE AND LOCAL APPROVALS:

Water Quality Certification: State water quality certification or a waiver is a prerequisite for the issuance of a Department of the Army Permit to conduct any activity which may result in a fill or pollutant discharge into waters of the United States, pursuant to Section 401 of the Clean Water Act of 1972, as amended (33 U.S.C. § 1341 et seq.). The applicant has recently submitted an *application* to

the California Regional Water Quality Control Board (RWQCB) to obtain water quality certification for the project. The applicant is hereby notified that, unless USACE is provided documentation indicating a complete application for water quality certification has been submitted to the California Regional Water Quality Control Board (RWQCB) within 30 days of this Public Notice date, the District Engineer may consider the Department of the Army permit application to be withdrawn. No Department of the Army Permit will be issued until the applicant obtains the required certification or a waiver of certification. A waiver can be explicit, or it may be presumed, if the RWQCB fails or refuses to act on a complete application for water quality certification within 60 days of receipt, unless the District Engineer determines a shorter or longer period is a reasonable time for the RWQCB to act.

Water quality issues should be directed to the Executive Officer, California Regional Water Quality Control Board, North Coast Region, 5550 Skylane Boulevard, Suite A, Santa Rosa, California 95403

Coastal Zone Management: Section 307(c) of the Coastal Zone Management Act of 1972, as amended (16 U.S.C. § 1456(c) *et seq.*), requires a non-Federal applicant seeking a federal license or permit to conduct any activity occurring in or affecting the coastal zone to obtain a Consistency Certification that indicates the activity conforms with the State's coastal zone management program. Generally, no federal license or permit will be granted until the appropriate State agency has issued a Consistency Certification or has waived its right to do so. The project does occur in the coastal zone, and a *preliminary* review by USACE indicates the project would likely affect coastal zone resources. This presumption of effect, however, remains subject to a final determination by the California Coastal Commission.

Coastal zone management issues should be directed to the District Manager, California Coastal Commission, North Coast District Office, 710 E

Street, Suite 200, Eureka, California 95501, by the close of the comment period.

Other Local Approvals: The applicant has applied for the following additional governmental authorizations for the project: California Department of Fish and Wildlife authorizations.

4. COMPLIANCE WITH VARIOUS FEDERAL LAWS:

National Environmental Policy Act (NEPA): Upon review of the Department of the Army permit application and other supporting documentation, USACE has made a *preliminary* determination that the project does not qualify for a Categorical Exclusion, nor does it require the preparation of an Environmental Impact Statement for the purposes of NEPA. The FAA accepted a final Environmental Assessment (EA) and Finding of No Significant Impact and Record of Decision (FONSI-ROD) for the RSA on August 1, 2012. At the conclusion of the public comment period, USACE will assess the environmental impacts of the project in accordance with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. §§ 4321-4347), the Council on Environmental Quality's Regulations at 40 C.F.R. Parts 1500-1508, and USACE Regulations at 33 C.F.R. Part 325. The final NEPA analysis will normally address the direct, indirect, and cumulative impacts that result from regulated activities within the jurisdiction of USACE and other non-regulated activities USACE determines to be within its purview of Federal control and responsibility to justify an expanded scope of analysis for NEPA purposes. The final NEPA analysis will be incorporated in the decision documentation that provides the rationale for issuing or denying a Department of the Army Permit for the project. The final NEPA analysis and supporting documentation will be on file with the San Francisco District, Regulatory Division

Endangered Species Act (ESA): Section 7(a)(2) of the ESA or 1973, as amended (16 U.S.C. § 1531 *et seq.*), requires federal agencies to consult with either the U.S. Fish and Wildlife Service (USFWS)

or the National Marine Fisheries Service (NMFS) to ensure actions authorized, funded, or undertaken by the agency are not likely to jeopardize the continued existence of any Federally-listed species or result in the adverse modification of designated critical habitat. As the Federal lead agency for this project, FAA has conducted a review of the California Natural Diversity Data Base, digital maps prepared by USFWS and NMFS depicting critical habitat, and other information provided by the applicant, to determine the presence or absence of such species and critical habitat in the project area. Based on this review, FAA has made a preliminary determination that the proposed CEC operations are expected to have adverse affects on federally listed species and their habitat. The project would result in impacts leading to formal consultation with USFWS. The species affected include the endangered western lily (*Lilium occidentale*), threatened Oregon silverspot butterfly (*Speyeria zerene hippolyta*) and habitat, endangered tidewater goby (*Eucyclogobius newberryi*), and threatened snowy plover (*Charadrius nivosus nivosus*). A no effect determination is made for NMFS species and their habitat.

The Biological Assessment (BA) February 2013, for this action is completed and has been provided to FWS staff. This BA is available in our Eureka Office of the Army Corps of Engineers.

To address project related impacts the FAA has initiated formal consultation with FWS in February 2013, pursuant to Section 7(a) of the Act. Formal consultation is in progress. Any required consultation must be concluded prior to the issuance of a Department of the Army Permit for the project. As the federal lead agency for this project, the applicant will be responsible for determining the presence or absence of federally listed species and designated critical habitat, and the need to conduct consultation. To complete the administrative record and the decision on whether to issue a Department of the Army Permit for the project, USACE will obtain all necessary supporting documentation from the applicant concerning the consultation process. Any required consultation must be concluded prior

to the issuance of a Department of the Army Permit for the project.

Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA): Section 305(b)(2) of the MSFCMA of 1966, as amended (16 U.S.C. § 1801 *et seq.*), requires Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all proposed actions authorized, funded, or undertaken by the agency that may adversely affect essential fish habitat (EFH). EFH is defined as those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity. EFH is designated only for those species managed under a Federal Fisheries Management Plan (FMP), such as the *Pacific Groundfish FMP*, the *Coastal Pelagics FMP*, and the *Pacific Coast Salmon FMP*. As the Federal lead agency for this project, FAA has conducted a review to determine the presence or absence of EFH in the project area. Based on this review, FAA has made a determination that CEC activities in the project area would have no effect on EFH; therefore, no consultation with NMFS is required, pursuant to Section 305(5)(b)(2) of the Act. Any required consultation must be concluded prior to the issuance of a Department of the Army Permit for the project. To complete the administrative record and the decision on whether to issue a Department of the Army Permit for the project, USACE will obtain all necessary supporting documentation from the applicant concerning the consultation process. Any required consultation must be concluded prior to the issuance of a Department of the Army Permit for the project.

Marine Protection, Research, and Sanctuaries Act (MPRSA): Section 302 of the MPRS of 1972, as amended (16 U.S.C. § 1432 *et seq.*), authorizes the Secretary of Commerce, in part, to designate areas of ocean waters, such as the Cordell Bank, Gulf of the Farallones, and Monterey Bay, as National Marine Sanctuaries for the purpose of preserving or restoring such areas for their conservation, recreational, ecological, or aesthetic values. After such designation, activities in sanctuary waters authorized under other authorities are valid only if the Secretary of Commerce

certifies that the activities are consistent with Title III of the Act. No Department of the Army Permit will be issued until the applicant obtains the required certification or permit. The project does not occur in sanctuary waters, and a *preliminary* review by FAA indicates the project would not likely affect sanctuary resources. This presumption of effect, however, remains subject to a final determination by the Secretary of Commerce, or his designee.

National Historic Preservation Act (NHPA): Section 106 of the NHPA of 1966, as amended (16 U.S.C. § 470 *et seq.*), requires Federal agencies to consult with the appropriate State Historic Preservation Officer to take into account the effects of their undertakings on historic properties listed in or eligible for listing in the *National Register of Historic Places*. Section 106 of the Act further requires Federal agencies to consult with the appropriate Tribal Historic Preservation Officer or any Indian tribe to take into account the effects of their undertakings on historic properties, including traditional cultural properties, trust resources, and sacred sites, to which Indian tribes attach historic, religious, and cultural significance. As the Federal lead agency for this undertaking, FAA has conducted a review of latest published version of the *National Register of Historic Places*, survey information on file with various city and county municipalities, and other information provided by the applicant, to determine the presence or absence of historic and archaeological resources within the permit area. Based on this review, FAA has made a determination that historic or archaeological resources are likely to be present in or near the permit area, and that the project may have the potential to cause effects to these resources or has no effect to these resources. Therefore, FAA has initiated consultation with the National Historic Preservation Officer for Section 106 compliance on March 20, 2013. The USACE will render a final determination related to providing additional information related to this consultation at the close of the comment period, taking into account any comments provided by the State Historic Preservation Officer, the Tribal Historic

Preservation Officer, the Advisory Council on Historic Preservation, and Native American Nations or other tribal governments. If unrecorded archaeological resources are discovered during project implementation, those operations affecting such resources will be temporarily suspended until USACE concludes Section 106 consultation with the State Historic Preservation Officer or the Tribal Historic Preservation Officer to take into account any project related impacts to those resources.

5. COMPLIANCE WITH THE SECTION 404(b)(1) GUIDELINES: Projects resulting in discharges of dredged or fill material into waters of the United States must comply with the guidelines promulgated by the Administrator of the Environmental Protection Agency under Section 404(b) of the Clean Water Act (33 U.S.C. § 1344(b)). An evaluation pursuant to the guidelines indicates the project is not dependent on location in or proximity to waters of the United States to achieve the basic project purpose. The applicant has been informed to submit an analysis of project alternatives to be reviewed for compliance with the guidelines. This analysis was submitted in February 2013. The Corps will conduct an independent review of project alternatives to ensure compliance with the 404(b)(1) Guidelines.

6. PUBLIC INTEREST EVALUATION: The decision on whether to issue a Department of the Army Permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the project and its intended use on the public interest. Evaluation of the probable impacts requires a careful weighing of the public interest factors relevant in each particular case. The benefits that may accrue from the project must be balanced against any reasonably foreseeable detriments of project implementation. The decision on permit issuance will, therefore, reflect the national concern for both protection and utilization of important resources. Public interest factors which may be relevant to the decision process include conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values,

fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

7. CONSIDERATION OF COMMENTS: USACE is soliciting comments from the public; Federal, State and local agencies and officials; Native American Nations or other tribal governments; and other interested parties in order to consider and evaluate the impacts of the project. All comments received by USACE will be considered in the decision on whether to issue, modify, condition, or deny a Department of the Army Permit for the project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, and other environmental or public interest factors addressed in a final revised environmental assessment or environmental impact statement. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the project.

8. SUBMITTING COMMENTS: During the specified comment period, interested parties may submit written comments to Carol A. Heidsiek, San Francisco District, Regulatory Division, Eureka Field Office, 601 Startare Drive, Box 14, Eureka, California 95501; comment letters should cite the project name, applicant name, and public notice number to facilitate review by the Regulatory Permit Manager. Comments may include a request for a public hearing on the project prior to a determination on the Department of the Army permit application; such requests shall state, with particularity, the reasons for holding a public hearing. All substantive comments will be forwarded to the applicant for resolution or rebuttal. Additional project information or details on any subsequent project modifications of a minor nature may be obtained from the applicant and/or agent, or by contacting the Regulatory Permit Manager by telephone or e-mail cited in the public notice

letterhead. An electronic version of this public notice may be viewed under the *Public Notices* tab on the USACE website:

<http://www.spn.usace.army.mil/Missions/Regulatory>.