



FAA
Airports Division

Eastern Region

New York Airports District Office
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February 23, 2006

Mr. Justin Edwards, Airport Manager
Trenton Mercer Airport
1100 Terminal Circle Drive, Suite 301
West Trenton, NJ 08628

COPY

Re: Trenton Mercer Airport (TTN)
Environmental Assessment – Replacement Terminal and Other CIP Projects
Environmental Determination

Dear Mr. Edwards:

The Federal Aviation Administration (FAA) has recently approved the Environmental Assessment (EA) and made a Finding of No Significant Impact/Record of Decision (FONSI/ROD) for the Construction of a New Replacement Terminal and Other Projects included in the Capital Improvement Plan at Trenton Mercer Airport (TTN), New Jersey. A copy of the signed FONSI/ROD and the EA signature page are enclosed.

This Federal environmental approval is a determination by the Approving Official that the requirements imposed by applicable environmental statutes and regulations have been satisfied by a FONSI/ROD. However, it is not an approval of the Federal action approving the funding of eligible items for this project, nor approval of the air space review, nor approval of the revision to the Airport Layout Plan (ALP) to show these projects.

In compliance with Council on Environmental Quality (CEQ) regulations 1501.4(e)(1) and 1506.6, we require that your office make the final EA with Signature Page and FONSI/ROD available to the affected public, and announce such availability through appropriate media in the area. The announcement shall indicate the availability of the document for examination and note the appropriate location of general public access where the document may be found (i.e., your office, local libraries, public buildings, etc.). We request that a copy of such announcement be sent to the NYADO when it is issued.

Finally, your attention is directed to the mitigating measures that were made a condition of approval of the FONSI/ROD. Please be reminded that these measures must be taken by the airport sponsor in order to meet the terms of the FONSI/ROD.

The process of making these environmental determinations is that of a partnership between yourself, as airport sponsor, and the other contributing parties, both public and private. We thank you for your effort and cooperation.

Please contact our office if you have any questions.

Sincerely,

Otto Suriani, Acting, Manager
New York Airports District Office

Enclosures (2)

✓cc: C. Tiernan, DMJM + Harris

**DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
FINDING OF NO SIGNIFICANT IMPACT
RECORD OF DECISION**

Location

Trenton Mercer Airport (TTN)
Trenton, New Jersey

Introduction

This Finding of No Significant Impact/Record of Decision (FONSI/ROD) sets out the Federal Aviation Administration's (FAA) consideration of environmental and other factors for the Airport Layout Plan (ALP) approval for the construction of a new passenger terminal and other improvements at Trenton Mercer Airport (TTN). This FONSI/ROD is based on the following: 1) *Preliminary Final Environmental Assessment (EA) for Trenton Mercer Airport*, dated November 2002; 2) Appendices L and M, dated August 29, 2003; and 3) A clarification letter dated August 5, 2004 (copies attached).

Because some of the information contained in the EA is over three years old, it is necessary to evaluate the continued validity of the document. FAA has considered the issues and does not believe that there have been significant changes in environmental or other conditions, ownership, or public interest since the date of the document. It is therefore concluded that the contents of the EA remain substantially valid; there are no significant changes that require the preparation of a supplement or new environmental document. FAA believes the information in the EA continues to be applicable, accurate, and valid for the purposes of FAA decisionmaking.

Project Description

The proposed project specifically involves the following:

- Construction of a new 44,000 square foot replacement terminal building accommodating 2 aircraft gates;
- Expanded apron area;
- Realignment of existing airport terminal access road;
- Additional automobile parking spaces (proposed northern and southern parking areas);
- Demolition and removal of the existing Tennis Center (for southern parking area);
- New snow removal equipment and storage building;
- Taxiway D relocation;
- Taxiway B widening;
- Taxiway F extension to Runway 24;
- Taxiway F widening (Runway 6 end);
- Taxiway J extension to Taxiway B and add connectors to Runway 6/24 and the Terminal Ramp;
- Taxiway E to H connector; and
- Taxiway G connector.

Proposed Agency Actions

The FAA actions involved in the implementation of the proposed project include the following:

- a. Conditional approval of the ALP pursuant to 49 U.S.C. § 40103(b) and § 47107(a)(16), and determination of effects upon the safe and efficient utilization of navigable airspace pursuant to 14 CFR Parts 77 and 157 and 49 U.S.C. §44718;
- b. Determination under 49 U.S.C. §§ 40101(d)(1) and 47105(b)(3) whether the proposed project meets applicable design and engineering standards set forth in FAA Advisory Circulars;
- c. Potential funding through the Federal grant-in-aid program authorized by the Airport and Airway Improvement Act of 1982, as amended (recodified at 49 U.S.C. § 47107) and/or approval of an application to use Passenger Facility Charges (PFCs); and
- d. Prior to any funding decision concerning the proposed project, determination under 49 U.S.C. § 44502(b) that the airport development is reasonably necessary for use in air commerce or in the interests of national defense.
- e. Continued close coordination with the County of Mercer and appropriate FAA program offices, as required, for safety during construction (14 C.F.R. Part 139) (49 U.S.C. §44706).
- f. Approval of appropriate amendments to the Trenton Mercer Airport (TTN) Airport Certification Manual (ACM), as required, pursuant to 49 U.S.C. §44706.

Background

In 1995, FAA Southern Region Flight Standards Division issued operation specifications to Eastwind Airlines to operate at TTN. Documentation pursuant to the National Environmental Policy Act (NEPA) to support this action does not exist. Subsequent to Eastwind beginning service to TTN, many noise complaints were received. Eastwind operated the Boeing 737-200 jet aircraft which was an early model of this type of aircraft that generated substantially more noise than the current models of the same aircraft. Eastwind ceased service to TTN in mid-1999. Since then, other commercial service airlines have both begun and ceased operations at TTN (i.e., Shuttle America). Presently, Boston-Maine Airways (Pan-Am) is providing commercial air carrier service at TTN. Boston-Maine applied for and received operational specifications from FAA to provide this service; this action was subject to NEPA and received a categorical exclusion on March 25, 2004 from the FAA New England Region Flight Standards Division. It is important to note that the operations for this service are already accounted for in the forecast projections.

In June 1997, a study was conducted for the County of Mercer to develop a concept to renovate and upgrade the existing passenger terminal facility to meet current and projected regional air travel needs. This study revealed that because of the probable cost of the renovation project, the difficulties of maintaining operations during construction, and the deteriorated condition of the

existing facility, it would be more cost effective and operationally efficient to construct a new terminal facility.

In early 1998, TTN requested FAA funding and airport layout plan (ALP) approval for replacement of its terminal and other capital improvement plan (CIP) projects. FAA then determined that it would be appropriate to conduct an EA that would evaluate the current conditions as well as the future anticipated impacts associated with the proposed terminal and CIP projects. The EA was intended to assess the current proposal as well as capture the impacts of past projects, specifically Eastwind's entry to TTN.

Purpose and Need

The purpose of the proposed project is to enable the airport to meet existing and future transportation needs and to meet FAA guidelines and policies with respect to airside and landside facilities. Many of the existing airport facilities are inadequate to serve existing transportation demand and need to be improved; facilities and equipment are inadequate, inefficient, and/or functionally obsolete and are in immediate need of major repair and/or rehabilitation.

Forecasting

Airport forecast activity figures are one of the components used in conducting the evaluation of environmental impacts. The Terminal Area Forecast (TAF) for 1999 was utilized as the baseline condition for the analyses in the EA. (For certain environmental categories, the baseline condition is often the condition against which future impacts are compared.) Forecasting for future airport use indicates that airport activity would increase with or without any improvements because of normal, incremental population and business growth.

According to the TAF issued in January 2005, the last actual data is for the year 2003 and although this data reveals that aircraft operations have *decreased* since 1999, the use of the 1999 TAF data is acceptable for the purposes of the environmental analyses; considering a greater number of aircraft operations in the analyses provides a more vigilant estimate of impacts.

Alternatives

Alternatives were considered for three elements: the terminal building and associated amenities (i.e., additional automobile parking, access road reconfiguration), taxiways, and the snow removal equipment (SRE) storage and maintenance building.

Terminal Building:

Numerous terminal development alternatives including the No Action alternative, renovating the existing terminal facility and a new terminal facility at 8 possible sites/configurations were considered. Of those alternatives, a new terminal facility at a site south of the existing terminal building was selected.

Two terminal design alternatives were evaluated in the EA: 'Build Alternative 1' – encompassing 44,000 square feet of terminal space and two aircraft gates; and 'Build

Alternative 2' - encompassing 64,000 square feet of terminal space and four aircraft gates to accommodate a low fare/high frequency carrier. **The sponsor's Preferred Alternative is 'Build Alternative 1.'** This is important to note since it is a change that came about during project development.

During the course of the preparation and review of this project, TTN/Mercer County had, at various times, expressed an interest in having a low fare/high frequency carrier (LF/HF) operate at TTN. More importantly, it should be noted that at this time, such an arrangement does not exist. FAA's decision is only relative to the preferred alternative as identified in the EA. If in the future the airport wishes to pursue other projects for any purpose, appropriate environmental documentation and review will be required.

Upon construction of the new terminal facility, the existing terminal facility would be left standing, and would not be demolished. It is intended that the existing terminal building would be used for airport related activities, such as airport administration and conference space, passenger related services, and continuation of the General Quarter's Restaurant that currently operates in this space. It is anticipated that future uses will not attract new customers, but will provide services to existing patrons of the airport.

Taxiways:

The taxiway improvement alternatives evaluated include a No Action and a Build alternative. The Build alternative included evaluation of seven improvement elements. These elements consist of Taxiway D relocation, Taxiway B widening, Taxiway F extension (Runway 24 end), Taxiway J extension with ramps connecting Runway 6/24 with the terminal apron, Taxiway F widening (Runway 6 end), a connector between Taxiways E and H, and a Taxiway G connector to Runway 6/24. The No Action alternative assumes that no alteration of the existing airfield would occur other than routine maintenance and does not meet the stated project purpose and need.

(SRE) Storage and Maintenance Building:

Five alternatives were evaluated for the SRE storage and maintenance building in addition to the No Action alternative. These included the existing maintenance facility, a location south of the existing Aircraft Rescue and Fire Fighting (ARFF) facility, a location northwest of Taxiway J, a location south of Taxiway F, and a location west of Taxiway G, adjacent to the Merck corporate hangar. The sponsor's Preferred Alternative, due to airfield constraints, access and environmental impacts, consists of the location west of Taxiway G.

In response to public comment, the EA also addresses a "close the airport" alternative and an "unbuild" alternative. However, these alternatives are not considered reasonable and were not further evaluated.

Discussion

The attached EA and appendices address the effects of the proposed project on the quality of the human and natural environment, and are made part of this Finding. The following impact analysis highlights the more thorough analysis presented in the EA and appendices.

Noise

A noise analysis using the FAA's Integrated Noise Model (INM 6.0) was conducted for 1994 Pre-Eastwind Conditions, 1999 Baseline Conditions, 2005 No Action, 2005 Build Alternative 1 and 2005 Build Alternative 2. 1994 is termed "Pre-Eastwind Conditions" since this was the most recent full year in which there was no commercial air carrier activity at TTN. Early in development of the EA, 1994 was proposed as the baseline for the noise analysis because of the public outcry at the increase in aircraft noise after the advent of service by Eastwind airlines.

During the analysis, it was revealed that 1994 is actually "noisier" than the "future action" year of 2005 because of the transition to Stage 3 aircraft; Stage 3 aircraft are quieter aircraft with noise levels set out in 14 CFR part 36, in effect on November 5, 1990. Therefore, the results of the noise analysis for the 1994 and 1999 conditions are presented in the EA to show the public the change in noise levels over the years, but are for information purposes only.

To truly assess noise impacts, FAA called for the comparison of "future action" versus "future no action" scenarios; in this case, 2005 No Action and 2005 Build Alternatives. This comparison is found to be the most effective way to identify the potential noise impacts that would result from the proposed project. FAA Order 1050.1E and FAA Order 5050.4a have established the threshold of significance as a 1.5 dB increase in noise over any noise sensitive area located within the DNL 65 contour. Therefore, if a proposed action would result in an increase of more than 1.5 dB within the DNL 65 contour for the future conditions, further analysis would be required as part of the NEPA process.

The results of the analyses reveal that when compared to the 2005 No Action Alternative, 2005 Build Alternative 1 does not result in an increase within the DNL 65 contour of 1.5 Ldn or more and therefore, will not result in significant noise impacts. Noteworthy is the fact that when compared to 1994 Pre-Eastwind and 1999 Baseline conditions, the 2005 Build Alternative 1 results in reduced noise impacts.

Although it is not being pursued at this time, it is important to note that the 2005 Build Alternative 2 scenario (which includes four aircraft gates and the introduction of a low fare/high frequency carrier) would likely result in exceeding the 1.5 Ldn threshold of significance for noise impacts and necessitate the preparation of an environmental impact statement (EIS). Should an expansion of the proposed project become necessary in the future, the appropriate environmental documentation must be prepared and reviewed at that time to assess the impact of that project.

Air Quality

The 1990 Amendments to the Clean Air Act require federal actions (including review and approval activities) to show conformance with the State Implementation Plan (SIP) in areas that have not attained the National Ambient Air Quality Standards (NAAQS). Conformity to a SIP means conformity to a SIP's purpose of eliminating or reducing the severity and number of violations of the NAAQS and achieving expeditious attainment of such standards. Because

FAA's role in approving the proposed project is a federal action, the project is subject to the General Conformity Rule.

Mercer County is part of an area designated as Severe-15 Nonattainment for the NAAQS for ozone. As such, FAA called for the performance of an emissions inventory analysis as a first step to determine conformity with the SIP.

The emissions inventory for TTN was generated using FAA's Emissions Dispersion Modeling System (EDMS Version 3.2). This model captures emissions from aircraft, ground support vehicles/power units, roadways, parking lots and stationary sources. (Potential construction impacts are addressed later in this document, under the heading "Construction Impacts".) In comparing the 2005 No Action with 2005 Build Alternative 1, EDMS reveals no increases in emissions exceeding the 25 tons per year (tpy) de minimis value. The proposed project would therefore be in compliance with the SIP and no further conformity determination would be required.

With respect to the impact of vehicular traffic on air quality, the two airport access intersections (Bear Tavern Road/Sam Weinroth Road and Scotch Road/Sam Weinroth Road), would have future Levels of Service (LOS) of C or better; a LOS of C does not have sufficient delay to produce significant congestion and idle emissions. Therefore, further air quality analysis for vehicular traffic is not required. Based on the above, the proposed project will not result in significant adverse impacts to air quality.

49 U.S.C. Section 303 (Section 4(f))/NJDEP Green Acres

A Section 4(f) use is defined as use of any publicly owned land from a public park, recreation area, or wildlife and waterfowl refuge of national, state or local significance. In the instant case, a Section 4(f) use will occur with the demolition of the existing TTN Tennis Center for construction of surface parking. The TTN Tennis Center operates only during winter months and accommodates six tennis courts. This facility is in deteriorated condition, and the County has stated its intentions to relocate this facility elsewhere, regardless of proposed airport development. Loss of the existing TTN Tennis Center will be fully mitigated by County plans to cover four existing outdoor tennis courts located at Mercer County Park and to construct and cover an additional two tennis courts at the Mercer County Park. Completion of this project will enable these six tennis courts to be used throughout the year, thus compensating for the loss during the winter months of the six indoor courts at the TTN Tennis Center. The Executive Director of the Mercer County Park Commission requested and received approval for an allocation of \$1,400,000 to cover these six outdoor courts at Mercer County Park (See attached letters from the Mercer County Park Commission). The County is currently in the process of developing project specifications for this project and will subsequently advertise for bids on the project, a contractor will be selected and the project will be completed. Accordingly, no loss of Section 4(f) resources would occur, thereby satisfying Section 4(f) requirements. A complete Section 4(f) Evaluation is provided in Appendix I of the EA.

Although the Tennis Center property is designated as Green Acres encumbered land, Green Acres regulations requiring parkland and facility replacement are not applicable in this case, in

accordance with correspondence dated August 28, 2000 (copy attached) from the NJDEP Green Acres Program. This letter explains that the Tennis Center should have been omitted from the county's inventory since the facility is strictly an indoor recreation area without any outdoor component. Therefore, no further review of this matter is required for Green Acres.

Historic and Cultural Resources

A cultural resources evaluation was conducted for the proposed project and submitted to the NJDEP Historic Preservation Office (NJSHPO) and the Pennsylvania Historical and Museum Commission (PHMC) for review. This review was conducted prior to the selection of 'Build Alternative 1' as the preferred alternative. Upon their review, NJSHPO and PHMC raised concerns about potential impacts to historic resources in New Jersey and Pennsylvania related to noise, vibration, visual, and atmospheric impacts associated with 'Build Alternative 2.'

However, based on the fact that 'Build Alternative 1' is the preferred alternative and proposed project, both NJSHPO and PHMC have concurred that the proposed project will have no effect on properties listed in or eligible for the National Register of Historic Places (see attached letters).

Should an expansion of the proposed project become necessary in the future, the appropriate environmental documentation must be prepared and reviewed at that time to address the impacts of that project on historic and cultural resources.

Water Quality

This project is located within the Delaware River Watershed. The increase in new pavement for the project will increase the volume and rate of stormwater runoff. This will be mitigated by the construction of stormwater management facilities in accordance with the Delaware and Raritan Canal Commission, NJDEP and County of Mercer requirements. These facilities will be designed to effectively treat runoff by detaining it, such that the rate of runoff after construction is equal to or less than the rate of runoff prior to construction; the design will also avoid any standing water. Based on the above, it is not anticipated that implementation of the proposed project will result in significant adverse impacts to water quality.

Wetlands and Biotic Communities

The proposed project would impact a total of 33.95 acres of currently vegetated areas, the majority of which (approx 28 acres) are maintained lawn. Approximately 0.07 acres of wetlands and a State open water, non-wetland drainage ditch would be impacted. Further, 4.33 acres of scrub-shrub and 1.55 acres of mixed upland hardwood forest would also be affected. Impacts to these areas will be avoided and minimized to the maximum extent possible. Minimization efforts include limiting areas of disturbance and grading, and landscape plantings.

Threatened and Endangered Species

Based on field investigations and information provided by the NJDEP and the United States Fish and Wildlife Service (USFWS), no threatened or endangered species or their habitat exist within the project area. Accordingly, the proposed project will not result in any adverse impacts to endangered and threatened species.

Land Use and Zoning

The proposed project areas are located entirely on airport property. The immediate project area and its environs are proposed to remain in a variety of aviation related uses, as stipulated on the current ALP. The proposed project is consistent with the ALP, as this area has not been identified for any other future use that would conflict with the proposed terminal and related improvements. Based on this, no significant impacts with regard to land use compatibility are anticipated as a result of the proposed project.

Environmental Justice

Executive Order No. 12898 entitled "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations" provides that federal agencies shall ensure achievement of environmental justice by identification of disproportionate environmental affects of its actions on minority and/or low-income populations. Based on the information provided, there would be no disproportionate environmental impacts experienced by low income and minority populations as a result of the proposed project.

Construction Impacts

The implementation of the proposed project would result in temporary construction impacts regarding noise, water quality, and air quality associated with operation of construction equipment and the arrival and departure of construction workers. Implementation of best management practices will minimize temporary impacts during construction. With respect to air quality impacts during construction, use of the Emissions Dispersion Modeling System (EDMS) revealed that construction related increases in emissions would remain well below the de minimis values, and would therefore be in compliance with the SIP.

Cumulative Impacts

The EA includes a discussion of development that has been constructed in and around the airport and future development anticipated in the vicinity of the airport. It also discusses the relationship of the impacts from those future developments to the proposed project. Since receipt of the EA, several other projects were presented for FAA evaluation. These projects (primarily private hangar projects) were separate, distinct, and unrelated from the project proposed in the EA and were subject to their own environmental analyses and findings.

While there are minor cumulative impacts with regard to air quality, noise, storm water runoff, soil erosion, traffic, indirect impacts, and construction, from the projects assessed in the EA and the projects subsequently submitted, when considered with other past, present, and reasonable

foreseeable future development projects on or off the airport, the proposed projects are not anticipated to result in significant cumulative impacts. Further, it is unlikely that the proposed terminal project would be constructed at the same time as other separate projects and therefore, no cumulative construction impacts are expected to occur.

Summary of Agency and Public Involvement Process

A Scoping Meeting was held for the EA on November 8, 1999 at the Dempster Fire Service Training Facility in Lawrenceville, New Jersey. Two sessions were held: an afternoon session from 2:00 pm to 5:00 pm; and an evening session from 6:00 pm to 9:00 pm. A total of approximately 365 persons attended one or both of these sessions, and approximately 100 persons provided oral testimony at one or both of these sessions. The public comment period for the scoping meeting terminated on December 8, 1999, up until which time, written comments were received. A summary of oral and written scoping meeting comments is provided in the EA (Appendix E), along with a generalized response indicating where in this EA, the comment is addressed.

Two Public Information Meetings were also held: one on January 18, 2000 at the West Trenton Fire House, in Mercer County, NJ; and the other on February 9, 2000 at the Quarry Hills Elementary School in Bucks County, PA. These meetings provided an opportunity for the public to learn the results of preliminary analysis conducted for various topics considered in the EA. Further, it allowed participants to ask questions of the County representatives and the Consultants on a one-to-one basis.

On April 15, 2002, the Draft EA was circulated to governmental agencies and organizations and was made available for public review beginning on April 16, 2002 at nine Mercer County Library System branches, eight Mercer County municipal libraries, the Bucks County, PA Library (Yardley-Makefield branch), all 13 Mercer County municipal buildings, and at three Bucks County PA municipal offices. In addition, the entire Draft Environmental Assessment was posted on the County of Mercer website (www.mercercounty.org).

A formal Public Hearing was held on the Draft EA on June 12, 2002 (5 pm to 10 pm) at the New Jersey State Museum Auditorium. A Public Notice was published on May 9, 2002 in *The Trentonian* and *The Courier Times* to provide proper notification of the Public Hearing more than 30 days prior to the June 12th public hearing. A public comment period extended through July 12, 2002, providing opportunity for the public, government agencies, organizations, etc., to submit written comments to the County regarding the Draft EA. These comments were reviewed and incorporated into the EA that is the subject of this Finding.

Other Impact Categories

The impacts of the proposed federal action on land use compatibility, social, indirect socioeconomic, water quality, DOT Section 4(f), biotic communities, endangered species, historic or cultural resources, coastal zones, floodplains, coastal barriers, prime and unique farmland, energy supply and natural resources, light emissions, solid waste impacts, construction impacts, environmental justice, and cumulative impacts were evaluated in the EA. It is the

FAA's finding that the proposed actions will not have any significant effect on any of the above noted categories.

FAA Facilities

The FAA maintains a centerfield wind sensor located near the intersection of the proposed extension of Taxiway "G" and the connection of Taxiway "J" and "B." The FAA's Airway Facilities Division has determined that the implementation of the proposed taxiway projects will necessitate the relocation of this equipment. To enable the equipment relocation, the airport sponsor (Mercer County) must enter into a reimbursable agreement with the FAA. This agreement however, cannot be executed prior to FAA making the environmental determination that is the subject of this FONSI/ROD. The airport sponsor has agreed that it is financially responsible for the relocation of the FAA's wind sensor facility and it will work with the appropriate FAA Divisions to enter into a "reimbursable agreement" to ensure that the sensor is properly relocated. At this time, there has been no determination as to a relocation site. Prior to the relocation of the facility, appropriate NEPA review and FAA environmental determination concerning the project will be accomplished.

Mitigation Measures

1. Construction contract specifications will contain the provisions of FAA Advisory Circular 150/5370-10A (including Changes 1 through 13) titled *Standards for Specifying Construction of Airports*, Item P-156, Temporary Air and Water Pollution, Soil Erosion, and Siltation Control and AC 150/5320-5B, "Airport Drainage."
2. Best management practices will be implemented during construction to minimize impacts.
3. No construction of the project shall commence until all required permits are obtained.
4. If major steps toward the implementation of the proposed project have not commenced within 3 years from the date of approval of this FONSI/ROD, a written reevaluation of the adequacy, accuracy, and validity of the supporting documents shall be required.
5. Loss of the existing TTN Tennis Center will be fully mitigated by County plans to cover four existing outdoor tennis courts located at Mercer County Park and to construct and cover an additional two tennis courts at the Mercer County Park. Completion of this project will enable these six tennis courts to be used throughout the year, thus compensating for the loss during the winter months of the six indoor courts at the TTN Tennis Center.
6. The airport sponsor will take procedural and financial responsibility for relocating the wind sensor, as described above, and will work with the appropriate FAA Divisionsto enter into a "reimbursable agreement" with Agency and to ensure that the sensor is

properly moved. In connection with and prior to this action, a separate NEPA review and FAA environmental determination will be accomplished.

Agency Findings

This Project is consistent with existing plans of public agencies for development of the area surrounding the airport (49 U.S.C. 47106).

Decision and Order

The FAA recognizes its responsibilities under the National Environmental Policy Act of 1969 (NEPA) and its implementing Council on Environmental Quality (CEQ) regulations, and its own directives. Recognizing these responsibilities, I have carefully considered the FAA's goals and objectives in relation to the various aeronautical aspects of the projects proposed in the *Preliminary Final Environmental Assessment for Trenton Mercer Airport*, dated November 2002, and Appendices L and M, dated August 29, 2003, and the clarification letter dated August 5, 2004, and I have used the environmental process to make a more informed decision. This review included the purposes and needs to be served by this project, alternative means of achieving them, the environmental impacts of these alternatives, and the mitigation necessary to preserve and enhance the human environment.

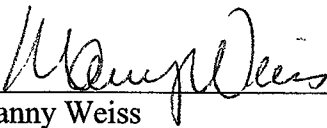
After careful and thorough consideration of the facts contained herein, the undersigned finds that the proposed Federal action is consistent with existing national environmental policies and objectives as set forth in Section 101 of NEPA and other applicable environmental requirements. I also find that the proposed Federal action will not significantly affect the quality of the human environment or otherwise include any condition requiring consultation pursuant to section 102(2)(C) of NEPA.

I therefore direct that action be taken to carry out the agency actions noted above. Specifically:

1. Conditional approval of the ALP pursuant to 49 U.S.C. § 40103(b) and § 47107(a)(16), and determination of effects upon the safe and efficient utilization of navigable airspace pursuant to 14 CFR Parts 77 and 157 and 49 U.S.C. §44718;
2. Determination under 49 U.S.C. §§ 40101(d)(1) and 47105(b)(3) as to whether the project meets applicable design and engineering standards set forth in FAA Advisory Circulars;
3. Potential funding through the Federal grant-in-aid program authorized by the Airport and Airway Improvement Act of 1982, as amended (re-codified at 49 U.S.C. § 47107) and/or approval of an application to use Passenger Facility Charges (PFCs);
4. Prior to any funding decision concerning the proposed project, determination under 49 U.S.C. § 44502(b) that the airport development is reasonably necessary for use in air commerce or in the interests of national defense;

5. Continued close coordination with the County of Mercer and appropriate FAA program offices, as required, for safety during construction. (14 C.F.R. Part 139) (49 U.S.C. §44706); and,
6. Approval of appropriate amendments to the Trenton Mercer Airport (TTN) Airport Certification Manual (ACM), as required, pursuant to 49 U.S.C. §44706.

Approved:



Manny Weiss
Regional Administrator
FAA Eastern Region

2/23/06
Date

This decision, including any potential subsequent actions approving a grant of Federal funds to the County of Mercer is taken pursuant to the 49 U.S.C. § 40101 et seq. (Part A) and 49 U.S.C. § 47101 et seq. (Part B), and constitutes a final order of the Administrator which is subject to review by the courts of appeals of the United States in accordance with the provision of 49 U.S.C. § 46110.

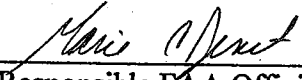
**FINAL
ENVIRONMENTAL ASSESSMENT
TRENTON MERCER AIRPORT**

Prepared for: County of Mercer, New Jersey

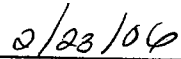
Prepared by: DMJM + HARRIS, INC., Iselin, New Jersey

November 2002

This Environmental Assessment becomes a Federal document when evaluated and signed by the responsible FAA official.



Responsible FAA Official



Date



Airport Administration, 1100 Terminal Circle Drive, Suite 301
West Trenton, New Jersey 08628

Brian M. Hughes
County Executive

Kelvin S. Ganges
Chief of Staff

Andrew A. Mair
County Administrator

Aaron T. Watson
Director, Department of
Transportation & Infrastructure

Justin P. Edwards, A.A.E.
Airport Manager

RECEIVED
AUG 09 2004
BY: *[Signature]*
[Signature]

August 5, 2004

Philip Brito, Manager
Federal Aviation Administration
New York Airports District Office
600 Old Country Road - Suite 446
Garden City, New York 11530

Subject: **Environmental Assessment - Clarification in Regards to Mercer County Tennis Center**

Dear Mr. Brito:

In response to your letter dated April 22, 2004, I have attached a letter from Kevin Bannon, Executive Director of the Mercer County Park Commission (MCPC), providing an update on the overall status of the Mercer County Tennis Center Relocation Project. I believe you will find that Mr. Bannon's letter addresses all of the issues raised in your letter. As stated in the letter, Mr. Bannon, along with our County Executive, Brian Hughes and Aaron Watson, our Director of Transportation and Infrastructure, are all supportive of the plan to close the existing indoor tennis center at the airport and enhance the County's complex located at the Mercer County Park.

As you will also note, Mercer County representatives have already met with officials of the Green Acres Program and the MCPC has allocated and approved funds to complete this important project. I hope that the attached letter meets all of your requirements, clarifies that there will not be a loss of Section 4 (f) resources, and enables your agency to complete its review of the Preliminary Final Environmental Assessment (PFEA) and issue a Record of Decision (ROD) in the coming weeks.

Should you require any additional information, or have any questions pertaining to the above matter, please don't hesitate to contact me at (609) 882-1601.

Sincerely,

[Signature]
Justin P. Edwards, A.A.E.
Airport Manager

JPE:sc
attachment

copy Aaron Watson, Director DOT&I
Kevin Bannon, Executive Director MC Park Commission
~~Marie Jenet, FAA/NYADO~~
Christine Tiernan, DMJM+Harris

c:\faa\brito-ea tennis ctr 08 2004



Founded 1963

Mercer County Park Commission

McDade Administration Building
P.O. Box 8068 640 South Broad Street Trenton, New Jersey 08650-0068
Phone (609) 989-6530 Fax (609) 989-8174

Dominic S. Anepete
Susan J. Kane
A. Richard Lettiere

Carol L. Beske, President
S. Bobby Bryant, Vice President
Kevin B. Bannon, Executive Director

David L. Rhoads
Andrew R. Worek

August 5, 2004



Mr. Justin Edwards
Airport Manager
Trenton-Mercer Airport
1100 Terminal Circle Drive
Suite 301
West Trenton, New Jersey 08628

Dear Mr. Edwards:

As you are well aware we are planning on closing the Mercer County Indoor Tennis Center after this winter season. I am writing to update you on a few items as it pertains to having a new center constructed at a different location in the county.

Our plan is to either cover existing courts or newly constructed courts at our Outdoor Tennis Center in Mercer County Park. This is one of the finest complexes in the region with twenty-six outdoor courts (twenty-two lighted), including a clubhouse and main competition court and spectator area. Adding six covered courts to this complex would make it a world-class facility.

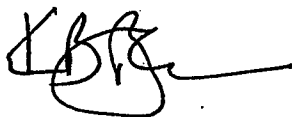
In order to make this happen it has been necessary to work closely with the New Jersey Department of Environmental Protection. Aaron Watson and I recently met with Leilani Hershey and Judith Piccinini Yeany from the Green Acres Program. We agreed to limit the scope of the project to the construction of a pavilion type of structure that could be heated and fully enclosed in the winter and open-aired (removable sides) in the summer. This is very common in the tennis industry and cost effective. It should also be noted that at our last Park Commission meeting on July 28, 2004 a resolution was approved to authorize an EUS Agreement with Jersey Professional Management to serve as a consultant and work closely with Green Acres throughout the project.

In case you are not aware, The Mercer County Park Commission has approved this project, and 1.3 million dollars is currently in a capital account for its purpose. There are also two hundred thousand dollars of additional capital money allocated for a clubhouse renovation.

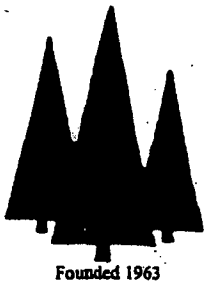
Lastly, I would like to add that our County Executive Brian Hughes is aware of and supportive of the plan to close our existing indoor center and enhance our complex at Mercer County Park.

If you should have any further questions please feel free to give me a call at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read 'KBannon', with a long horizontal line extending to the right.

Kevin B. Bannon
Executive Director
Mercer County Park Commission



Mercer County Park Commission

McDADE ADMINISTRATION BUILDING
P.O. BOX 8068 640 SOUTH BROAD STREET TRENTON, NEW JERSEY 08650-0068
PHONE (609) 989-6530 FAX (609) 989-8174

DOMINIC S. ANEPETE
MICHAEL ANGARONE
WILLIAM H. CANE

CAROL L. BESKE, President
S. BOBBY BRYANT, Vice President

FREDERICK J. GMITTER
A. RICHARD LETTIERE
WILLIAM W. LUCAS

FRANK V. RAGAZZO, Executive Director

October 30, 2001

Mr. Justin Edwards, A.A.E.
Airport Manager
Trenton Mercer Airport
Terminal Building
Sam Weinroth Road
West Trenton, NJ 08628

Dear Mr. Edwards:

This letter is intended to clarify the Park Commission's intentions regarding relocation of the existing Tennis Center at Trenton Mercer Airport (TTN). As you are aware, the existing Tennis Center is open only during winter months, and accommodates six (6) tennis courts. Regardless of proposed airport development on the Tennis Center site, it has always been our intention to replace this facility as it is in deteriorated condition and was only intended as a temporary structure when it was first constructed.

The Park Commission has requested in its Fiscal Year 2002 Budget an allocation of \$1,400,000 to replace these six (6) indoor tennis courts by covering six (6) outdoor tennis courts located at Mercer County Park. These existing outdoor tennis courts cannot currently be used during the winter months. Covering these courts will enable them to be used throughout the year, thus compensating for loss during the winter months of the six (6) indoor courts at the TTN Tennis Center.

Should you have any further questions, please don't hesitate to contact me.

Yours truly,

Frank V. Ragazzo
Executive Director

FVR/jf



TRENTON MERCER AIRPORT

TERMINAL BUILDING
SAM WEINROTH ROAD
WEST TRENTON, NEW JERSEY 08628
Phone (609) 882-1601 Fax (609) 771-0732
E-Mail: flyttn@mercercounty.org

Robert D. Prunetti
County Executive

Harry G. Parkin
Chief of Staff

John F. Ricci
County Administrator

Bertha L. Scott, Esq.
Director, Department of
Transportation & Infrastructure

Justin P. Edwards, A.A.E.
Airport Manager

March 21, 2002

Christine Tiernan, Vice President
DMJM+Harris
333 Ludlow Street
Stamford, CT 06902

Subject: Mercer County Tennis Facility

Dear Ms. Tiernan:

Following a discussion with Frank Ragazzo, Executive Director of the Mercer County Park Commission, I offer the following information to be included in Trenton-Mercer Airport's (TTN) Environmental Assessment (EA) in response to the Federal Aviation Administration's (FAA) concerns with Section 4f, addressed in their letter of March 11, 2002:

1. The existing tennis facility, located at the Airport, is obsolete and in continuous need of significant maintenance and repair. Estimates to repair the roof and update the interior of the facility range from a minimum of \$250,000 to \$350,000. Therefore, the County Administration has determined it is more appropriate and cost effective to construct a new modern facility to replace this aging structure. Its proposed location in Mercer County Park, due to the geographical location, has been deemed to be more accessible to all County residents.
2. \$1.4 million has been budgeted to install a fabric cover over four (4) existing courts in the Mercer County Park. During this project, the Park Commission intends to construct two (2) additional courts which shall also be covered following completion of this project. This cover will be permanently installed over a total of six (6) courts. The \$1.4 million for this project has been included in the County's 2002 Budget which is anticipated to be approved by May, 2002.
3. The existing six (6) indoor courts located at Trenton-Mercer Airport can only be used during the winter months (October through April) due to lack of adequate ventilation at the existing facility.
4. Currently there are 26 outdoor tennis courts at Mercer County Park. Due to inclement weather, these courts are only utilized between April and October each year.

Page 2

To: C. Tiernan

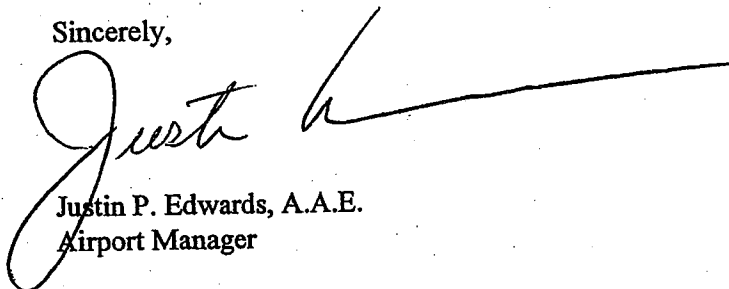
Date: 03/21/02

Re: Tennis Facility

5. Following completion of this project, there will be a total of 28 courts at Mercer County Park; 22 outdoor courts used solely during the summer months; and now six (6) additional courts that can be used throughout the entire year. These new indoor courts will operate between 7:30 am and 9:00 pm, seven (7) days a week, excluding holidays.
6. The County is currently in the process of developing project specifications. Following completion, the County intends to advertise for bids on the project.
7. The Tennis Facility Manager and Maintenance Worker will retain their positions at the new location.
8. Mr. Ragazzo has indicated he is extremely excited about replacement of these facilities in Mercer County Park, which will significantly increase the available indoor tennis opportunities for residents of Mercer County.

Should you have any questions or need additional information, please contact me at (609) 882-1601.

Sincerely,



Justin P. Edwards, A.A.E.
Airport Manager

JPE:sc

copy John Ricci, County Administrator
Bertha L. Scott, Director DOT&I
Frank Ragazzo, Executive Director, Park Commission



CC: TENNIS CENTER
CC: PLANNING

State of New Jersey
Department of Environmental Protection

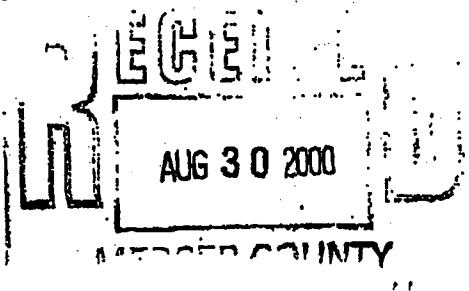
Christine Todd Whitman
Governor

Robert C. Shinn, Jr.
Commissioner

Green Acres Program
P. O. Box 412
Trenton, NJ 08625
Tel. # (609) 984-0500
Fax. # (609) 984-0608

August 28, 2000

Donna Lewis, Director
Department of Planning
County of Mercer
McDade Administration Building
P. O. Box 8068
Trenton, NJ 08650-0068



Re: Mercer County Indoor Tennis Center

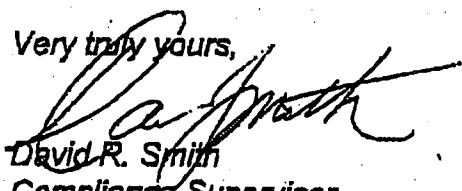
Dear Ms. Lewis:

It has come to our attention that the Indoor Tennis Center located at Mercer County Airport may be demolished due to the expansion of the airport.

Although the county has listed this parcel on its Recreation and Open Space Inventory, Green Acres regulations requiring parkland and facility replacement are not applicable. This office has determined that the Indoor Tennis Center should have been omitted from the county's inventory since the facility is strictly an indoor recreation center without any outdoor component.

No further review of this matter is required for Green Acres. If you have any questions, please do not hesitate to contact me at 984-0622.

Very truly yours,


David R. Smith
Compliance Supervisor
Bureau of Legal Services
and Stewardship

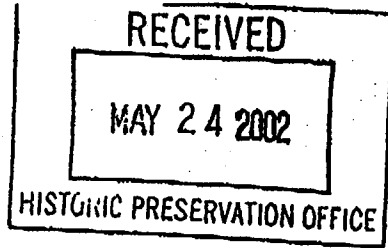
DRS/cg

c. Jeanne Donlon, Chief, Bureau of Legal Services and Stewardship
Lisa Fritzinger, Mercer County



U. S. Department of Transportation

Federal Aviation Administration



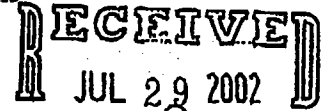
New York Airports District Office
600 Old Country Rd, Suite 446
Garden City, New York 11530
Telephone: 516-227-3800
Fax: 516-227-3813

HPOG 2002.124
(02.1659)
02-2028 MM

May 20, 2002

Ms. Dorothy P. Guzzo
Deputy State Historic Preservation Officer
New Jersey Dept. of Environmental Protection
Historic Preservation Office
P.O. Box 404
Trenton, New Jersey 08625

Mr. Kurt W. Carr, Chief
Division of Archaeology and Protection
PA Historical and Museum Commission
Bureau for Historic Preservation
P.O. Box 1026
Harrisburg, Pennsylvania 17108-1026
ATTN: Meghan MacWilliams



Re: Trenton Mercer Airport Environmental Assessment

Dear Ms. Guzzo and Mr. Carr:

MJ BY: [Signature]

A draft Environmental Assessment (EA) for proposed improvements at Trenton Mercer Airport, located in Ewing and Hopewell Townships, New Jersey was recently sent to you by the County of Mercer. The projects evaluated in the EA will be subject to a Federal Aviation Administration (FAA) environmental determination. Upon review of the document, you will find that there are significant changes in the airport sponsor's proposal that, I presume, will be of interest to you. The purpose of this letter is to highlight those changes.

In April 2000, an earlier draft of the EA's Cultural Resources Evaluation was sent to both the New Jersey State Historic Preservation Office (NJSHPO) and the Pennsylvania Historical and Museum Commission (PHMC). In your comments on that document, both the NJSHPO and PHMC requested additional information related to noise, vibration, visual and atmospheric impacts associated with 'Build Alternative 2.'

At that time, the County of Mercer's proposal was to implement the construction of 'Build Alternative 2,' a 64,000 square foot terminal facility with four aircraft gates capable of accommodating a low fare/high frequency commercial air carrier. The County is now proposing 'Build Alternative 1,' as its preferred alternative. The preferred alternative now involves a 44,000 square foot terminal facility with two aircraft gates to meet existing passenger and aviation demand and modest future growth. The airport sponsor's preferred alternative does not include a low fare/high frequency commercial air carrier.

If, in light of the changes in the project, you still have concerns, please feel free to contact us and provide us with your comments. Should you have any questions or need additional information, please call Ms. Marie Jenet of my staff at (516) 227-3811.

Sincerely,

Philip Brito

Philip Brito, Manager
New York Airports District Office

cc: J. Edwards, Trenton Mercer Airport/ C. Tiernar

As proposed, the project will not adversely affect historic properties. Pursuant to 800.5(c), if no consulting parties object to this finding within the 30 day review period, the project may proceed, as proposed, unless resources are discovered during project implementation, pursuant to 800.13.

Richard F. Banker 7/19/02

 Dorothy P. Guzzo Date
 Deputy State Historic Preservation Officer

Please see attached comments (HPO E 2002.153).

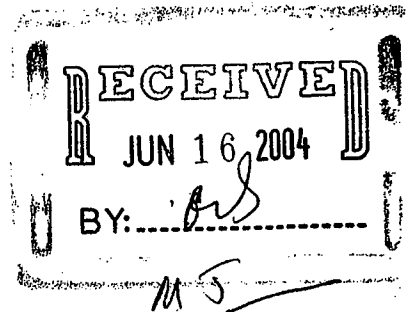


Commonwealth of Pennsylvania
Pennsylvania Historical and Museum Commission
Bureau for Historic Preservation
Commonwealth Keystone Building, 2nd Floor
400 North Street
Harrisburg, PA 17120-0093

June 8, 2004

Philip Brito, Manager
New York Airports Division, FAA
600 Old Country Rd., Suite 446
Garden City, NY 11530

TO EXPEDITE REVIEW USE
BHP REFERENCE NUMBER



Re: ER 00-0636-042-D
Trenton-Mercer Airport Environmental Assessment
Ewing and Hopewell Townships, New Jersey

Dear Mr. Brito:

The Bureau for Historic Preservation (the State Historic Preservation Office) has reviewed the above named project in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended in 1980 and 1992, and the regulations (36 CFR Part 800) of the Advisory Council on Historic Preservation as revised in 1999. These requirements include consideration of the project's potential effect upon both historic and archaeological resources.

We are in receipt of your letter of April 27, 2004 concerning the airports selection of Build Alternative 1. While there are properties listed in or eligible for the National Register of Historic Places in the Area of Potential Effect in Pennsylvania, we concur that the selected alternative will have no effect on such resources. Should the applicant become aware, from any source, that unidentified historic or archaeological properties are located at the project site, or that the project activities will have an effect on these properties, the Bureau for Historic Preservation should be contacted immediately.

If you need further information in this matter please consult Susan Zacher at (717) 783-9920.

Sincerely,

Kurt W. Carr, Chief
Division of Archaeology &
Protection

KWC/smz