



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS 436TH AIRLIFT WING (AMC)

MEMORANDUM FOR 436 CES/CEV

FROM: 436 MSG/CD

SUBJECT: Finding of No Significant Impact (FONSI)-Clearing cutting trees intruding in the approach-departure and transitional zone of the clear zones.

1. DAFB is proposing to clear cut trees down to 3 inches above the ground for approximately 37 acres. Currently trees penetrate into the approach-departure and transitional zone of the clear zones as defined by the Unified Facilities Criteria (UFC) 3-260-01, *Design: Airfield & Heliport Planning and Design* and Department of Defense Instruction (DoDI) 4165.57, *Air Installation Compatible Use Zones*. The direct elimination of threats to air navigation is a Federal Aviation Regulations (FAR), Part 139 and the U.S. Air Force (USAF) requirement.
2. An environmental assessment, which is attached, was drafted and demonstrates there are no significant environmental impacts from the proposed action. An environmental assessment was available for public review and comment from 30 Apr through 12 May 06. No comments were received.
3. This document was prepared in accordance with the requirements of the National Environmental Policy Act (NEPA) of 1969, the Council on Environmental Quality (CEQ) regulations of 1978, and Air Force Instruction (AFI) 32-7061, *The Environmental Impact Analysis Process*. AFI 32-7061 addresses implementation of the NEPA and directs Air Force officials to consider the environmental consequences of any proposal as part of the decision-making process. This instruction has been recently amended and appears, as amended, in 32 CFR Part 989. It was determined that neither an environmental impact statement nor a formal environmental assessment is necessary. No further environmental documentation is necessary.
4. I have evaluated the attached environmental assessment and find no significant impacts on the quality of the human or natural environment from the proposed action.

A handwritten signature in black ink, appearing to read "Ed Adelman", is positioned above the typed name.

EDWARD J. ADELMAN, Lt Col, USAF
Deputy Commander, 436th Mission Support Group

Attachments:

1. AF Form 813
2. Environmental Assessment

America's Preeminent Expeditionary Airlift Team

Report Documentation Page				Form Approved OMB No. 0704-0188	
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1. REPORT DATE JUN 2006		2. REPORT TYPE		3. DATES COVERED 00-00-2006 to 00-00-2006	
4. TITLE AND SUBTITLE Environmental Assessment 37 Acres of Tree Clear Cutting				5a. CONTRACT NUMBER	
				5b. GRANT NUMBER	
				5c. PROGRAM ELEMENT NUMBER	
6. AUTHOR(S)				5d. PROJECT NUMBER	
				5e. TASK NUMBER	
				5f. WORK UNIT NUMBER	
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) 436th Civil Engineer Squadron (CES/CEV),600 Chevron Ave,Dover AFB,DE,19902				8. PERFORMING ORGANIZATION REPORT NUMBER	
9. SPONSORING/MONITORING AGENCY NAME(S) AND ADDRESS(ES)				10. SPONSOR/MONITOR'S ACRONYM(S)	
				11. SPONSOR/MONITOR'S REPORT NUMBER(S)	
12. DISTRIBUTION/AVAILABILITY STATEMENT Approved for public release; distribution unlimited					
13. SUPPLEMENTARY NOTES					
14. ABSTRACT					
15. SUBJECT TERMS					
16. SECURITY CLASSIFICATION OF:			17. LIMITATION OF ABSTRACT Same as Report (SAR)	18. NUMBER OF PAGES 27	19a. NAME OF RESPONSIBLE PERSON
a. REPORT unclassified	b. ABSTRACT unclassified	c. THIS PAGE unclassified			

ENVIRONMENTAL ASSESSMENT

37 ACRES of TREE CLEAR CUTTING

1.0 INTRODUCTION AND PROJECT DESCRIPTION

1.1 ENVIRONMENTAL SETTING

Dover Air Force Base (DAFB) is located in Kent County, Delaware. The base is situated 3.5 miles southeast of the center of Dover, Delaware, the state capital. The base covers approximately 3,902 acres of land area including annexes, easements, and leased property.

DAFB has two active airfields. The north-south airfield at DAFB divides the main Base into two primary sections. Open space, recreational areas, and limited amounts of industrial uses are located east of the airfield. The land uses west of the airfield and east of U.S. Route 113 are industrial, airfield operations, administrative, community, medical, some unaccompanied personnel housing, and a golf course located west of U.S. Route 113 and east of St. Jones River. The surrounding areas consist primarily of cropland and wetlands, with the St. Jones River running adjacent to the southwestern corner of the base.

1.2 PROJECT PURPOSE and NEED.

The proposed project identified in the AF Form 813 would clear cut 37 acres of trees down to 3 inches above the ground. Currently trees intrude into the controlled airspace as defined by the Unified Facilities Criteria (UFC) 3-260-01, *Design: Airfield & Heliport Planning and Design* and Department of Defense Instruction (DoDI) 4165.57, *Air Installation Compatible Use Zones*. An airfield survey in 2005 revealed trees penetrating into the approach-departure and transitional zone of the clear zones as defined in UFC-3-260-01. The direct elimination of threats to air navigation is a Federal Aviation Regulations (FAR), Part 139 and the U.S. Air Force (USAF) requirement. (Figures 1-4).

2.0 DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES

2.1 NATIONAL ENVIRONMENTAL POLICY ACT

The National Environmental Policy Act, commonly known as NEPA, is a Federal statute requiring the identification and analysis of potential environmental impacts of proposed Federal actions before those actions are taken. NEPA established the Council on Environmental Quality (CEQ) that is charged with the development of implementing regulations and ensuring agency compliance with NEPA. CEQ regulations mandate that all Federal agencies use a systematic interdisciplinary approach to environmental planning and the evaluation of actions that may affect the environment.

This process evaluates potential environmental consequences associated with a proposed action and considers alternative courses of action. The intent of NEPA is to protect, restore, or enhance the environment through well-informed Federal decisions.

The process for implementing NEPA is codified in Title 40 Code of Federal Regulations (CFR) Parts 1500-1508, *Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act*. CEQ regulations specify the following must be accomplished when preparing an environmental assessment (EA):

- Briefly provide evidence and analysis for determining whether to prepare an environmental impact statement (EIS) or a finding of no significant impact (FONSI)
 - Aid in an agency's compliance with NEPA when an EIS is unnecessary
 - Facilitate preparation of an EIS when one is necessary
- Air Force Policy Directive (AFPD) 32-70, *Environmental Quality*, states that USAF will comply with applicable Federal, State, and local environmental laws and regulations, including NEPA. The USAF's implementing regulation for NEPA is *The Environmental Impact Analysis Process (EIAP)*, 32 CFR Part 989, as amended.

2.2 INTEGRATION OF OTHER ENVIRONMENTAL STATUTES AND REGULATIONS

To comply with NEPA, the planning and decision-making process for actions proposed by Federal agencies involves a study of other relevant environmental statutes and regulations. The NEPA process, however, does not replace procedural or substantive requirements of other environmental statutes and regulations. It addresses them collectively in the form of an EA or EIS, which enables the decision-maker to have a comprehensive view of major environmental issues and requirements associated with the Proposed Action. According to CEQ regulations, the requirements of NEPA must be integrated "with other planning and environmental review procedures required by law or by agency so that all such procedures run concurrently rather than consecutively."

The EA examines potential effects of the Proposed Action and alternatives on seven resource areas including air quality, biological resources, cultural resources, geological resources, hazardous materials and waste, safety, and water resources. Four resource areas that have been omitted from analysis include infrastructure, noise, land use, and socioeconomic and environmental justice. The basis for the omissions is described in section 4.0. The following paragraphs present examples of relevant laws, regulations, and other requirements that are often considered as part of the analysis.

2.2.1 Air Quality

The Clean Air Act (CAA) establishes Federal policy to protect and enhance the quality of the nation's air resources to protect human health and the environment. The CAA requires that adequate steps be implemented to control the release of air pollutants and prevent significant deterioration in air quality. The 1990 amendments to the CAA require Federal agencies to determine the conformity of proposed actions with respect to State Implementation Plans (SIPs) for attainment of air quality goals.

2.2.2 Biological Resources

The Endangered Species Act (ESA) requires Federal agencies that fund, authorize, or implement actions to avoid jeopardizing the continued existence of federally listed threatened or endangered

species, or destroying or adversely affecting their critical habitat. Federal agencies must evaluate the effects of their actions through a set of defined procedures, which can include preparation of a Biological Assessment and formal consultation with the U.S. Fish and Wildlife Service (USFWS).

EO 11990, Protection of Wetlands, requires that Federal agencies provide leadership and take actions to minimize or avoid the destruction, loss, or degradation of wetlands and to preserve and enhance the natural and beneficial values of wetlands.

The CWA, under Section 404, contains provisions for protection of wetlands and establishes a permitting process for activities having potential effects in wetland areas. Wetlands, riverine, and open water systems are considered waters of the United States and, as such, fall under the regulatory jurisdiction of the U.S. Army Corps of Engineers (USACE).

2.2.3 Cultural Resources

The National Historic Preservation Act of 1966 (NHPA) provides the principal authority used to protect historic properties, establishes the National Register of Historic Places (NRHP), and defines, in Section 106, the requirements for Federal agencies to consider the effect of an action on properties on or eligible for the NRHP.

Protection of Historic and Cultural Properties (36 CFR 800 [1986]) provides an explicit set of procedures for Federal agencies to meet their obligations under the NHPA, including inventorying of resources and consultation with State Historic Preservation Office (SHPO).

The Archeological Resources Protection Act of 1979 ensures that Federal agencies protect and preserve archeological resources on Federal or Native American lands and establishes a permitting system to allow legitimate scientific study of such resources.

EO 13007, Indian Sacred Sites, requires that, to the extent practicable, Federal agencies accommodate access to and ceremonial use of Indian sacred sites by Indian religious practitioners and avoid adversely affecting the physical integrity of such sacred sites.

EO 13084, Consultation and Coordination with Indian Tribal Governments, requires that each Federal agency shall have an effective process to permit elected officials and other representatives of Indian tribal governments to provide meaningful and timely input in the development of regulatory policies or matters that uniquely affect their communities.

2.2.4 Safety

Air Force Instruction (AFI) 91-301, *Air Force Occupational and Environmental Safety, Fire Protection, and Health (AFOSH) Program*, implements AFD 91-3, *Occupational Safety and Health*, by outlining the AFOSH Program. The purpose of the AFOSH Program is to minimize loss of USAF resources and to protect USAF personnel from occupational deaths, injuries, or illnesses by managing risks. In conjunction with the USAF Mishap Prevention Program (AFI 91-202), these standards ensure all USAF workplaces meet Federal safety and health requirements. This instruction applies to all USAF activities.

2.2.5 Water Resources

The Clean Water Act (CWA) of 1977 (33 United States Code [USC] 1344) and the Water Quality Act of 1987 (33 USC 1251, et seq., as amended) establish Federal policy to restore and maintain the chemical, physical, and biological integrity of the nation's waters, and where attainable, to achieve a level of water quality that provides for the protection and propagation of fish, shellfish, and wildlife, and recreation in and on the water.

Executive Order (EO) 11988, *Floodplain Management*, requires Federal agencies to take action to reduce the risk of flood damage; minimize the impacts of floods on human safety, health, and welfare; and restore and preserve the natural and beneficial values served by floodplains. Federal agencies are directed to consider the proximity of their actions to or within floodplains. Where information is unavailable, agencies are encouraged to delineate the extent of floodplains at their site.

Coastal Zone Management Act (CZMA) establishes goals for and a mechanism for states to control use and development of their coastal zones. CZMA applies to actions on federal lands only when state's coastal zone is affected. CZMA requires that federal agencies be consistent with enforceable policies of state coastal zone management programs when conducting or supporting activities within or outside the coastal zone that affect land use, water use, or natural resources of the coastal zone.

2.2.6 Infrastructure

Infrastructure consists of the systems and physical structures that enable a population in a given area to sustain itself. Consideration of infrastructure is applicable to a proposed action or alternative where there may be an issue with respect to local capacities (e.g., utilities, transportation networks, energy) to provide the required support.

2.2.7 Noise

Federal Aviation Administration (FAA) Part 150, *Airport Noise Compatibility Planning*, provides guidance to measure noise at airports and surrounding areas and determine exposure of individuals to noise that result from the operations of an airport. FAA Part 150 identifies those land uses which are normally compatible with various levels of exposure to noise by individuals. It also provides technical assistance to airport operators, in conjunction with other local, state, and Federal authorities, to prepare and execute appropriate noise compatibility planning and implementation programs (14 CFR 150).

2.2.8 Socioeconomics and Environmental Justice

EO 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, directs Federal agencies to assess the effects of their actions on minority and low-income populations within their region of influence. Agencies are encouraged to include demographic information related to race and income in their analysis of the environmental and economic effects associated with their actions.

3.0 DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES

3.1 PROPOSED ACTION

The proposed project identified in the AF Form 813 would clear cut 37 acres of trees down to 3 inches above the ground. All debris created from this operation will be chipped back to the woods in an even spray or removed from the sites and properly disposed. The clear cutting will be managed by an International Society of Arboriculture Certified Arborist.

3.2 ALTERNATIVE ACTION

One alternative action involves removing the overstory to a height of 35' above the ground to all the trees intruding in the approach/departure and transitional surfaces of the clear zone. All debris created from this operation will be chipped back to the woods in an even spray or removed from the sites and properly disposed. This action would involve the Arborist to rope climb each individual tree to minimize any damage to the remaining tree to remove the overstory.

A second alternative action involves clear cutting the trees closest in the clear zone back 30', and then selectively removing the overstory to a height of 35' above the ground to the remaining trees intruding in the approach/departure and transitional surfaces of the clear zone. All debris created from this operation will be chipped back to the woods in an even spray or removed from the sites and properly disposed. This action would involve the Arborist to rope climb each individual selective tree to minimize any damage to the remaining tree to remove the overstory.

3.3 NO-ACTION ALTERNATIVE

The no-action alternative would maintain the status quo, causing a continued safety issue which is unacceptable.

4.0 ENVIRONMENTAL CONSEQUENCES

Section 4.0 describes the environmental and socioeconomic resources and conditions most likely to be affected by the proposed action. In compliance with NEPA, CEQ guideline, and 32 CFR Part 989, as amended, the description of the affected environment focuses on those resources and conditions potentially subject to impacts. Some environmental resources and conditions that are often analyzed in an EA have been omitted from this analysis. The following details the basis for such exclusions:

Infrastructure. The proposed action would not involve any activities that would contribute to major changes with respect to local capacities (e.g., utilities, transportation networks, energy) to provide the required support. The existing utilities would be utilized. Accordingly, the detailed examination of the infrastructure has been omitted.

Noise. Implementation of the proposed action would not involve permanent alterations to aircraft inventories, operations, or missions. No new permanent ground-based heavy equipment operations would be included in the proposed action. Furthermore, noise produced by the activity would be temporary and would not significantly affect sensitive receptors. Accordingly, the detailed examination of noise has been omitted.

Land Use. All activities associated with the proposed action would be consistent with present and foreseeable land use patterns at DAFB. Implementation of the proposed action would not alter the existing land use at DAFB. The surrounding land is not considered prime farmland. Accordingly, the detailed examination of land use has been omitted.

Socioeconomics. The proposed action would not involve any activities that would contribute to changes in socioeconomic resources. There would be no change in the number of personnel assigned to DAFB, thus there would be no changes in area population or associated changes in demand for housing and services. Accordingly, the detailed examination of socioeconomics has been omitted.

Environmental Justice. Environmental Justice addresses the potential for a proposed federal action to cause disproportionate and adverse health effects on minority or low-income populations. Adverse health effects are not expected, therefore minority and low-income population data is not analyzed in this assessment. There would be no environmental justice concerns associated with the proposed action. Accordingly, the detailed examination of environmental justice has been omitted.

4.1 AIR QUALITY

Proposed Action

DAFB is an area of severe non-attainment for ozone. The priority air pollutants of concern are nitrogen oxides (NO_x) and Volatile Organic Compounds (VOCs). No long-term air quality impacts are expected from the proposed action. The proposed action would generate air pollutant

emissions as a result of the clear cutting and wood chipping machinery, but these emissions would be temporary and would not be expected to generate any off-site impacts. Therefore, a Clean Air Act amendment section 176(c) conformity determination is not required.

Alternative Actions

No long-term air quality impacts are expected from either of the alternative actions. The proposed action would generate air pollutant emissions as a result of the clear cutting and wood chipping machinery, but these emissions would be temporary and would not be expected to generate any off-site impacts. Therefore, a Clean Air Act amendment section 176(c) conformity determination is not required.

No-Action Alternative Action

Air quality would not be impacted by the no-action alternative.

4.2 BIOLOGICAL RESOURCES

Proposed Action

After reviewing the 1998 Wetland Survey, it was determined that the proposed project would not impact wetlands or the 100-year floodplain as long as the wood chips are deposited in an upland area.

There are no known occurrences of federally listed threatened and endangered animal or plant on DAFB. There are two animals potentially considered State Species of Greatest Conservation Need. The species are located in the Pipe Elm Creek Branch just east of one proposed clearing site. These animals will not be impacted by the proposed action.

The Migratory Bird Treaty Act (MBTA) established a Federal prohibition that no one may take, possess, import, export, transport, sell, purchase, barter, or offer for sale, purchase, or barter, any migratory bird, or the parts, nests, or eggs except when authorized by federal and state migratory bird hunting regulations or under the terms of a valid permit issued pursuant to Federal regulations.

The trees canopies in and around DAFB are in small groups/patches; therefore, the number of migratory birds arriving are limited.

Delaware Department of Natural Resources and Environmental Control (DNREC) stated, "Due to the limited amount of tree removal from this proposed project, it is unlikely there will be any impacts to migratory bird populations even though there may be birds or other wildlife species utilizing the trees for breeding. Although cutting the trees down could potentially destroy individual nests, it is recommended not to cut down any trees that contain young birds in a nest, adult birds actively feeding young, or sitting on nests until the young have fledged. If the recommendations are followed as much as possible does not foresee any problems."

The USFWS concurs with DNREC comments and recommends the forested wetland parcel not be cut until the September timeframe so as to benefit from the ecological services provided by the wetland.

Alternative Actions

Either alternative actions requires the wood chips to be deposited in an upland area for those trees located within wetlands.

The impact to the migratory bird populations will be minimal with the limited number of birds in the area and some of the trees just having their overstory removed.

No-Action Alternative Action

No Species of Greatest Conservation Need or migratory birds would impacted by the no-action alternative.

4.3 CULTURAL RESOURCES

Proposed Action

There are five potential cultural resource sites on the main base, according to the Cultural Resources Management Plan prepared in 2004. All the sites require additional investigation. None of these sites are located within the proposed areas; therefore, these potential cultural resource sites will not be impacted by the proposed action.

Facility 1301, a former World War II Hangar, which is now the AMC Museum is listed on the NRHP. The Museum is far west of the proposed sites. This facility will not be impacted by the proposed action.

Alternative Actions

Cultural resources will not be impacted by either of the alternative actions.

No-Action Alternative Action

Cultural resources would not be impacted by the no-action alternative.

4.4 GEOLOGY

Proposed Action

Slopes in the proposed areas are shallow to flat and the proposed action would not cause or create significant changes to the topography of the DAFB area.

Alternative Actions

Topography will not be impacted by either of the alternative actions.

No-Action Alternative Action

Topography would not be impacted by the no-action alternative.

4.5 HAZARDOUS MATERIALS/HAZARDOUS WASTE

Proposed Action

The clear cutting activities would not create any hazardous material/waste. The soils will not be excavated; therefore, a TCLP analysis will not be required.

Alternative Actions

Hazardous materials will not be impacted by either of the alternative actions.

No-Action Alternative Action

Hazardous materials would not be impacted by the no-action alternative.

4.6 OCCUPATIONAL SAFETY AND HEALTH

Proposed Action

Occupational safety and health would not be impacted by the proposed action.

Alternative Actions

Occupation safety and health will not be impacted by either of the alternative actions.

No-Action Alternative Action

Occupational safety and health would not be impacted by the no-action alternative.

4.7 WATER RESOURCES

Proposed Action

A sediment and erosion control plan does not have to be developed since the ground will not be impacted. There is the potential for minor impacts to Pipe Elm Branch river from the clear cutting operation.

There are groundwater monitoring wells located close to two proposed sites that must be protected or replaced if damaged. These wells are DM202S, DM202D, DM206D and DD-1-F. (Figure 5).

Alternative Actions

There are groundwater monitoring wells located close to two proposed sites that must be protected or replaced if damaged. These wells are DM202S, DM202D, DM206D and DD-1-F.

No-Action Alternative Action

No water resources will be impacted by the no-action alternative.

5.0 CONCLUSION

Four alternatives were evaluated with regard to this proposed project.

The first alternative action involves removing the overstory to a height of 35' above the ground to all the trees intruding in the approach/departure and transitional surfaces of the clear zone. This action would involve the Arborist to rope climb each individual tree to minimize any damage to the remaining tree to remove the overstory. The required rope climbing of the trees more than triples overall cost of the project. Additionally, the process of tree topping would have to be happen approximately every three to five years to keep the trees from intruding, which is unfeasible.

A second alternative action involves clear cutting the trees closest in the clear zone back 30', and then selectively removing the overstory to a height of 35' above the ground to the remaining trees intruding in the approach/departure and transitional surfaces of the clear zone. The required rope climbing of the remaining trees more than doubles overall cost of the project. Additionally, the process of tree topping would have to be happen approximately every three to five years to keep the trees from intruding, which is unfeasible.

The third alternative is the no-action alternative. This alternative would maintain the status quo, causing a continued safety issue which is unacceptable.

The final alternative is the proposed action to cut the trees down to 3 inches above the ground, thus DAFB will be in compliance with the UFC, DoDI, FAR and the USAF requirements. The cost of the project would be feasible since the tree growth would be maintained by simply cutting the new growths bi-yearly.

6.0 LIST OF PREPARERS

Rayanne Benner
436 CES/CEV
Contribution: Author

7.0 LIST OF CONTACTS

Lt David E. Stringer
436 CES/CEOEE
Purpose of Contact: Proponent

Joanne Deramo
436 CES/CEV
Purpose of Contact: ERP information

Kitt Heckscher
DNREC
Division of Fish & Wildlife
Natural Heritage & Endangered Species
Purpose of Contact: Neotropical Migratory Bird impact

Janet Norman
USFWS
Purpose of Contact: Neotropical Migratory Bird impact

ABBREVIATIONS AND ACRONYMS

AFI - Air Force Instruction
AFOSH - Air Force Occupational and Environmental Safety, Fire Protection, and Health
AFPD - Air Force Policy Directive
CAA - Clean Air Act
CEQ - Council on Environmental Quality
CES/CEV – Civil Engineering Squadron/Civil Environmental Flight
CFR - Code of Federal Regulations
CWA - Clean Water Act
CZMA – Coastal Zone Management Act
DAFB – Dover Air Force Base
DNREC – Delaware Department of Natural Resources and Environmental Control
DoDI – Department of Defense Instruction
DSWA - Delaware Solid Waste Authority
EA - Environmental Assessment
EIAP - Environmental Impact Analysis Process
EIS - Environmental Impact Statement
EO - Executive Order
ESA - Endangered Species Act
FAA - Federal Aviation Administration
FAR – Federal Aviation Regulations
FONSI - Finding of No Significant Impact
MBTA – Migratory Bird Treaty Act
NEPA - National Environmental Policy Act
NHPA - National Historic Preservation Act
NOx - Nitrogen Oxide(s)
NRHP - National Register of Historic Places
SHPO - State Historic Preservation Office
SIP - State Implementation Plan
TCLP – Toxic Characteristics Leaching Procedure
UFC – Unified Facilities Criteria
USC - United States Code
USACE - U.S. Army Corps of Engineers
USAF - U.S. Air Force
USFWS – U.S. Fish & Wildlife Service
VOC - Volatile Organic Compound

**Priority #1:
Area to be cut w/
Fence Dimensions**

Propose clear-cutting trees to
ground elevation (approx. 19
acres) to meet minimum glide
slope requirements

773' fence line w/ 30'
Offset to be clear-cut

1183' fence line w/ 30'
Offset to be clear-cut

450' fence line w/ 30'
Offset to be clear-cut

PERIMETER ROAD

1253

6108

6293



**Priority #2:
Area to be cut**

PERMETER ROAD

HERITAGE ROAD

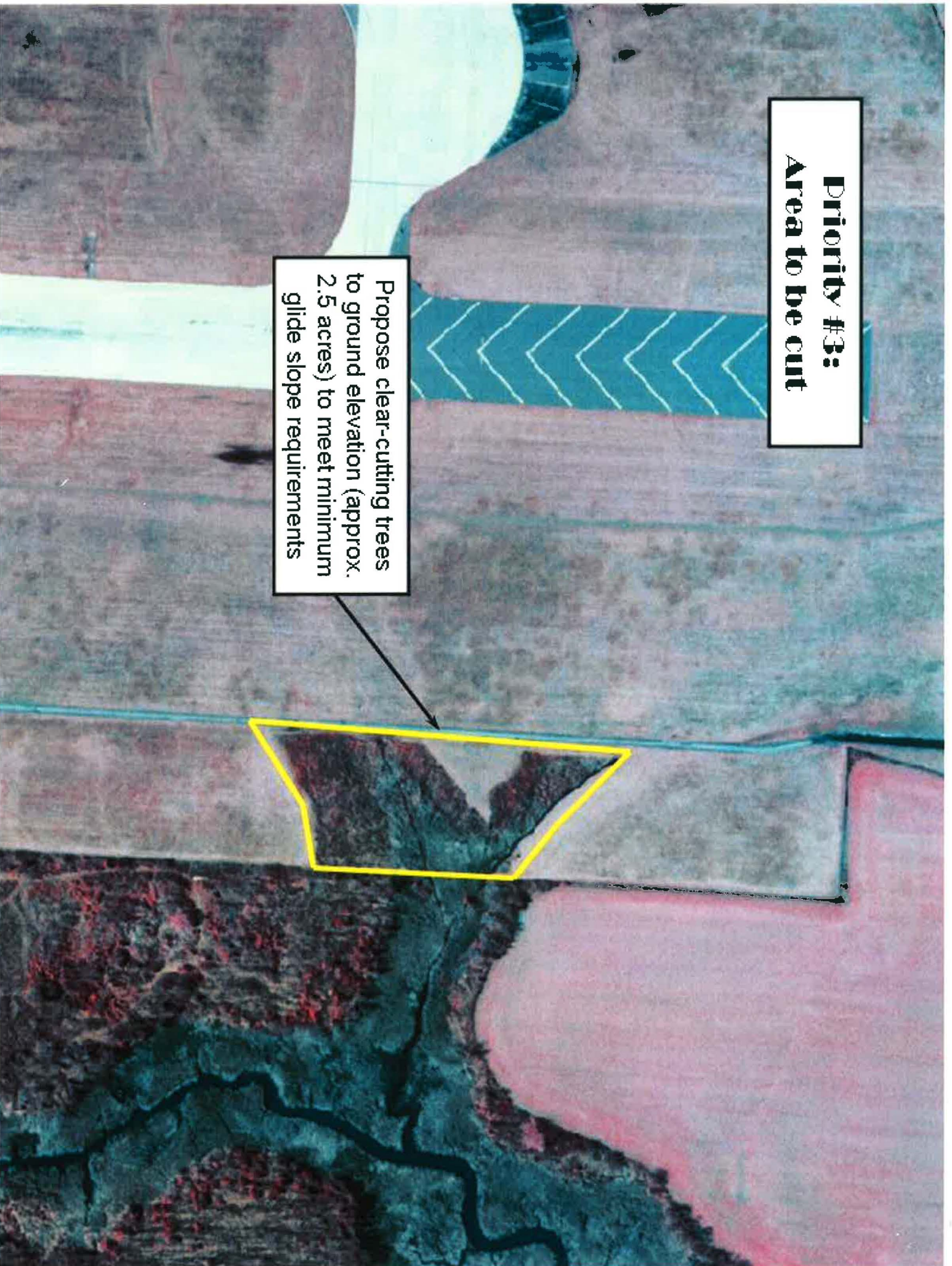
Propose clear-cutting trees
to ground elevation (approx.
6 acres) to meet minimum
glide slope requirements

1908 1907
1906



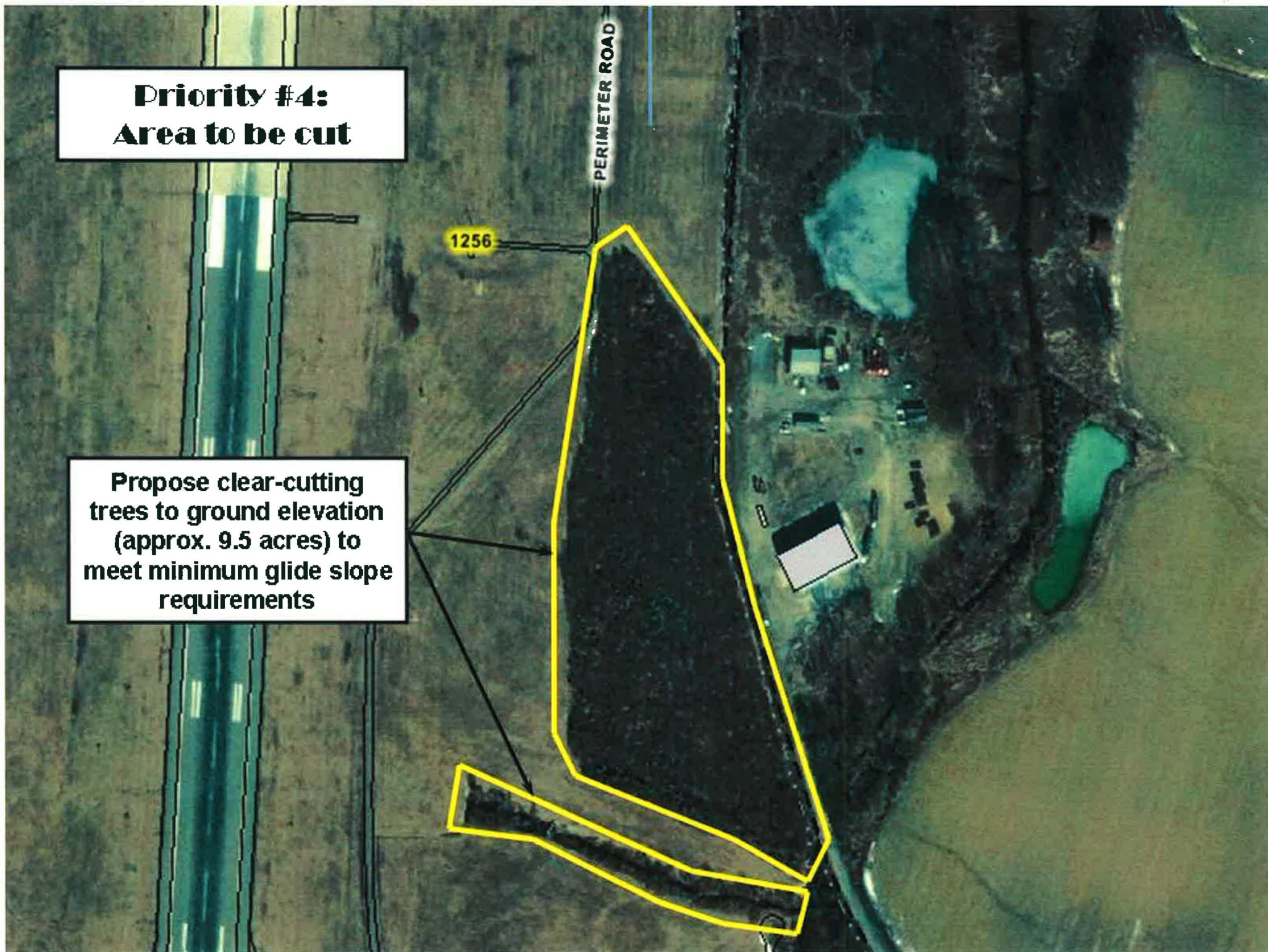
**Priority #3:
Area to be cut**

Propose clear-cutting trees
to ground elevation (approx.
2.5 acres) to meet minimum
glide slope requirements



**Priority #4:
Area to be cut**

**Propose clear-cutting
trees to ground elevation
(approx. 9.5 acres) to
meet minimum glide slope
requirements**



REQUEST FOR ENVIRONMENTAL IMPACT ANALYSISReport Control Symbol
RCS: 06-014

INSTRUCTIONS: Section I to be completed by Proponent. Sections II and III to be completed by Environmental Planning Function. Continue on separate sheets as necessary. Reference appropriate item number(s).

SECTION I - PROPONENT INFORMATION

1. TO (Environmental Planning Function)	2. FROM (Proponent Organization and functional address symbol)	2a. TELEPHONE NO.
436 CES/CEV	David Stringer 436th Civil Engineer Squadron Bldg. 600 Chevron Street, Dover AFB, DE 19902	302-677-6777

3. TITLE OF PROPOSED ACTION

Cut Trees

4. PURPOSE AND NEED FOR ACTION (Identify decision to be made and need date)

(see attached)

5. DESCRIPTION OF ACTION AND ALTERNATIVES (DOPAA) (Provide sufficient details for evaluation of the total action)

(see attached)

6. PROPONENT APPROVAL (Name and Grade)	6a. SIGNATURE	6b. DATE
		11 MAY 06

SECTION II - PRELIMINARY ENVIRONMENTAL SURVEY (Check appropriate box and describe potential environmental effects including cumulative effects) (+ = positive effect; 0 = no effect; - = adverse effect; U = unknown effect)

	+	0	-	U
7. AIR INSTALLATION COMPATIBLE USE ZONE/LAND USE (Noise, accident potential, encroachment, etc.)	X			
8. AIR QUALITY (Emissions, attainment status, state implementation plan, etc.)		X		
9. WATER RESOURCES (Quality, quantity, source, etc.)		X		
10. SAFETY AND OCCUPATIONAL HEALTH (Asbestos/radiation/chemical exposure, explosives safety quantity distance, bird/wildlife aircraft hazard, etc.)	X			
11. HAZARDOUS MATERIALS/WASTE (Use/storage/generation, solid waste, etc.)		X		
12. BIOLOGICAL RESOURCES (Wetlands/floodplains, threatened or endangered species, etc.)		X		
13. CULTURAL RESOURCES (Native American burial sites, archaeological, historical, etc.)		X		
14. GEOLOGY AND SOILS (Topography, minerals, geothermal, Installation Restoration Program, seismicity, etc.)		X		
15. SOCIOECONOMIC (Employment/population projections, school and local fiscal impacts, etc.)		X		
16. OTHER (Potential impacts not addressed above.)				X

SECTION III - ENVIRONMENTAL ANALYSIS DETERMINATION

17.		PROPOSED ACTION QUALIFIES FOR CATEGORICAL EXCLUSION (CATEX) # _____; OR
	X	PROPOSED ACTION DOES NOT QUALIFY FOR A CATEX; FURTHER ENVIRONMENTAL ANALYSIS IS REQUIRED.

18. REMARKS

(see attached)

19. ENVIRONMENTAL PLANNING FUNCTION CERTIFICATION (Name and Grade)	19 a. SIGNATURE	19 b. DATE
Mr. Charles C. Mikula, P.E. Chief, Environmental Flight		11 MAY 06

4.0 PURPOSE AND NEED FOR ACTION

Trees required to be cut to prevent airfield obstructions

5.0 DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES

5.1 Description of the Proposed Action

Clear-cutting trees to ground elevation to meet minimum glide slope requirements

5.2 Description of Alternatives

There are no other actions

17.0 CATEX DESCRIPTION (if any)

18.0 REMARKS

Dover AFB is in a severe non-attainment area for ozone. The air pollutants of concern are nitrogen oxides (NOx) and volatile organic compounds (VOCs). This project might produce or cause to be produced or released, directly or indirectly, any NOx or VOC, but the emissions of concern are clearly de minimis. Therefore, a Clean Air Act Section 176(c) Conformity Determination is not required.



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS 436TH AIRLIFT WING (AMC)

26 Apr 06

MEMORANDUM FOR 436 CES/CEV

FROM: 436 AW/JAC

SUBJECT: EA Tree Clear Cutting of 37 Acres Within and Around Dover AFB

1. I have reviewed the draft Environmental Assessment (EA) report for the proposed tree clear cutting of 37 acres within and around Dover AFB. The EA is in substantial compliance with the requirements of 32 CFR § 989.14. The EA must provide sufficient analysis to determine whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI) statement. It appears that this project will likely lead to a FONSI but the as discussed below, the Fish and Wildlife Service (FWS) must make a determination regarding the proposed action. *See 16 U.S.C.S. §§ 703 et seq.*

2. The Migratory Bird Treaty Act (MBTA) prohibits anyone from taking, possessing, importing, exporting, transporting, selling, purchasing, bartering, or offering for sale, purchase, or barter, any migratory bird, or the parts, nests, or eggs of migratory birds, except when authorized by federal or state migratory bird hunting regulations, or valid federal permit. *See Id.* The draft EA indicates that the Delaware Department of Resources and Environmental Control (DNREC) has recommended not cutting down any trees containing "young birds in a nest, adult birds actively feeding young, or sitting on nests until the young have fledged." *Draft EA*, paragraph 4.2 *Biological Resources*. The draft EA does not, however, indicate whether FWS has made a determination regarding the proposed action. *See 16 U.S.C.S. §§ 703 et. seq.* Proceeding without such a determination from FWS may result in a violation of the MBTA. *See The Humane Society of the United States v. Glickman*, No. 99-5309, 2000 U.S. App. LEXIS 16973, at * 18 (D.C. Cir. Jul. 18, 2000).

3. **RECOMMENDATION:** Finalize the EA for public comment and draft the FONSI. Ensure that FWS makes a determination/recommendation regarding the proposed action prior to submitting the draft FONSI for approval. After the public comment period ends, but before 436 MSG/CC signs the FONSI, re-staff package to 436 AW/JA for final review. If no public comments are received and FWS concurs with DNREC, annotate the record accordingly and 436 MSG/CC may sign FONSI without further review by this office.


CARMEL-ANN FELICIANI, GS-13
Chief, Civil Law

STAFF SUMMARY SHEET

	TO	ACTION	SIGNATURE (Surname), GRADE AND DATE		TO	ACTION	SIGNATURE (Surname), GRADE AND DATE
1	AW/JA	Coord	<i>12 E. M. M. S.</i> 27 Apr 06 PSJA	6			
2	CES/CEV	Action		7			
3				8			
4				9			
5				10			

SURNAME OF ACTION OFFICER AND GRADE Mikula, GS-13	SYMBOL CEV	PHONE 6849	TYPIST'S INITIALS rb	SUSPENSE DATE
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SUBJECT Draft Environmental Assessment for the Tree Clear Cutting of 37 Acres within and around the Base.	DATE 20060420
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SUMMARY

1. PURPOSE. To request 436 AW/JA concurrence with the Environmental Assessment (EA) for the Tree Clear Cutting of 37 Acres within and around the Base.
2. A Request for an Environmental Impact Analysis, AF Form 813, is enclosed (tab 1).
3. An EA is enclosed (tab 2). The EA indicates there are no significant environmental impacts from the proposed action.
4. RECOMMENDATION: 436 AW/JA concur with the EA.

M.A. Perza
M.A.PERZA
Deputy Base Civil Engineer

- 2 Tabs
1. AF Form 813
2. EA

Benner Rayanne Civ 436 CES/CEVQ

From: Benner Rayanne Civ 436 CES/CEVQ
Sent: Thursday, April 20, 2006 12:22 PM
To: 'Janet_Norman@fws.gov'
Cc: edna.stetzar@state.de.us; Bob_Zepp@fws.gov; Seip Steven M Civ 436 CES/CEV
Subject: RE: Selected area forest removal on Dover AFB

Ms. Norman,

Thank you for your review. I'm I correct in understanding you do not foresee any significant impacts to the migratory birds with the proposed timetable?

The Corps stated, "Since no wetlands are going to be disturbed, a Section 404 permit is not required."

Thank you again,

Rayanne Benner

-----Original Message-----

From: Janet_Norman@fws.gov [mailto:Janet_Norman@fws.gov]
Sent: Thursday, April 20, 2006 12:07 PM
To: Benner Rayanne Civ 436 CES/CEVQ
Cc: edna.stetzar@state.de.us; Bob_Zepp@fws.gov
Subject: Selected area forest removal on Dover AFB

Ms. Benner,

You and I discussed Dover AFB's intended action to remove trees and shrubs in several areas adjacent to your runways, over the phone last week. I had previously received a fax from you mapping out the areas in general detail. The Fish and Wildlife Service understands that these limited actions are necessary for safety and conduct of your military mission.

We are pleased to hear that the tree stumps will be cut to ground level, instead of being ripped out of the areas as originally planned, as complete tree root removal can be very damaging to forested wetlands. We believe that the later tier of the operation timetable (September) is more appropriate for the forested wetland parcel, so as to benefit from the ecological services provided by that wetland through much of the growing season. We have not seen your Army Corps of Engineers Section 404 permit on this wetland parcel, so we are unaware of any mitigation measures which may be required. We would recommend that you to find some appropriate parcels on or off of Dover AFB for forested wetland restoration.

The Service concurs with your action, and the INRMP should be annotated to note that this action was taken. Please contact me if you have any further questions or concerns regarding this planned action.

Janet Norman

Fish and Wildlife Biologist
U.S. Fish and Wildlife Service
Chesapeake Bay Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401
Phone (410) 573-4533
Fax (410) 269-0832
email: janet_norman@fws.gov

visit our website and subscribe to our quarterly newsletter!
<http://chesapeakebay.fws.gov>

"Benner Rayanne
Civ 436 CES/CEVQ"
<Rayanne.Benner@do
ver.af.mil>

04/17/2006 08:56
AM

<Janet_Norman@fws.gov>

To

cc

Subject

Migratory Birds

Good Morning Ms. Norman,

I was just wondering if you had any additional questions or concerns regarding our proposed clear cutting of some trees.

Rayanne Benner
Dover AFB
302-677-6849

FACSIMILE ELECTRO MAIL TRANSMITTAL*(This information collection is not subject to OMB review under PL-96, The Paperwork Reduction Act.)*

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TELECOMMUNICATIONS SYSTEMS CONSTITUTES CONSENT TO MONITORING.**

SECTION I - TO BE COMPLETED BY ORIGINATOR


CLASSIFICATION	TRANSMISSION <input checked="checked" type="checkbox"/> IMMEDIATE <input type="checkbox"/> ROUTINE	PAGE 1 OF 2 PAGES
FOR OFFICIAL USE ONLY		
TO (Office Symbol, Point of Contact, and Address) The Delaware State News Classified Ads Section	DSN	FAX NO. COMMERCIAL 302-741-8215
	VOICE NO.	
ELECTRONIC MAIL ADDRESS (E-Mail)	DSN	COMMERCIAL
SUBJECT Placement of Classified Ads for Dover Air Force Base		
FROM (Office Symbol, Point of Contact, and Address) Rayanne Benner 436 CES/CEV 600 Chevron Avenue Dover AFB, DE 19902-5600	DSN	FAX NO. COMMERCIAL 302-677-6837
	VOICE NO.	
ELECTRONIC MAIL ADDRESS (E-Mail)	DSN	COMMERCIAL 302-677-6849

REMARKS

Dover Air Force Base would like to place the attached ads in the Public Notice Section of the Delaware State News classified ads on the following dates:

Sunday, April 30, 2006
Wednesday, May 3, 2006

Please fax me a price quote at (302) 677-6837. I will call and arrange to have a check written and delivered to your office as soon as I receive the quote. If you have any questions, please call me at 302-677-6849.

RELEASEE'S SIGNATURE 	DATE 27 APR 06	TIME
SECTION II - TO BE COMPLETED BY ELECTRO MAIL OPERATOR		
DATE TRANSMITTED	TIME TRANSMITTED	TRANSMITTER'S SIGNATURE
DATE ADDRESSEE CONTACTED	TIME ADDRESSEE CONTACTED	CONTACTOR'S SIGNATURE

MEMORANDUM FOR 436 AW/PA

FROM: 436 CES/CEV

SUBJECT: Public Notice Release

1. Attached is a public notice we will be placing in the Delaware State News. The advertisement announces a public comment period for an environmental assessment associated with the Clear Cutting of approximately 37 acres of trees and an environmental assessment regarding the Construction of a new Outdoor Recreation/Skills Center Facility
2. Request your coordination on this public notice. DAFB will pay for the placement of this ad. We plan to place the ad by Friday, 28 Apr 06, so the ad will begin running in the paper by the following Sunday. Please acknowledge by endorsing below.



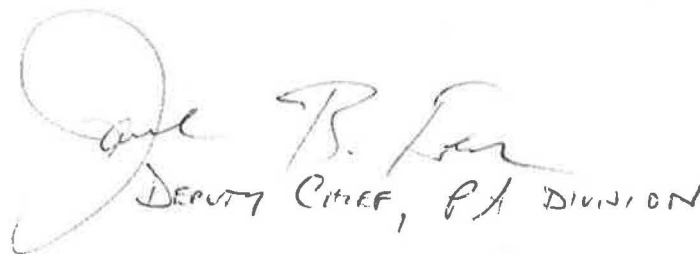
CHARLES C. MIKULA, P.E.
Chief, Environmental Flight

1st Ind, 436 AW/PA

MEMORANDUM FOR 436 CES/CEV

PA has reviewed and coordinated on the attached advertisement announcing a public comment period for the environmental assessments indicated in this correspondence.

CHERYL LAW, Lt. Col, USAF
Chief, Public Affairs Division



DEPUTY CHIEF, PA DIVISION

Public Notice
Dover Air Force Base

Dover Air Force Base (DAFB) is providing a public comment period regarding an environmental assessment associated with the Clear Cutting of approximately 37 acres of trees and an environmental assessment regarding the Construction of a new Outdoor Recreation/Skills Center Facility

Copies of the environmental assessments are available for review at the Dover Public Library, 45 State Street, Dover, DE 19901. Comments may be submitted in writing no later than May 12, 2006 to Mr. Charles Mikula, 436 CES/CEV, 600 Chevron Avenue, Dover AFB, DE 19902-5600. All comments received prior to May 12, 2006 will be considered in the final decision.