

APPENDIX E

**Correspondence Pertaining to Northern
Long-Eared Bat and Spring 2015 Tree
Removal/Trimming Contingency**

Peter Langworthy

From: Al.Fenedick@faa.gov
Sent: Wednesday, February 18, 2015 9:37 AM
To: Peter Langworthy
Cc: Joshua.Fitzpatrick@faa.gov
Subject: FW: South St. Paul

Peter and Josh-

Please see below. I have already made the correction to the name of the species.

Any questions, please call.

Josh please modify the FONSI to show the correct name for the bat.

Cheers

Alf

From: Horton, Andrew [mailto:andrew_horton@fws.gov]
Sent: Wednesday, February 18, 2015 8:29 AM
To: Fenedick, Al (FAA)
Subject: Re: South St. Paul

Al,

Only one very minor change, the species name is the northern long-eared bat. Otherwise, everything stated is acceptable on our end given the limited number of trees this potentially would be applied to and the ongoing effort to remove the trees prior to listing. Thank you for your coordination on this.

- Andrew

Andrew Horton
Twin Cities Ecological Services Field Office
U.S. Fish and Wildlife Service
4101 American Blvd East
Bloomington, MN 55425-1665
(612) 725-3548 ext. 2208

On Wed, Jan 28, 2015 at 7:18 AM, <Al.Fenedick@faa.gov> wrote:

Andrew

This communication is regarding the Northern Long-Eared Bat, (*Myotis septentrionalis*) an Endangered Species candidate under the Endangered Species Act, and the potential need for tree removal outside the previous agreed upon time frame, November 1st through March 31st. The need for expanded time frame is the results of a FAA inspection at South St. Paul airport. The inspection identified 17 trees that are obstructing the instrument approaches. The results are the instrument approaches not being useable at night. If required, the following is the steps that we discussed and will be followed to get approval to remove trees during the summer season for the NLEB.

1. The tree removal is the result of a FAA inspection of instrument approaches which is deemed as a safety issue.
2. This protocol is viewed as a contingency plan and will only apply to the 2015 summer season. Afterwards the Airport will follow the requirements outlined in the Environmental Assessment and FONSI.
3. Airport is working to obtain permission to remove trees, identified by FAA's inspection, during the November 1st to March 31st period.
4. There is thirty day window after the Northern Long-Ear Bat has been designated Endangered Species (Andrew my notes indicate you will fact check this) extending the acceptable season until April 30th.
5. The Airport will request the FAA to reassess the number of trees to be removed. This request is based on a recent decision to reduce the width of the approach surfaces from 800 feet to 400 feet, occurred after the inspection at South St. Paul.
6. The Airport will focus on the removing the trees that are in the smaller approach surfaces first. The tree total for this area is 5.
7. When the Airport has determined that access to the property will not be in time to meet the agreed upon time period, they will notify FAA to begin informal consultation for the remaining trees.
8. FAA will contact USFWS to begin informal consultation.
9. The agreed steps/protocol will be included in the EA and FONSI.

Please review and make the appropriate changes to what I outlined. We can then discuss before finalizing.

Thanks for all your help

Al Fenedick

Al Fenedick | FAA Great Lakes Region | AGL 610 | 2300 East Devon Avenue, Des Plaines, Illinois 60018 | Ph. (847) 294-7522 | Fax (847) 294-7036 | al.fenedick@faa.gov

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

APPENDIX F
Public Outreach Letter



October 11, 2013

Dear Residents and Property Owners,

Fleming Field is owned and operated by the City of South St. Paul. To help meet federal requirements regarding land use compatibility and airspace obstructions, the City intends to implement a series of improvements to the Airport starting as early as 2014. This work will be a continuation of previous actions, and its primary purpose is to enhance safety conditions for users and neighbors of Fleming Field. You are receiving this letter because you reside in and/or own property which is adjacent to the airport. The purpose of this letter is to accomplish the following tasks:

- Provide you with background on the upcoming work; and
- Solicit any questions, comments, or concerns you may have.

Environmental Assessment (EA) Process

The City and the Federal Aviation Administration are preparing an Environmental Assessment (EA) for the proposed improvements. The EA is a document required under the National Environmental Policy Act (NEPA) to develop a Purpose and Need statement, define a Preferred Alternative to meet the Purpose and Need, evaluate the potential for environmental impacts from the project, and develop mitigation measures as necessary. Soliciting agency and public input is also an important part of the NEPA process.

Proposed Improvements

The proposed improvements are depicted on the attached Proposed Actions map and include the following primary elements:

- Removal and relocation of the community garden directly north of the airport. The planned replacement site is approximately one mile away at I-494 and Verderosa Avenue close to the DNR boat launch area.
- Removal of 32 McMorrow Field parking spaces from the Runway 16 Runway Protection Zone (RPZ). The City is currently coordinating with FAA regarding the best way to mitigate the loss of this parking. If the February 11, 2014 Park Referendum passes, McMorrow Field will be reconfigured and this parking loss will not be an issue.
- Obstruction removal in the form a tree trimming or removal to comply with FAA airspace requirements. The locations of these obstruction mitigations are depicted on

the attached Proposed Actions map. They are generally over a five-year timeframe. The trees that are on airport property and/or in runway approach areas will receive first priority.

- Install FAA airspace obstruction lights at various locations including light and utility poles, hanger roofs, a residential home roof, and a flagpole on a residential property.
- Full acquisition of two residential parcels north of the airport with associated structure removal and resident relocation.
- Acquisition of avigation easements from the front yards of two residential parcels north of the airport.

Next Steps

If you have any questions, comments, or concerns at this time, please provide them to me by mail or email:

Glenn Burke
Fleming Field Airport Manager
1725 Henry Avenue
South St. Paul, MN 55075
Email: gburke@sppmn.org

You may also call me at 651-554-3350. To keep the process on track, we request that you provide comments to by 30 days from date of letter.

We anticipate that the complete draft EA will be completed later this year or possibly early 2014. At that time, you will receive another notification. You will be able to review the draft document at City offices and will have 30 days to make any final comments.

Thank you for your interest in this project.

Sincerely,

Glenn Burke
Airport Manager

CC: John Sachi, South St. Paul
Kevin Carlson, Bolton & Menk



Easement Acquisition (2 Parcels)

Full Parcel Acquisition & Structure Removal (2 Parcels)

Remove Community Garden

Remove 32 Parking Spaces

McMorrow Field

SOUTH STE



FLEMING FIELD
Environmental Assessment

Airport / Aviation Information

- Runway Centerline Extended
- Airport Property
- ▭ Runway Protection Zone (RPZ)

Proposed Actions

- Install FAA Red Obstruction Lighting for Structure
- Remove On-Airport Structure
- Trim and/or Remove Trees *
- ◇ Remove Parking Spaces
- Structure Removal
- Garden Removal

Source: Esri Aerial Photography, Dakota County

*Note: The locations of tree trimming/removal are based on detailed analysis and are current as of October 2013. While this analysis accounted for five-year growth, it is possible that additional individual trees would need mitigation over the next five years based on tree growth. The tree mitigation will be phased, with trees which are on-airport and are in the runway approaches targeted first.



Proposed Actions



October 2013

APPENDIX G

Draft EA Public Comments (written) and Responses

September 9, 2014

To: Glenn Burke

From: Laura Riley

Subject: Impact of Tree Removal around Bohrer Pond and within Lakebridge Associations

I'm writing this as a concerned homeowner in the Lakebridge Association which is directly south of Bohrer Pond in Inver Grove Heights. I want you to realize that there will be an environmental impact and property value impact as a result of the removal of trees around Bohrer Pond and within the Lakebridge Association.

Removing trees around Bohrer Pond would destroy the natural habitat of many animals including the Horned Grebe which is on the endangered species list in Minnesota. Bohrer Pond is on the migration path for the Horned Grebe as well as many other species of wild birds including Great Blue Herons, White Egrets, Loons, Merganser Ducks, Ring-Necked Ducks, Lesser Scaups, Greater Scaups, Buffleheads, Mallards, Cormorants, Yellow Rumped Warblers, Dark Eyed Juncos and Cowbirds. Other animals that would be affected would be Snapping Turtles and Bald Eagles which were recently removed from the endangered species list. The list of wildlife that would be affected also includes Baltimore Orioles, Goldfinches, Chickadees, Cardinals, Robins, Blue Jays, Swallows, House Finches, Red Winged Black Birds, Doves, Woodpeckers, Nuthatches, Martins, Geese, Seagulls, Hawks, Muskrats and Owls which live in this area. These animals come here to mate and removing the trees would be devastating to their natural environment.

Many homeowners will also be affected. Many of us purchased our homes in the Lakebridge Associations because of the beauty and serenity of the pond, the trees and the wildlife. If the trees are taken away, it will reduce the values of these homes which are already struggling to regain value compared to other areas in the metro. Many of the trees which are on the list to be removed are over a hundred years old and that aesthetic loss to the neighborhood would never be replaced in our lifetime. It would destroy the charm of the community and destroy the natural noise barrier from the airport.

I have included pictures from Bohrer pond of the above mentioned wildlife. I have taken these pictures as I have enjoyed the pond each day. I hope you aren't going to take this away.

As you can see from the pictures I have taken, the environment and homeowners would be greatly harmed from the removal of trees around Bohrer Pond and within the Lakebridge Association boundaries.

Affected Wildlife on Bohrer Pond:

Great Blue Heron



Horned Grebe



Loone



Merganzers



Bufflehead



Ring Neck and Lesser Scaup



Mallards



Cormorants



Muskrat



White Egret



Yellow Rumped Warbler



Baltimore Oriole



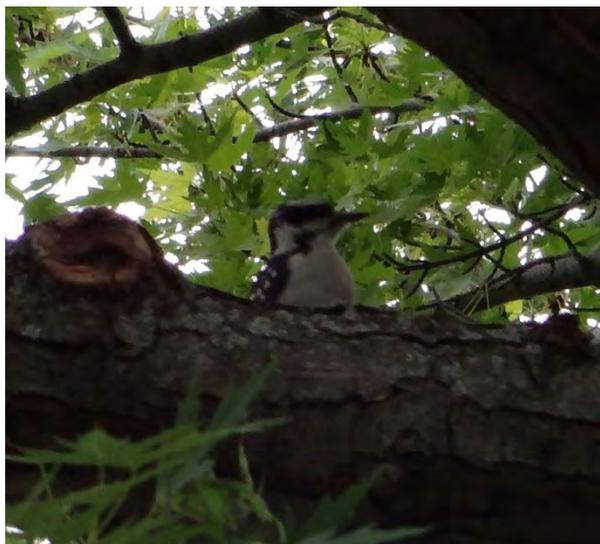
Bald Eagle



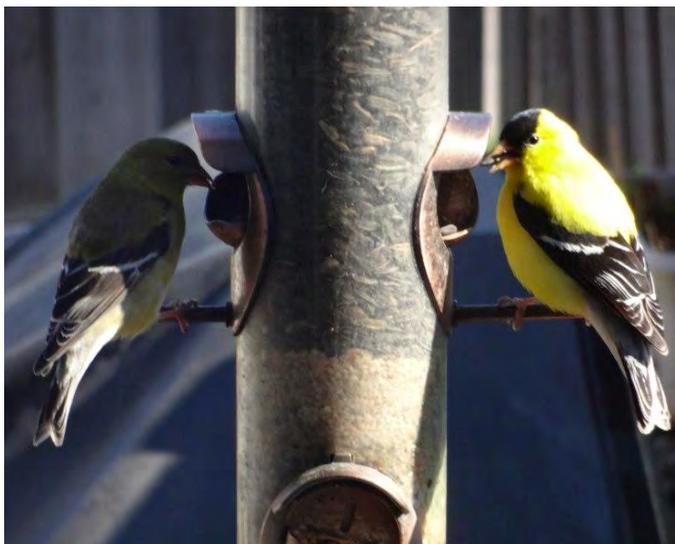
Snapping Turtle



Woodpecker



Goldfinches



Gulls



Geese



Red Winged Black Bird



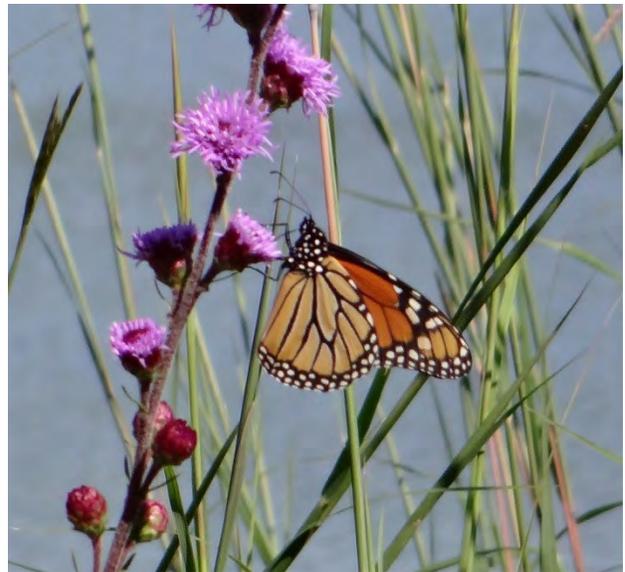
Blue Jay



Cowbird



Monarch Butterflies



Sincerely,
Laura Riley

Peter Langworthy

From: Glenn Burke <gburke@southstpaul.org>
Sent: Thursday, September 11, 2014 1:58 PM
To: Peter Langworthy
Cc: Melissa Underwood
Subject: FW: proposed actions for Fleming Field

Peter,

Here is another response the Draft EA

Lisa and Jeff Weiberg live at 145 Spruce St W South Saint Paul, MN 55075-3444

Glenn Burke
Airport Manager
651-554-3350
www.flemingfield.com
gburke@smpmn.org

From: Jeff and Lisa Weiberg [mailto:jlmacweiberg@msn.com]
Sent: Tuesday, September 09, 2014 11:22 PM
To: Glenn Burke
Subject: proposed actions for Fleming Field

My family and I want to express that we are disappointed, frustrated and saddened by the proposed removal of 265 trees in our area. One of the reasons we moved to this area 15 years ago was the large tree in our backyard as well as a good number of parks and playgrounds in the area. The trees provide shade for kids and adults on the hot summer days as well as an important source of protection and nourishment for the birds and small animals in our area. I want to express that taking out so many trees is NOT good for the environment. I can understand taking down and/or trimming a few trees that are very near the runway, but 265 trees seems very excessive for an airport that is so small.

I am also disappointed that the community garden was moved. I used to garden there, and ride my bike to the garden to weed and water it, but this year I didn't have a garden because of the significant increase in distance and difficulty of getting to and from the garden.

Thank you for allowing us to share our opinion in this matter.

Lisa Weiberg

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

**South St. Paul Fleming Field Airport
Environmental Assessment
Response to Public Written Comments on the Draft Environmental Assessment**

A. Laura Riley

The City of South St. Paul and FAA thank commenter for offering these perspectives. Responses to the main points of the letter are provided below.

Paragraph Two

The City of South St. Paul and FAA appreciate the environmental concern expressed in this letter. The ornamental trees to be removed and/or trimmed are in a densely developed urban area. The overall project will involve spot removal of individual trees that have been identified to be obstructions in the aircraft approaches to the airport. The proposed action will not result in extensive clear-cutting of natural forest areas. The trees to be removed by this project, while numerous, represent a small percentage of the all trees within in the larger project context. The proposed action will occur over several years and between the dates of October 1st and March 31th. This time period will assist in reducing the adverse impacts to wildlife which use these types of trees. As discussed in the revised information under Threatened or Endangered Species heading of the Final Environmental Assessment, it is possible that a limited number of trees will be removed after March 31, 2015 under agreement between the FAA and the US Fish and Wildlife Service to meet a one-time set of circumstances. After 2015, the April 1 – September 30 tree removal prohibition will be in place.

Several departments within the Minnesota Department of Natural Resources (MNDNR) were coordinated with on this project. The MNDNR was requested to perform a Natural Heritage Information Service (NHIS) preliminary review of the project to identify potential concerns regarding protected species. Another department reviewed the Draft Environmental Assessment. Based on the MNDNR review, the only comment received focused on the Bald Eagle. The MNDNR identified the Bald Eagle may nest in the overall project area and that Bohrer Pond may make trees close to that water body particularly attractive for nesting. MNDNR advised that all trees to be removed as part of the work covered in the Environmental Assessment, including those around Bohrer Pond, need to be inspected for Eagle nests prior to removal. This inspection will take place and, if a nest is identified, all applicable wildlife regulatory requirements will be followed. This will be reflected in the Findings of No Significant Impacts (FONSI) for the EA.

The US Fish and Wildlife Service (USFWS) also reviewed the Draft Environmental Assessment for the project. The species which received attention from USFWS was the northern long-eared bat, which is proposed to be included in the endangered species list. FAA and USFWS concur on a finding of “May Affect but Not Adversely Affect” for the Northern Long Eared Bat regarding the proposed action. The conservation measure of conducting tree removal and/or tree trimming outside of the summer roosting season, October 1st to March 31th, will be adopted and incorporated into the agency decision. This will be stated in the Findings of No Significant Impacts (FONSI).

For tree removal at Fleming Field, prior to removal, the value of tree (s) is appraised in accordance with the federal Uniform Real Property Acquisition Policies Act (49 CFR Part 24), and the landowner is compensated with the appraised value. The City also provides a list of appropriate low-growing trees and other vegetation that the landowner may plant for replacement purposes if they choose. The landowner also has the option of tree trimming rather than removal. In this case, FAA policy is to pay for the initial trimming, but the landowner is then responsible for all necessary future trimming to meet FAA airspace requirements for the life of the tree. Text in the Final Environmental Assessment has been revised to clarify this process.

Paragraph Three

As identified in the previous response, the value of any tree (s) to be removed to comply with FAA airspace requirements will be appraised in terms of the depreciation of the value of the property caused by the tree loss. The landowner will be compensated with this amount. The City also pays for the tree removal. It may be noted that homes struggling to regain value from the economic downturn are not limited to those in the Lakebridge Association development.

B. Lisa Weiberg

Tree Mitigation

The City of South St. Paul and FAA appreciate the comments raised. However, the trees need to be mitigated to comply with FAA airspace and safety requirements. The value of a tree or trees to be removed from a property will be appraised in accordance with the federal Uniform Real Property Acquisition Policies Act (49 CFR Part 24). This appraisal will quantify the depreciation of the property resulting from the tree loss. The landowners will be compensated the appraised amount, and will not be responsible for tree removal costs.

Minimum ecological impact due to tree loss will occur. This is due to the spot removal of ornamental trees within an urban area versus extensive clear-cutting of a natural forest area. Also, the removal will likely be spread over a period of six or seven years and occur outside the growing season (October 1st thru March 31st). The trees that will be removed (those which will not be trimmed at the choice of the landowner – see below) are a small percentage of all trees within the larger project context. The additional mitigation measure of planting appropriate trees and shrubs will offset the ecological loss due to tree removal.

The City provides a list of appropriate low-growing trees and other vegetation that the landowner may plant for replacement purposes if they choose. The landowner also has the option of tree trimming rather than removal. In this case, FAA policy is to pay for the initial trimming, but the landowner is then responsible for all necessary future trimming to meet FAA airspace requirements for the life of the tree.

Community Garden Replacement

The City and FAA understand your disappointment regarding your reduced access to the community garden. However, the previous site on airport property was in violation of FAA regulations on land use and needed to be relocated. Besides the community garden being a resource for all South St. Paul

residents, the new location provides improvement or features not available at the former site. These consist of the following:

- Accessible via a regional bike trail (Mississippi River Regional Trail)
- Wider walking lanes and buffers between individual lots
- Nine more water spigots than the previous site
- Secured entry gate and refurbished storage shed (shed to installed before the 2015 gardening season)
- Compost available within walking distance from a City compost site

As identified in the Environmental Assessment, the City performed a thorough public outreach program in 2013 (prior to the relocation) which included all users of the old site. This program explained the reasons why the community garden needed to be relocated, provided information on the location and procedures for the new site, and gave the opportunity for discussion between garden users and City representatives.

As also identified and discussed in the EA, the Community Garden was considered to be a 4(f) resource. This designation required a review and determination of FAA's de minimis findings by the Department of the Interior (DOI). The DOI indicated in a letter dated November 14, 2014, their concurrence with FAA on the de minimis impact on the community garden. The relocation and replacement of the community garden is the basis for the de minimis determination.