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11/18/2004 07:31 PM

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To Ernest Gubry/AGL/FAA@FAA

cc

bcc

Subject Fw: Discussion with FAA and MORPC Presentation

Ernie - Dean Baeslack distributed (internally) the following summary of your discussion with him yesterday.

THANK YOU!!!

Doug

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

From: Bud Baeslack

To: Robert Haverkamp ; Conlisk, Elizabeth ; Tyler Lee, Dawn ; Stacy Weislogel ;
hammon.3@osu.edu

Sent: Thursday, November 18, 2004 7:58 AM

Subject: Discussion with FAA and MORPC Presentation

To all – Attached in the next e-mail is the second half of my presentation to MORPC today that briefly reviews the draft EA results, but also discusses current activities at OSU, timelines, etc. The first half is 10 slides not provided are on the Master Plan. Please take a look at these.

I spoke with Brad Davidson of FAA last Friday, and Ernest Goobry of FAA yesterday at long length regarding the EA review process, and many other topics, including the differences between an EA and an EIS, what determines the requirement for an EIS, etc., and I will review some of that today during my presentation.

Regarding the review of our draft EA, here is what I understand from Ernie, some of which of course we already knew.

Normally the EA process is much less public than OSU's has been. In those instances, the preliminary or first draft EA is reviewed by the FAA, potentially several times iteratively with the sponsor, until it is finalized as a draft EA for public review at the onset of the official 30-day public review period. Although Ernie did not state this, it is clear that other EA Advisory Committees, although representative of the community, are not as "diverse" as OSU's, i.e., including legal representation and their technical consultants from an organization (Worthington City Council) strongly opposed to the Airport Expansion and who would likely ultimately take legal action against the project.

According to Ernie, OSU's situation has been extremely open and public (which he feels is a very positive thing), due to the open records requirements, and as I added, because we are both an airport and a public university. This has allowed significant scrutiny of what he called our "preliminary draft EA" document by the public, including opponents. Combined with the public controversy, this case has become more complex than normal. Regarding the FAA preliminary review of our "draft EA," our expectation to this point and our presentation to the public to this point has been that following this preliminary review by the FAA we would revise accordingly, and that the revised EA would be distributed to the public.

Ernie indicated that although that option still exists, he recommends that we incorporate the responses to FAA comments on what he now called the "preliminary draft EA" (I call the first draft in my slides), and the results of work we are performing in response to Advisory Committee questions and comments, into a second draft EA. Whereas the first draft EA was only reviewed by the Detroit office, this second draft EA will be distributed to other FAA offices and levels for detailed review, including legal. Results of this

second draft review would be incorporated into our Final EA that would be distributed to the public. The reasons for this two-step process are as follows: First, the FAA is very aware of the additional information that is being developed in response to Advisory Committee Questions, the info that will be added based on their initial review (e.g., additional Historical Structures analysis, and in general, much more detail in sections of the report), and appreciable public input to date, and that it would make much more sense to have other FAA organizations review that much more complete and accurate EA document versus our initial draft. Second, this two-step FAA review process of the drafts will provide a much more complete and accurate Final EA document (that incorporates the second draft feedback from the FAA) for the public to review. In reality, this process is more like what I described above if the process had been much less public.

Regarding the red ink analysis of the preliminary draft EA (first draft), Ernie indicated that there are no major issues, and agreed that the primary need is for much more detailed discussion in several areas. I asked about the general quality of the work, and he indicated that Wyle is a nationally recognized noise consultant and highly regarded, and that if there were "quality" issues with the document we would have known that early on. From my viewpoint, the extent of the FAA comment is consistent with the high level of visibility of this project, a less detailed response could be problematic to the FAA in giving the appearance that they are not providing appropriate rigor to this process.

Today at MORPC, when I discuss the current activity at OSU, including the FAA review process, I will discuss the move to a two-step process, that we have chosen that option in order to ultimately provide the public with an EA that is the most complete and accurate, even though it stretches out the time lines.

Regarding the EA versus the EIS issue, according to Ernie the primary difference is that the EIS requires more coordination with various government agencies, some more detail especially on purpose and need, with the primary difference being the need to address mitigation requirements. He indicated that in terms of our Environmental Assessment, e.g., noise, we have already performed essentially all of what the EIS would include. The story being given to the public that an EIS is a much more comprehensive technical analysis, versus a cursory analysis provided in an EA, is simply wrong. Whereas the EA is an airport sponsor document until the FONSI is granted, the EIS is a government document from the start of the analysis, and this means that the FAA selects the consultant to do the work. In contrast to misinformation being provided by WCC folks to MORPC at a previous meeting, and on propaganda-oriented, misinformation on the WOOSE web page on this topic, a simple public concern does not lead to an EIS, however, it may be that a certain level of public concern does trip this, and Ernie is checking the regulations for some detail on this.

If a lack of clarity continues at the MORPC meeting today regarding the EIS requirements, I will strongly recommend them to talk directly with the FAA, information provided by WCC, and their consultants, and WOOSE is full of spin and gross errors.

Elizabeth and Dawn – We should distill some of what I have above into a memo to our key constituencies to send along with a revised schedule. Let me know what you think.

Regards, Bud

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