

November 13, 2006

Mr. Daniel Millenacker  
Program Manager  
Federal Aviation Administration  
Great Lakes Region, Airports Division  
6020 28th Avenue South, Room 102  
Minneapolis, MN 55450-2706

**Re: West Bend Municipal Airport Expansion, West Bend, WI  
Environmental Impact Statement Public Scoping Comments**

Friends of Milwaukee's Rivers is writing to express our concerns about the proposed expansion of the West Bend Municipal Airport, owned by the City of West Bend in Washington County, WI. Friends of Milwaukee's Rivers (FMR) is a non-profit organization dedicated to protecting water quality and wildlife habitat and advocating sound land use in the Milwaukee River Basin. We represent roughly 400 members in the Milwaukee River Basin, many of whom live in the West Bend area. The airport is flanked by the Milwaukee River and its tributaries on 3 sides and by State Highway 33 to the north. The surrounding area also includes extensive high quality wetlands, especially in areas adjacent to the Milwaukee River and the proposed area for relocation of Highway 33 to the north. FMR is concerned about the potential impact of the airport expansion on the Milwaukee River, as well as area wetlands, wildlife, and natural resources. Issues and concerns that we'd like to see addressed in the Environmental Impact Statement (EIS) for this project are detailed below.

**EIS Process**

*Wisconsin Department of Natural Resources should be a Cooperating Agency on EIS*

We understand that due to the large potential significant effects on wetlands associated with this project, that the Army Corps of Engineers has been invited to serve as a Cooperating Agency on this EIS, and that the Corps will use this EIS to base their decision on whether or not to issue a Section 404 permit under the Clean Water Act. Likewise, it is unclear why the Wisconsin Department of Natural Resources (WDNR) has not been invited to be a cooperating agency on this EIS as well, since they have corresponding obligations under Section 401 to issue a water quality certification and ensure that this project meets both public trust obligations under state law as well as compliance with water quality standards. FMR urges the FAA to ensure that the WDNR is included in this process as a Cooperating Agency. This will also ensure that the EIS will serve the WDNR in determining whether or not they can permit this project under Wisconsin State law, and expedite the planning and permitting processes, should it come to that.

*More Public Comment Opportunities Required at Concurrent Points in the EIS process*

FMR also encourages the FAA to allow public input at three crucial, concurrent points within the EIS process addressing purpose and need for airport expansion, alternatives to advance for further analysis, and determination of a preferred alternative. Often with EIS processes, the public is allowed to comment at the beginning of the process and at the end—when it is too late to provide any meaningful public input or ask any questions about why certain alternatives were disregarded and others advanced, etc. It is our understanding that under NEPA guidelines, agencies have minimal public input requirements as well as discretion to allow for more public involvement opportunities. Due to the significant potential impacts from this airport expansion, we urge you to allow for more continual public involvement during the entire EIS process—this will minimize confusion, frustration, and misunderstandings that often lead to legal disputes.

## **Purpose and Need**

### *Purpose and Need for Airport Expansion Needs Better Justification*

FMR applauds the FAA on taking a new and “fresh” look at the purpose and need for these proposed improvements, as the purpose and need from the Environmental Analysis (EA) for this project was subject of much public and agency criticism. In addition, due to DOT’s interests relating to the current project, we would request that the EIS include independent review by FAA and their consultants of all data and assumptions previously used to build the case for this airport expansion. It is our understanding that the West Bend Airport reported only 37,300 ‘operations’ (take-offs and landings) in 2004, which was at least 60% less than regional growth models projected for the year 2000. It is also our understanding that there is only one large jet currently in use at the airport. The purpose and need for the runway expansion was not adequately addressed in the EA for this project, and has never been clearly demonstrated from a safety, regional aviation need, or economic perspective. If all of these aspects are assumed to be part of the purpose and need for the airport expansion, then the EIS should highlight which aspects of the proposed project are designed to meet which aspects of the purpose and need (e.g. safety, economic growth, and regional need). There is also a lot of confusion and controversy on the part of the public about what the past operation activity at the airport really is. Data from the airport seem to be lacking, and their estimates for take-offs and landings seem to be much larger than observations by airport neighbors would suggest. There needs to be an accurate, independent analysis of airport operations in order to determine whether or not there is justification for a runway expansion at this airport.

### *Cost-Benefit Analysis and Future Aviation Demand Need to be Re-addressed*

The Southeast Regional Planning Commission (SEWRPC) Regional Airport System Plan (1987) that was used in the EA to justify this project, is badly out of date, and should not be relied upon to help determine purpose and need for this project. The Regional Airport System Plan ignored the natural resources in the region, and has not been updated even after the completion of the February 2004 Wetland Delineation and Functional Assessment Report for the West Bend Airport Expansion (SAP 0766-54-08). In addition, this Plan has not been revised to address changes that have developed in the West Bend area since 1987, including loss of manufacturing base (and shift to service-based economy), declining need for accommodation of business aircraft, changes in land use and population, and updates to other regional airports that may better serve as a “reliever” airport to General Mitchell International Airport in Milwaukee. This Regional Airport System Plan needs to be revised to reflect these significant changes since 1987. It is also our understanding that many of the new “Learjet” type planes that are entering the

market are more fuel efficient and don't require as much runway for take-offs and landings. This trend in aviation and its effects on the future of small airports such as West Bend should also be addressed in the purpose and need of the EIS.

Likewise, the EIS also needs to take a fresh look at the cost-benefit analysis for this project, and whether or not an airport expansion is needed to spur economic growth, given that much of the recent growth in the area tends to be heavily residential and service-based enterprises that have no need for airport travel. Given the considerable costs involved, projected benefits should be substantial enough to warrant this project.

## **Project Alternatives**

### *The Do-nothing, Repair Only, and other Regional Alternatives Needs to be Addressed*

This EIS needs to include an accurate and unbiased analysis of project alternatives, including a thorough exploration of the "do-nothing" alternative and the "repair only" alternative, as well as regional alternatives for airport expansion. Although we recognize that the City of West Bend is the sponsor of this project, given the significant natural resource impacts associated with this proposed airport expansion, FMR feels strongly that other nearby expansion alternatives need to be looked at and addressed including possibilities of airport expansion at Hartford, Waukesha, and Timmerman Airports.

### *Relocation of the Airport Needs to be Addressed*

The EIS should also address the possibility of relocating the West Bend Airport elsewhere within the City of West Bend. The current location is plainly not ideal for aviation due to its proximity to high value wetlands and the Milwaukee River. If this project would go forward, it would constitute the largest wetland destruction in Wisconsin history since the Clean Water Act was passed. Even if all the wetlands in the area were filled, wildlife will still be attracted to this area due to the proximity of high quality natural areas nearby, and this likely poses a hazard to aviation. FMR urges the FAA to look at completely relocating this airport to a more appropriate location if it is determined that there is a demonstrable purpose and need for a larger airport in the West Bend area. In addition, the alternatives analysis should also consider comparison of surrounding resource constraints of each alternative if the airport needs to expand again in the future.

### *Alternatives Incorporating Shorter Runway Lengths Should be Addressed*

FMR suggests that the FAA look at alternatives that would reassess the length of runway required. If runway length could be decreased and the need for the relocation of Highway 33 minimized, valuable wetland habitat could be preserved and costs of this project drastically minimized. This should be considered in light of apparently little demand for runway expansion based on current use of the airport and future trends towards planes that require smaller runways for take-offs and landings.

### *Alternatives Bridging a Runway across the Milwaukee River*

It has come to our attention that several local business owners have requested that the FAA include an analysis of alternatives that would involve bridging the runway over the Milwaukee River and onto the Ozaukee Washington Land Trust property. FMR has concerns about the impact of such a bridge on the Milwaukee River given considerable cumulative effects on the river from upstream bridge construction projects, increased stormwater discharges associated

with development, and wastewater discharge from the West Bend Sewage Treatment Plant. It is our understanding from DNR staff that water quality in this section of the river (from West Bend to Newburg) has greatly deteriorated in recent years. In addition, based on our experience with the General Mitchell International Airport, a bridge over the Milwaukee River would also increase runoff of deicing materials and other pollutants into the river, as well as pose a hazard for recreational users canoeing or kayaking the river. This is a popular segment of the river for paddlers, as many local citizens put-in at the upstream non-motorized boat launch in Riverside Park and travel downstream to Newburg or other destinations. Any analysis of any bridging alternative must include impacts to water quality, downstream streambank erosion, and recreational uses among other natural resource impacts.

#### *Alternative Analysis Requires Equitable Analysis of On-Site and Off-Site Alternatives*

All alternatives should be examined in terms of: direct and indirect environmental impacts (e.g. wetland impacts, types of wetlands impacted, other natural resource features impacted, impacts to wildlife habitat), costs (including mitigation), and disclosure of surrounding resource constraints for airport expansion. Each alternative must consider the obligation under State law to purchase at least 1.5 acres of land for every wetland acre impacted, as well as consider mitigation for destruction or impairment of riparian corridor, primary environmental corridor, and other wildlife habitat. Alternatives should also distinguish between improvements to the airport that are required to meet FAA safety regulations for current operations and those that are associated only with expansion activities.

### **Affected Environment/Environmental Consequences of Alternatives**

#### *The EIS Needs to Show That There are no Reasonable Alternatives to Unprecedented Wetland Impacts*

The proposed plan requires that more than 60 acres of wetland be directly filled to accommodate runway expansion and relocation of Highway 33, some of which are high quality wooded wetlands. In addition, 220 acres of primary environmental corridor would be impacted, 44 acres of trees would be topped, and 160 acres of farmland would be lost. An additional unspecified area would need to be made “unattractive” to wildlife. Given these significant potential impacts, the EIS needs to *clearly demonstrate* that there are no reasonable alternatives to the proposed project. In addition, direct impacts on wetlands as well as indirect effects on wetlands needs to be adequately assessed as part of the EIS process, including clarification of what is to be mitigated for each type of wetland destruction (direct and indirect). In addition, the EIS wetland delineation report should also include information and extent of ALL wetlands to be impacted—both direct and indirect impacts (this was not included in the EA). Each wetland area should be described by type and functional values and the EIS should elucidate how those functions will either be eliminated or degraded as a result of the proposed activities. Impacts from fragmentation (which should really be considered as DIRECT impacts) also need to be considered including effects on reduced habitat quality for terrestrial wildlife and plants, as well as effects of reduced base flow to streams and wetlands on both aquatic dependent plants and animals.

#### *The EIS Needs to Analyze Effects of Alternatives on Water Quality, Water Quantity, and Wildlife Habitat of the Milwaukee River*

Given the fact that the West Bend Airport is surrounded on 3 sides by the Milwaukee River and its tributaries (Wingate, Airport and Kudek Creeks), the effects of the proposed project on both

the water quality and quantity of these surface waters needs to be addressed as well as impacts on aquatic wildlife habitat. There was almost no consideration of these effects to the Milwaukee River in the EA. Increased impervious surface creation in combination with decreased flow due to wetland filling will undoubtedly lead to increased stormwater runoff to the Milwaukee River. This increased runoff has potential to contaminate the Milwaukee River with various deicing materials (glycols, salt, etc.) as well as sediment, trash, and other pollutants that can degrade water quality. As mentioned above, in recent years, water quality of the east-west branch of the Milwaukee River has been substantially degraded, most likely from increased development. Increased runoff also has the potential to contribute to nuisance macrophyte populations already flourishing downstream. In addition, wetlands in this area of the West Bend airport undoubtedly provide considerable buffering capacity at the present time, thus protecting water quality. Filling in of wetlands associated with this project will affect this buffering capacity. In addition, wetland fill activities, tree-clearing, and construction of roads, runways, and bridges will undoubtedly disturb soil, which will end up in the Milwaukee River or other wetlands. Alternatives analysis must also include how these effects on water quality will be mitigated.

In addition to effects on water quality, increased runoff has the potential to contribute increased surface flows to the Milwaukee River, which could cause downstream flooding. The wetland delineation report showed that affected wetlands are located substantially within the 100 year floodplain. Thus, the EIS should also include information on the regulatory effects of filling in these wetlands, including potential requirements to obtain floodplain easements, increase downstream “freeboard”, etc. Effects of alternatives on peak flows, base flows, and river hydrology need to be assessed for each alternative. The effects of wetland filling on groundwater levels, groundwater recharge areas, and natural filtration and floodwater storage areas of interconnecting streams in the area also need to be addressed in the EIS. Alternatives analysis must also include how these effects on water quantity will be mitigated.

Wetland draining and filling activities, and increased runoff and sedimentation into the Milwaukee River and its tributaries can destroy fish spawning areas and habitat for macroinvertebrates. The EIS must include an analysis of effects to the warm water sport fishery, taking into consideration significant differences in water quality upstream and downstream of the City of West Bend. The EIS must also include impacts of project alternatives on the Greater Redhorse, Pugnose Shiner, and Longear Sunfish (state threatened fish species documented in this watershed) as well as effects on any other aquatic state listed species or species of concern.

#### *Effects on Groundwater Quantity and Quality Needs to be Addressed*

Substantial filling of wetlands associated with this project has the potential to affect both groundwater quantity and quality in West Bend and the Town of Trenton and needs to be addressed as part of the alternatives analysis. In particular, effects of project alternatives on groundwater recharge areas and impacts to aquifers must be considered. It is our understanding that most of the houses to the north of this project, located in Trenton, have private wells. Many local homeowners have expressed to us their concerns about losing functionality of their wells because of this project and loss of groundwater recharge areas. In addition, due to the high water table in the area in combination with pervious glacial subsoil, there could also be a high feasibility of groundwater contamination with increased impervious surface creation and increased runoff. Due to these soil features, placement of stormwater detention basins as a best management practice associated with airport expansion activities needs careful analysis as well. Airport expansion should not come about if it will require adjacent homeowners’ substantial

investments in the future to switch to an alternate water supply. In addition, due to the impacts of this project on these Trenton residents, it would seem that a representative from the Town of Trenton should also be allowed more intensive involvement in the EIS process.

#### *Effects of the Project on Wildlife and Wildlife Habitat Needs to be Addressed*

Over 220 acres of primary environmental corridor could be affected as part of this proposed project. Primary environmental corridors were identified by the Southeast Regional Planning Commission (SEWRPC) for preservation based on the fact that they contain almost all of the best remaining wetlands, woodlands, and wildlife habitat areas left in southeast Wisconsin as well as most of the major lakes and streams and associated floodlands. Preservation of these corridors is recommended for flood-flow attenuation, water pollution abatement, and to facilitate movement of wildlife and dispersal of seeds for a variety of plant species. Corridor destruction, wetland filling, tree topping, and tree clearing can destroy fish habitat and spawning areas as well as both aquatic and terrestrial wildlife habitat. A detailed fish and wildlife survey needs to be completed to determine which species are currently using this site and how the proposed alternatives will eliminate or degrade these wildlife habitat functions. In addition, effects of project alternatives on habitat contiguity and on the environmental corridors need to be addressed.

This area is known for harboring high quality bird species and wetland herpetofauna, as well as several threatened and endangered species including Blandings Turtle, Butler's Garter Snake and several aquatic species mentioned above. Analysis of the impact of this project on threatened and endangered species, as well as Wisconsin Species of Concerns should be conducted as part of this EIS. Common birds most at risk from this project include the Ovenbird, Red-eyed Vireo, Eastern Pee Wee, and Woodthrush--these birds could be used as indicator species for evaluating impacts of proposed project alternatives. Migratory bird species should also be looked at, as they are seasonally dependent on these natural resources at a fragile stage in their migration. Effects of the project on the heron rookery on Ozaukee Washington Land Trust property across the river should also be evaluated.

In addition, we need more information about how the proposed airport expansion will increase the potential for bird strikes and what this will mean relating to management requirements of secondary impacts (e.g. additional fills/grading) that may further decrease habitat values at the site in the future. The EIS must include impacts from management activities required per FAA regulations (FAA Advisory Circular No:150/5200-33A), and a Wildlife Hazard Assessment should be completed as part of the EIS by a qualified damage management biologist. Ideally, this study should be connected to the hydrological studies—as changes in water levels and standing water will have a big effect on future bird use of the site. Sequencing of project construction activities should also be analyzed in light of potential wildlife impacts.

### **Cumulative Impacts**

#### *Cumulative Effects of Urban Development, Wetland Destruction, and Transportation Infrastructure Should Be Addressed in the EIS*

Cumulative effects of project alternatives should include effects of other urban development (e.g. increased impervious surface, decreased infiltration), wetland destruction, and construction of transportation infrastructure in the watershed (e.g. bridge building, road building, etc.) on water quality of surface waters and wetlands, water quantity of surface water and groundwater, and

wildlife habitat (both aquatic and terrestrial). Given the significant potential impacts due to wetland filling activities and expansion and relocation of Highway 33, this cumulative effects analysis is very important in determining the impacts of proposed alternatives.

### **Mitigation Measures**

#### *Destruction of Wooded Wetlands can not be Mitigated; Mitigation Costs Need to be Included in Total Costs of Alternatives*

It is our understanding that there has never been a successful mitigation of a wooded wetland in the State of Wisconsin and that few other States have been able to recreate what nature has provided. Many states do not allow destruction of wooded wetlands, period, due to the extreme difficulty if not impossibility of mitigating their loss. Wetland experts postulate that it may take at least 30-50 years of maintenance to reestablish a wooded wetland, which may not replicate the full functionality of the original wetland. Given this, FMR strongly feels that it is not practically or economically feasible to mitigate for destruction of wooded wetlands. If it is determined that destruction of wooded wetlands is *unavoidable*, then a maintenance schedule of at least 30 years should be incorporated into the costs of project alternatives including these options. Replacing wooded wetlands with other types of wetlands or beneficial uses (e.g. open space) should not be allowed as part of the EIS analysis and determining feasibility of this proposed project.

Likewise, mitigation costs for all types of wetland destruction (using at least a 1.5:1 replacement ratio), wildlife habitat destruction, and impacts on water quality and quantity need to be included in total costs of all alternatives.

Thank you for consideration of these comments on the proposed expansion of the West Bend Airport in West Bend, Wisconsin. Please feel free to call me at (414) 287-0207 ext. 29 or our Executive Director, Lynn Broaddus, at (414) 287-0207 ext. 30 with any questions.

Sincerely,

Cheryl Nenn  
Milwaukee Riverkeeper

Cc: Lynn Broaddus, FMR Executive Director  
Erin O'Brien, Wisconsin Wetlands Association