

**Correspondence from
Kentucky Heritage Council
including Conditional
Concurrence Letter**



**TOURISM, ARTS AND HERITAGE CABINET
KENTUCKY HERITAGE COUNCIL**

MATTHEW G. BEVIN
GOVERNOR

DON PARKINSON
SECRETARY

THE STATE HISTORIC PRESERVATION OFFICE
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www.heritage.ky.gov

REGINA STIVERS
DEPUTY SECRETARY

CRAIG A. POTTS
EXECUTIVE DIRECTOR
& STATE HISTORIC
PRESERVATION OFFICER

June 27, 2016

Phillip J. Braden
Manager
Memphis Airports District Office
Federal Aviation Administration
2862 Business Park Drive, Bldg G
Memphis, TN 38118-1555

RE: Determination of Effects; Bowman Field Airport Area Safety Program, Louisville KY

Dear Mr. Braden:

The Kentucky Heritage Council, State Historic Preservation Office has received for review and comment, the above referenced Determination of Effects evaluation for the Bowman Field Area Safety Program in Louisville, Kentucky. The purpose of this undertaking is to reduce tree heights so that nighttime instrument approach capabilities would be restored to the Bowman Field Airport. More than 100 mature trees in neighborhoods/areas adjacent to Bowman Field will be trimmed or removed entirely as part of this undertaking, in order to comply with safety requirements.

In accordance with 36 CFR §800, the FAA identified this project as an "undertaking" due to its potential to affect historic properties. Participants in the process were defined as the lead federal agency (FAA), the applicant (Louisville Regional Airport Authority (LRAA)), the Kentucky State Historic Preservation Officer (KYSHPO), Louisville Metro Government, and invited consulting parties (§800.3). A listing of those consulting parties is attached with this letter.

Through consultation under 36 CFR §800.4, the undertaking's Area of Potential Effect (APE) was defined, refined, and concurred upon, and the applicants' consultants (Brockington Cultural Resources Consultants and Hansen Professional Services, Inc.) submitted a Historic Architectural Survey, a Cultural Resource Evaluation report (CRE), and a supplemental CRE report. Due to certain inadequacies contained within the various reports (such as boundary demarcations for eligible historic properties and districts), KYSHPO and the consulting parties did not concur with the final determination of eligibility. While general agreement on the nature and location of eligible and listed historic properties was reached, a finalized CRE document containing all historic properties, with defined boundaries located within (or partially within) the APE, has yet to be received.

In accordance with 36 CFR §800.5 (Assessment of adverse effects), The FAA provided a Determination of Effects letter that was received on May 27, 2016. In that letter, the FAA determined that the following sites are eligible for or listed on the National Register of Historic Places:

- Bowman Field Historic District;
- Seneca Park;
- Seneca Vista Historic District;
- Seneca Manor Historic District;
- McCoy Manor Historic District;
- Kingsley Historic District;
- Seneca Village Historic District; and
- Seneca Village No. 2 Historic District.

The FAA recommended that the removal of mature trees from within the undefined boundaries of certain historic districts mentioned above would have no adverse effect because, "...the vegetative plantings are not a contributing element to eligibility of any of the resources."

In the regulations found at 36CFR§800.5 (a)(1), it is stated that, "An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, *setting* [emphasis added], materials, workmanship, feeling or association. Consideration shall be given to all qualifying characteristics of a historic property, including those that may have been identified subsequent to the original evaluation of the property's eligibility for the National Register. Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance or be cumulative." It is further stated in 36 CFR §800.5(a)(2)(iv) that, "Change of the character of the property's use or of physical features within the property's setting that contribute to its historic significance" is an example of an adverse effect.

The removal or alteration of more than 100 mature trees within historic districts such as the Olmstead designed Seneca Park has a particularly clear impact on integrity of setting. That said, it seems clear that certain safety program enhancements already proposed by the applicant could significantly reduce the overall impact. After reviewing the consulting party comments that were received in reply to the FAA's "Determination of Effects" letter, it appears that incorporation of the following conditions into the project will streamline the process and resolve disagreement between parties included through 36 CFR §800.3. Those conditions are as follows:

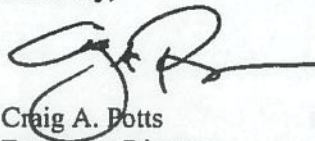
1. The applicant (LRAA) will compel its cultural resource management consultants to complete the CRE document as requested by the KYSHPO and consulting parties by September 30, 2016. This includes compiling all of the various elements of historic property evaluation into one comprehensive document and providing defensible boundaries for all eligible historic districts and a full evaluation of the Olmstead designed Seneca Park;
2. Trees will be assessed by a professional arborist as to whether they can be trimmed or should be removed;

3. All trees that are removed will be replaced with an appropriately diverse selection of low canopy trees at a ratio of two to one (2:1) within the above referenced historic districts. Homeowners may select less than two trees for each existing tree that is removed from their property, but the overall replanting ratio of two to one (2:1) will be maintained project-wide, regardless of homeowner preferences;
4. If a tree is removed in a landscaped area of the yard, the homeowner will be eligible for a re-landscaping allowance up to \$2,500.00. The landscaping allowance will be over and above the cost of replacement trees;
5. The LRAA will pay for all tree trimming and/or removal, stump removal and yard restoration directly related to this project;
6. All new landscape planting, including shrubs, perennials, ornamental grasses, and ground covers, will carry a one (1) year warranty; replacement trees will carry a two (2) year warranty by the LRAA; and
7. The aforementioned conditions, provisions numbered one (1) through six (6) above, will be added to the project's Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) as planned components of the project/undertaking.

So long as the referenced measures, provisions one (1) through seven (7) above, are adopted, implemented, and carried out, it is the determination of this office that the undertaking would avoid adverse effects. This undertaking is therefore provided a **conditional No Adverse Effect finding**. Please respond with your decision regarding the adoption of provisions one (1) through seven (7) above into the project design.

Should you have any questions, please contact me at 502-564-7005 x 111.

Sincerely,



Craig A. Potts
Executive Director
Kentucky Heritage Council and
State Historic Preservation Officer

Attachments: Invited consulting parties list, pursuant to 36 CFR §800.3

CC: Don Parkinson, Secretary, Tourism, Arts, and Heritage Cabinet
Leigh Powers, General Counsel, Tourism, Arts, and Heritage Cabinet
Skip Miller, Executive Director, Louisville Regional Airport Authority
Invited consulting parties

Invitation List – Bowman Field Safety Program

1. Skip Miller, Executive Director, LRAA
2. Craig Potts, Executive Director, Kentucky SHPO

Government representatives:

3. Mayor Greg Fischer
Louisville/Jefferson County Metro Government
Metro Hall / 4th Floor
527 W. Jefferson St.
Louisville, KY 40202
4. Louisville/Jefferson County Metro Government
Historic Preservation Officer
Planning & Design Services
444 S. 5th St.
Louisville, KY 40202
(502) 574-5210
5. Louisville/Jefferson County Metro Government
Michael J. Heitz, AIA, Director of Parks
Administration Building
1297 Trevilian Way
Louisville, KY 40213
(502) 456-8100
michael.heitz@louisvilleky.gov
6. City of Seneca Gardens
David Brown, Mayor
2547 Dell Road
Louisville, KY 40205-2309
david.brown@bbandt.com
7. City of Kingsley
Rebecca Beld, Mayor
P.O. Box 5515
Louisville, KY 40255-0515
Mayor: (502) 452-6478
City Clerk: Marilyn Whistler, info@cityofkingsley.org; (502) 458-7398

Affected Metro Louisville Council Members:

Mailing address: City Hall, 3rd floor, 601 W. Jefferson St., Louisville, KY 40202-2741

8. Tom Owen, 8th District
(502) 574-3455
Tom.owen@louisvilleky.gov
Legislative aide: Terra Long, terra.long@louisvilleky.gov
9. Bill Hollander, 9th District
(502) 574-1109
Bill.hollander@louisvilleky.gov
Legislative aide: Ms. Kyle Ethridge, kyle.ethridge@louisvilleky.gov
10. Brent Ackerson, 26th District
(502) 574-1126
Brent.ackerson@louisvilleky.gov
Legislative aide: Jeff Noble, jeff.noble@louisvilleky.gov

Organizations:

-
11. Big Spring Country Club
Mr. Kelly Maxwell, General Manager
5901 Dutchmans Lane
Louisville, Kentucky 40205-3275
(502) 459-2622 Work
(502) 693-3837 Cell
(502) 451-2988 Fax
kmaxwell@bigspringcc.com
www.bigspringcc.com
 12. Olmsted Conservancy
Mimi Zinniel, Executive Director
1299 Trevilian Way
Louisville, KY 40213
(502) 456-8125 Work
Mimi.Zinniel@olmstedparks.org
 13. Plea for The Trees
c/o Leslie Barras
2337 Frankfort Avenue, #350
Louisville, KY 40206
(502) 298-1505
lebarras@gmail.com
 14. Kentucky Resources Council
Tom Fitzgerald, Director
PO Box 1070
Frankfort, KY 40602
fitzkrc@aol.com

Individuals (Submitted written requests)

15. Phyllis Hawkins (Close Proximity to APE)
2611 Kings Hwy.
Louisville, KY 40205
16. J. Chris McCoy (In APE)
2540 Kings Hwy.
Louisville, KY 40205
17. Angela Burton (In APE)
2629 Drayton Dr.
Louisville, KY 40205



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April 7, 2016

Aaron Braswell, Environmental Protection Specialist
Memphis Airports District Office
2600 Thousand Oaks Blvd., Suite 2250
Memphis, TN 38118-2486

Re: Bowman Field Area of Potential Effect (APE)

Dear Mr. Braswell:

Thank you for your letter and copy of "Bowman Field Airport Area Safety Program Area of Potential Effect w/Approach Surface" map showing the recommended APE for this project. Since our last letter, the FAA has provided the requested additional information including the tree inventory (and map), standard language for the proposed avigation easements (including trees which may be cut or trimmed in the future but which need to be considered as part of the Section 106 consultation for this project), and a response that the obstruction lighting alternative has been eliminated. We can concur that the APE has been modified since its inception based on input from consulting parties as well as our office, Hanson, and Brockington.

Additionally, FAA has sent a table of responses to consulting party comments and provided a response (via Hanson) to Dr. Ames' comments. Consulting parties have also received an explanation of tree clearing efforts undertaken by the Louisville Regional Airport Authority which overlap the APE, but which are either on public right-of-way or on avigation easements which have already been acquired and are therefore not a part of the current undertaking. LRAA will be following with additional information on these tree clearing efforts making clear that they were part of ongoing maintenance in these areas. Although we had initially requested information on whether avigation easement "future" trees fall within the recommended APE, at the most recent consulting parties meeting (3-31-16) Louisville Regional Airport Authority (LRAA) made us aware of the difficulty in identifying individual "future" trees of concern; in that meeting, we verbally agreed to address these trees as part of the effects assessment for this project and address obstruction clearing efforts on "future" avigation easement trees in an agreement document.

**#Preservation50: Commemorating the 50th anniversary of the National Historic Preservation Act
and the Kentucky Heritage Council 1966-2016**

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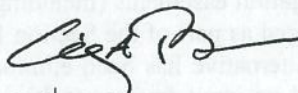
Re: Bowman Field Area of Potential Effect (APE)

April 7, 2016

The recommended APE appears to include all trees currently proposed for trimming or removal and thus provides adequately for direct effects; our office also feels that the recommended APE provides a sufficient buffer to address indirect (visual) effects around affected trees currently proposed for trimming or removal within approach surfaces. As such, our office is formally concurring that FAA's recommended APE is appropriate for this undertaking.

At the March 31, 2016, consulting parties meeting FAA and LRAA also verbally agreed with Hanson/Brockington that we would receive an updated, single combined report containing the initial CHS, the addendum CHS which was recently prepared, and the supporting documentation (tree inventory/maps, lighting information, responses, etc.) to better facilitate our review. We look forward to receiving that and reviewing that combined report/CHS. Should you have any questions, feel free to contact Jennifer Ryall of my staff at 502.564.7005, extension 121.

Sincerely,



Craig A. Potts,
Executive Director and State Historic Preservation Officer

CP: jr, KHC #46554



STEVEN L. BESHEAR
GOVERNOR

**TOURISM, ARTS AND HERITAGE CABINET
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CRAIG A. POTTS
EXECUTIVE DIRECTOR AND
STATE HISTORIC PRESERVATION OFFICER

October 9, 2015

Aaron Braswell, Environmental Protection Specialist
Memphis Airports District Office
2600 Thousand Oaks Blvd., Suite 2250
Memphis, TN 38118-2486

**Re: Area of Potential Effect (APE) Definition
Bowman Field Airport (LOU) – Louisville, KY**

Dear Mr. Braswell:

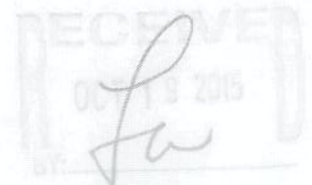
Thank you for your letter and copy of "Bowman Field Airport Area Safety Program APE w/Approach Surface" received by our office on September 24, 2015. At the most recent consulting parties meeting on August 20, 2015, the FAA agreed to provide our office with additional information to aid in our review of the APE for this project. That additional information was to include the tree inventory, which is informing the FAA's studies of which obstructions will need to be removed or trimmed, as well as the expected standard language for the proposed aviation easements. If the aviation easements will encompass activities that have not as yet been discussed in the Section 106 consultation, the APE as currently proposed may be inadequate to adjudicate potential impacts to historic properties. Additionally, the FAA was asked to provide a response about whether the installation of lighting for trees penetrating approach surfaces had been determined to be a possible treatment measure as a part of the NEPA process for the proposed undertaking. If lighting is being considered as a viable alternative to tree removal or trimming, we request additional details on that proposed activity so we may determine whether and how that affects the proposed APE.

As neither the tree inventory, aviation easement language, nor details about the potential lighting alternative has been submitted to our office, we are currently lacking the information we need to complete our review of the proposed APE. Upon receipt of this additional information, we will provide comments accordingly. Should you have any questions, feel free to contact Jennifer Ryall of my staff at 502.564.7005, extension 121.

Sincerely,

Craig A. Potts,
Executive Director and
State Historic Preservation Officer

CP: jr, KHC #45249





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CRAIG A. POTTS
EXECUTIVE DIRECTOR AND
STATE HISTORIC PRESERVATION OFFICER

May 15, 2015

Phillip J. Braden
Manager
Memphis Airports District Office
2600 Thousand Oaks Blvd., Suite 2250
Memphis, TN 38118

Re: Cultural Resources Evaluation – Bowman Field Safety Area Program
Consulting Party List
Bowman Field Airport (LOU)
Jefferson County, KY

And,

Historic Architectural Survey – Bowman Field Safety Area Program
Area of Potential Effect (APE) Evaluation
Bowman Field Airport (LOU)
Jefferson County, KY

Dear Mr. Braden:

On April 15, 2015, the Kentucky Heritage Council, State Historic Preservation Office received for review and comment the above referenced letter regarding prospective consulting parties to the Section 106 process for the Bowman Field Safety Area Program project. Thank you for agreeing to reach out to many of the organizations/individuals we suggested should be given the opportunity to participate as consulting parties.

While we are in agreement that the organizations/individuals included in your list (and attached with this letter) are appropriate to invite as consulting parties, we object to the exclusion of Neighborhood Planning & Preservation, Inc. (NPP). This Louisville non-profit preservation advocacy organization has been in existence for many years and could provide valuable insight and perspective during the Section 106 process. We therefore encourage the FAA to reconsider its decision to exclude them from being invited to participate.

It is important to note that additional consulting parties could come forward during the consultation period, whether they are specifically invited to participate or not. Their inclusion should be considered on a case by case basis as outlined in 36 CFR Part 800. The attached list should not therefore be considered fully "complete" or "final."

We would also like to take this opportunity to provide comments regarding the proposed Area of Potential Effect (APE) outlined in the *Historic Architectural Survey for the Bowman Field Airport Area Safety Program* report completed by Brockington and Associates in December, 2014. In the Executive Summary of that report it states that, "the FAA defined the Area of Potential Effect (APE) as those geographical areas within TERPS [Terminal Instrument Procedures] approach surfaces." Little additional information was provided regarding justification for the delineation of the APE itself.

We are in the very early stages of Section 106 consultation, and the full range of potential effects to historic properties is not clear. While we offer no specific objection to the APE proposed, it should be pointed out that four separate, very narrowly defined areas such as those presented in the report are unusual for an undertaking of this type. We do not feel confident at this point that the APE(s) fully consider all potential effects, and we therefore reserve the right to consult further on those boundaries. To reiterate however, we offer no specific objection at this time.

Thank you for coordinating with this office. If you have any questions, please contact me at 502-564-7005 ext. 111.

Sincerely,



Craig A. Potts, Director
Kentucky Heritage Council and
State Historic Preservation Officer

Invitation List – Bowman Field Safety Program

1. Skip Miller, Executive Director, LRAA
2. Craig Potts, Executive Director, Kentucky SHPO

Government Representatives:

3. Mayor Greg Fischer
Louisville/Jefferson County Metro Government
Metro Hall / 4th Floor
527 W. Jefferson St.
Louisville, KY 40202
4. Louisville/Jefferson County Metro Government
Historic Preservation Officer
Planning & Design Services
444 S. 5th St.
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(502) 574-5210
5. Louisville/Jefferson County Metro Government
Michael J. Heitz, AIA, Director of Parks
Administration Building
1297 Trevilian Way
Louisville, KY 40213
(502) 456-8100
michael.heitz@louisvilleky.gov
6. City of Seneca Gardens
David Brown, Mayor
2547 Dell Road
Louisville, KY 40205-2309
david.brown@bbandt.com
7. City of Kingsley
Rebecca Beld, Mayor
P.O. Box 5515
Louisville, KY 40255-0515
(502) 452-6478
City Clerk, Marilyn Whistler, info@cityofkingsley.org, (502) 458-7398

Affected Metro Louisville Council Members:

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8. Tom Owen, 8th District
(502) 574-3455
Tom.owen@louisvilleky.gov
Legislative Aide: Terra Long, terra.long@louisvilleky.gov
9. Bill Hollander, 9th District
(502) 574-1109
Bill.hollander@louisvilleky.gov
Legislative Aide: Ms. Kyle Ethridge, kyle.ethridge@louisvilleky.gov
10. Brent Ackerson, 26th District
(502) 574-1126
Brent.ackerson@louisvilleky.gov
Legislative Aide: Jeff Noble, jeff.noble@louisvilleky.gov

Organizations:

11. Big Spring Country Club
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5901 Dutchmans Lane
Louisville, Kentucky 40205-3275
(502) 459-2622 Work
(502) 693-3837 Cell
(502) 451-2988 Fax
kmaxwell@bigspringcc.com
www.bigspringcc.com
12. Olmsted Conservancy
Mimi Zinniel, Executive Director
1299 Trevilian Way
Louisville, KY 40213
(502) 456-8125 Work
Mimi.Zinniel@olmstedparks.org
13. Plea for The Trees
c/o Leslie Barras
2337 Frankfort Avenue, #350
Louisville, KY 40206
(502) 298-1505
lebarras@gmail.com
14. Kentucky Resources Council
Tom Fitzgerald, Director
PO Box 1070
Frankfort, KY 40602
fitzkrc@aol.com

15. Preservation Kentucky, Inc.
Rachel Kennedy, Director
306 W. Main St., Ste. 501
Frankfort, KY 40602
(502) 871-4570
director@preservationkentucky.org

16. Preservation Louisville, Inc.
Marianne Zickuhr, Executive Director
631 S. 5th St.
Louisville, KY 40202
(502) 540-5146
director@preservationlouisville.org

17. National Trust for Historic Preservation
Director, Eastern Field Services Office
William Aiken House
456 King St., 3rd Floor
Charleston, SC 29403
(843) 722-8652

Individuals (submitted written requests)

18. Phyllis Hawkins (Close Proximity to APE)
2611 Kings Hwy.
Louisville, KY 40205

19. J. Chris McCoy (In APE)
2540 Kings Hwy.
Louisville, KY 40205x

20. Angela Burton (In APE)
2629 Drayton Dr.
Louisville, KY 40205



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CRAIG A. POTTS
EXECUTIVE DIRECTOR AND
STATE HISTORIC PRESERVATION OFFICER

July 8, 2014

Paul Friedman, Assistant Manager
Memphis Airports District Office
Federal Aviation Administration
2862 Business Park Drive, Bldg. G
Memphis, TN 38118-1555

Re: Bowman Field Airport Safety Program, Louisville, Jefferson County, Kentucky

Dear Mr. Friedman,

The State Historic Preservation office has recently been made aware that work on Section 106 compliance activities is about to get underway for the Bowman Field Airport Area Safety Program (hereafter Bowman Field Safety Program) in Louisville, Jefferson County, Kentucky. It is our understanding FAA has announced funding for Louisville Regional Airport Authority (LRAA) to conduct environmental studies, and that a consultant has been identified to handle cultural resource evaluations.

We would like to take this opportunity to outline some of the information we've conveyed to your agency and LRAA as part of early coordination on this undertaking. In previous conversations with our office, FAA staff has maintained that no undertaking had yet been established, but the announcement of funding for studies which generally include Section 106 compliance is a good indicator that consultation will begin soon. Developing an appropriate area of potential effect will be important before any cultural resource work is undertaken.

It is our understanding that the Bowman Field Safety Program is largely focused on removing obstructions around the airfield. We have been advised by Hanson, Inc., (the consultant assisting LRAA) that only trees will be removed; we have been told no buildings or other types of built obstructions have been identified at this time. In addition to removing obstructions, aviation easements may also be pursued.

Our conversations with LRAA, Hanson, and the FAA have consistently centered on three key items:

- It is critical that FAA be able to document that the Section 106 process is completed fully, in accordance with the regulations. There is high public interest in this project, and it appears to be the type of project with potential to affect historic properties which may be present through changes in design, setting and feeling as a result of tree removal in neighborhoods and other areas surrounding Bowman Field.

- Consulting parties need to be invited and involved from the very beginning of the process – not just if an adverse effect is found. The regulations allow for their participation in all stages of the Section 106 process. We have already advised Hanson and LRAA that there has been very little cultural historic survey in the vicinity of Bowman Field, for instance, meaning usual planning tools like preliminary site checks with our office and the Office of State Archaeology will be of little use. While this lack of existing information will need to be addressed through survey as part of Section 106, we believe there are consulting parties with information that might inform the step of identifying historic properties. To that end, we have previously offered our assistance to the FAA in vetting an area of potential effect that could then be circulated amongst consulting parties.

We have also already provided our preliminary recommendations for consulting parties to both the FAA and Hanson. Once we have a final map showing the project area, we are happy to work with the FAA in refining the list. To date, there are at least three consulting parties requests we are aware of: Dorn Crawford and Preservation Louisville, whose requests had been forwarded to Hanson as we were instructed to do, and Plea for the Trees, which was submitted by the organization directly to your agency. We anticipate others will formally request this status, and we encourage the FAA to invite other appropriate individuals, agencies and groups. Of the three requests already submitted, we only know of one FAA response to Plea for the Trees. It left us with questions about the process FAA intends to use to comply with Section 106. For example, the response indicates the FAA does not yet know if Section 106 consultation will be needed, but it goes on to say the FAA will be formally consulting with our office (SHPO) and references 36 CFR Part 800.4(a). If you plan to consult with our office under the Section 106 regulations, then it can be said Section 106 consultation is needed, and we see no reason you cannot move forward with decision-making about consulting party participation at this time, particularly since 36 CFR Part 800.4(a)(3) allows for it.

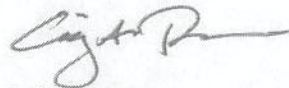
We respectfully request that the FAA notify us about the agency's preferred protocol for consulting parties requests, i.e. where they should be sent and the person to whom they should be addressed. If the FAA chooses not to involve us in refining the list of recommended consulting parties, we would also request that we be provided with a list of any other entities ultimately invited to participate, along with a copy of the correspondence used to contact those entities.

- The FAA should plan to be a presence in consultation. To our knowledge, the federal agency's Section 106 compliance responsibilities have not been formally delegated. With the strong, local interest in this project, we strongly encourage the FAA to show good faith by participating in the Section 106 process so that participants can feel their suggestions and comments are being heard.

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Paul Friedman
7/8/2014

We would be pleased to respond to any questions you may have about these comments, or about our role in the Section 106 process. We look forward to working with the FAA and LRAA on the Bowman Field Safety Program. When you are prepared to move forward, please feel free to contact Jill Howe at (502) 564-7005, extension 121.

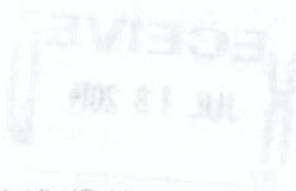
Sincerely,



Craig A. Potts
Executive Director and
State Historic Preservation Officer

Cc: Plea for the Trees
Dorn Crawford
Preservation Louisville
Stephen Wilson (FAA)
Phillip Braden (FAA)
Hanson, Inc.
Charles Miller, LRAA

CP:jh



1. The purpose of this document is to provide information regarding the proposed project and to seek public input. The project is a proposed development in the area of [redacted] and is expected to be completed by [redacted]. The project will include [redacted] and is expected to provide [redacted] to the community. The project is expected to be completed by [redacted] and is expected to provide [redacted] to the community. The project is expected to be completed by [redacted] and is expected to provide [redacted] to the community.



Chief of Police
[redacted]
[redacted]
[redacted]

1. The purpose of this document is to provide information regarding the proposed project and to seek public input. The project is a proposed development in the area of [redacted] and is expected to be completed by [redacted]. The project will include [redacted] and is expected to provide [redacted] to the community. The project is expected to be completed by [redacted] and is expected to provide [redacted] to the community. The project is expected to be completed by [redacted] and is expected to provide [redacted] to the community.

RECEIVED
JUL 18 2014
BY: _____



U.S. Department
of Transportation
**Federal Aviation
Administration**

Memphis Airports District Office
2600 Thousand Oaks Blvd, Suite 2250
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Phone: 901-322-8180

December 30, 2015

Mr. Craig Potts
Executive Director and State Historic Preservation Officer
Kentucky Heritage Council
300 Washington Street
Frankfort, KY 40601

Dear Mr. Potts:

**RE: Area of Potential Effect (APE)
Bowman Field Airport (LOU) Area Safety Program
KHC # 45249**

In your letter to our office regarding the APE for the LOU Area Safety Program, dated October 9, 2015, you indicated your office required the following items prior to completing the review of the proposed APE: (1) tree inventory, (2) aviation easement language, and (3) details about the potential lighting alternative. The draft tree inventory and aviation easement language are enclosed to this letter for your review (the easement language was originally submitted electronically to your office from the airport sponsor on November 13, 2015). The following paragraphs serve to address the potential lighting alternative.

The Federal Aviation Administration (FAA) has reviewed the use of aviation red obstruction lighting (flashing and/or steady burning) as a possible alternative to tree trimming and/or removal for the Area Safety Program at LOU. As currently indicated by the most recent aeronautical survey, there are approximately 200 trees (clusters) that impact Runways 6-24 and 15-33. In accordance with FAA's Advisory Circular 70/7460-1L, "Obstruction Marking and Lighting", lighting of all 200 tree (clusters) would not be required; however, even given this criteria, there still would be a substantial amount of lighting required as shown in the attached exhibit (Alternative 2, Exhibit 5).

The process to determine the use of obstruction lights to mitigate obstructions to airspace surfaces would (1) require the airport sponsor to develop an obstruction lighting layout similar to the attached exhibit; (2) this would include the obstruction light poles/structures that would need to be reviewed and approved under FAA's airspace evaluation process; (3) the obstruction lighting plan would then be submitted to the FAA Flight Standards Procedures Review Board for a formal review and acceptance as mitigation; (4) and, if approved, the airport sponsor could then proceed to implement the lighting plan as approved.

We have determined that even if an obstruction lighting plan to address the existing obstructions is developed, submitted, and approved, its impact on residential,

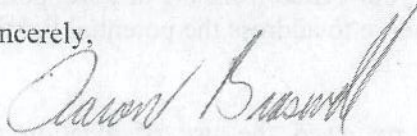
recreational, and historic properties would be more intrusive visually and practically than an alternative of tree trimming or removal. Our determination is based on the following:

- (1) While 200 lighting structures may not be required, there still would be considerable light emissions on numerous properties.
- (2) The obstruction lights would have to be mounted on separate poles/structures and located higher than the obstructions they would address.
- (3) The obstruction lights would require maintenance easements from property owners to supply power to and maintain the lights.
- (4) The tree canopy surrounding the obstruction lights would still need to be kept below the lights. Therefore, there still would be a need to trim trees to maintain the effectiveness of the lighting and their acceptance as mitigation.

In summary, given the reasons stated above, we have determined the use of obstruction lighting is not a reasonable or practical alternative.

We believe the above information, along with the enclosed documentation, will sufficiently address your requirements to complete your review of the APE. If you have any questions, please feel welcome to contact me at (901) 322-8192 or by email at aaron.braswell@faa.gov.

Sincerely,



Aaron Braswell

Environmental Protection Specialist, Memphis Airports District Office

Enclosure

cc: Mr. Skip Miller, Louisville Regional Airport Authority (electronic copy)
Mr. Tim Haskell, Hanson Professional Services, Inc. (electronic copy)



Hanson Professional Services, Inc.

Office: Indianapolis

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Hanson Professional Services, Inc.

2815 TAYLORSVILLE RD

LOUISVILLE, KY 40205

Phone: (502) 451-0770

Professional Service Corporation

#184-001084

BOWMAN FIELD

BOWMAN FIELD
 2815 TAYLORSVILLE RD
 LOUISVILLE, KY 40205

BOWMAN FIELD AIRPORT AREA SAFETY PROGRAM

DRAFT ENVIRONMENTAL ASSESSMENT

NO	DATE	DESCRIPTION
1	12/05/14	INITIAL MONTHLY MEETING
2	12/05/14	END OF FILE
3	12/05/14	REVISIONS
4	12/05/14	REVISIONS
5	12/05/14	REVISIONS
6	12/05/14	REVISIONS
7	12/05/14	REVISIONS
8	12/05/14	REVISIONS
9	12/05/14	REVISIONS
10	12/05/14	REVISIONS

ALTERNATIVE 2



U.S. Department
of Transportation
**Federal Aviation
Administration**

Memphis Airports District Office
2600 Thousand Oaks Blvd., Suite 2250
Memphis, TN 38118-2486

Phone: 901-322-8180

September 22, 2015

Mr. Craig Potts
Executive Director and
State Historic Preservation Officer
Kentucky Heritage Council
300 Washington Street
Frankfort, KY 40601

Dear Mr. Potts:

**RE: Area of Potential Effect (APE) Definition
Bowman Field Airport (LOU) – Louisville, KY**

After careful consideration of comments received by your office and other Section 106 Consulting Parties, the Federal Aviation Administration (FAA) Memphis Airports District Office (MEM-ADO), in conjunction with the Louisville Regional Airport Authority (LRAA), has determined the Area of Potential Effects (APE) for cultural resources for the Area Safety Program at Bowman Field Airport in Louisville, Kentucky.

The APE is graphically depicted in the attached drawing and can be described, in general terms, as the inner sections of airspace surfaces beyond airport property with additional buffer areas. The APE is comprised of four sections which correlate to the four runway ends at the airport.

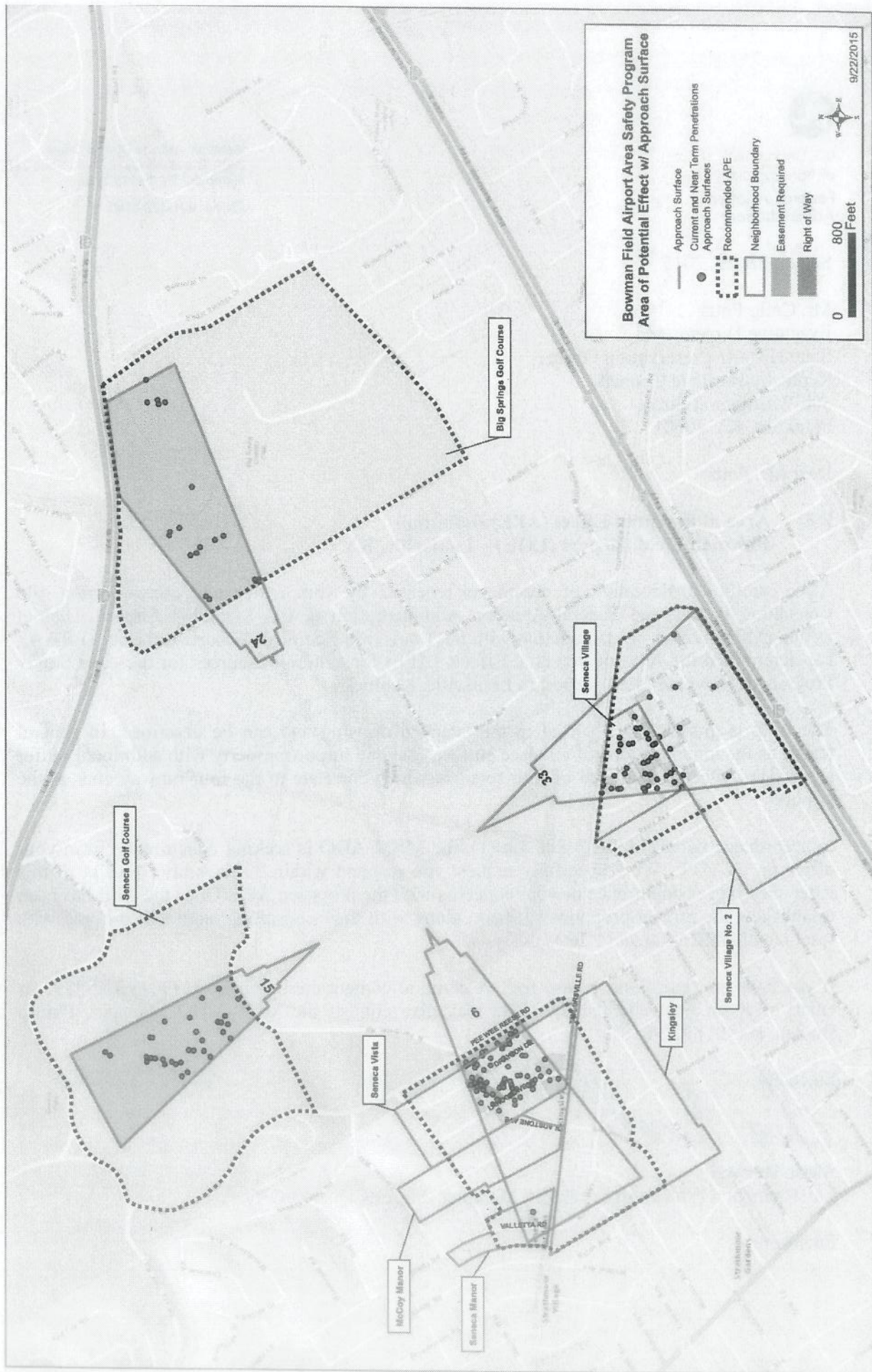
In accordance with 36 CFR § 800.4(a)(1), the MEM-ADO is seeking concurrence from your office on the APE. We respectfully request you respond within 30 days after receipt of this letter specifying concurrence or your concerns with the proposed APE. Once the APE has been established, the project proponent, LRAA, along with their consulting team will proceed with resource identification and effects analysis.

If you have any questions, please feel welcome to contact me by phone at (901) 322-8192 or email at aaron.braswell@faa.gov. You may also contact the MEM-ADO Manager, Phillip Braden, at (901) 322-8181.

Sincerely,

Aaron Braswell
Environmental Protection Specialist, Memphis Airports District Office

Enclosure





U.S. Department
of Transportation
**Federal Aviation
Administration**

Memphis Airports District Office
2600 Thousand Oaks Blvd., Suite 2250
Memphis, TN 38118
Phone: 901-322-8180

July 30, 2014

Mr. Craig A. Potts
Executive Director, State Historic
Preservation Office
300 Washington Street
Frankfort, KY 40601

Subject: Bowman Field Safety Program
Bowman Field Airport
Louisville, Kentucky

Dear Mr. Potts:

Thank you for your July 8, 2014 letter regarding the Bowman Field Safety Program. You raise several issues in the letter. For future reference, I would like to clarify those issues for you.

As you know, the Louisville Regional Airport Authority (LRAA), as the airport sponsor, is preparing an Environmental Assessment (EA) to satisfy the National Environmental Policy Act (NEPA). A component of the EA will be a Cultural Resources Evaluation (CRE) to determine the presence of potentially eligible historic properties within the Area of Potential Effects (APE).

Regarding the Section 106 documentation regulations, the Federal Aviation Administration (FAA) Memphis Airports District Office (ADO) intends to follow the applicable regulatory requirements of 36 CFR Part 800. Per those requirements, we will review the project to determine if the proposed actions establish an undertaking having the potential to cause effects on historic properties.

Your letter states that you are offering assistance in determining the APE. In addition, you have received requests from entities requesting consulting party status. At this time, we have not invited members of the public to participate in identifying historic properties.

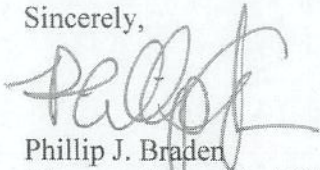
Another issue mentioned in your letter is the process for selecting Section 106 consulting parties. Per 36 CFR §§ 800.3(f) and 800.4(a)(3), in consultation with your office, the FAA Memphis ADO will seek information from consulting parties, as is appropriate. We will work with you to determine the level and extent of what is appropriate after the APE is complete.

Finally, you mentioned that the FAA should plan on being a presence in the consultation process. Because the FAA retains full control of our compliance responsibilities, we trust that any interested parties will have ample opportunity during the Section 106 process to voice their comments and become aware of the FAA's involvement.

Thank you again for your interest in this proposal.

Should you have questions, please contact me at 901-322-8181, or by email at Phillip.Braden@faa.gov. You may also contact our KY Aviation Planner, Stephen Wilson at 901-322-8185, or by email at Stephen.Wilson@faa.gov.

Sincerely,



Phillip J. Braden
Manager, Memphis ADO

cc: Charles Miller, LRAA