

## RECORD OF DECISION

### *ENVIRONMENTAL IMPACT STATEMENT AIR NATIONAL GUARD F-15EX EAGLE II & F-35A LIGHTNING II OPERATIONAL BEDDOWNS*

#### **INTRODUCTION**

The Department of the Air Force (DAF) is issuing this Record of Decision (ROD) for the “*Final Air National Guard F-15EX Eagle II & F-35A Lightning II Operational Beddowns Environmental Impact Statement (Final ANG F-15EX & F-35A EIS)*” (*Federal Register* Vol. 89, No. 221, November 15, 2024, pg. 90280, EIS No. 20240209, DAF EIS No. 00185). The DAF proposed replacing the aging F-15C/D fighter aircraft at the 104th Fighter Wing (104 FW) at Westfield-Barnes Regional Airport, Westfield, Massachusetts (“BAF”); 144th Fighter Wing (144 FW) at Fresno Yosemite International Airport, Fresno, California (“FAT”); and the 159th Fighter Wing (159 FW) at Naval Air Station (NAS) Joint Reserve Base (JRB) New Orleans, Belle Chasse, Louisiana. The DAF considered the information, analyses, and public comments contained in the Final EIS (FEIS), along with other relevant matters.

The DAF is the Lead Agency, and the Department of Navy and Federal Aviation Administration (FAA) were Cooperating Agencies in development of the EIS and coordination of this ROD.

The DAF prepared this ROD per the Council on Environmental Quality regulations implementing the National Environmental Policy Act (NEPA), Title 40 Code of Federal Regulations (CFR) § 1505.2 “*Record of decision in cases requiring environmental impact statements,*” and the DAF Environmental Impact Analysis Process at Title 32 CFR, §989.21, “*Record of Decision.*”

This ROD documents:

- DAF’s decision;
- Alternatives considered;
- Environmentally preferable alternatives;
- Factors considered in the decision;
- Whether DAF adopted all practicable means to avoid or minimize environmental harm from the selected alternative, and if not, why not; and
- Mitigations.

The DAF is aware of the November 12, 2024 decision in *Marin Audubon Society v. Federal Aviation Administration*, No. 23-1067 (D.C. Cir. Nov. 12, 2024). To the extent that a court may conclude that the CEQ regulations implementing NEPA are not judicially enforceable or binding on this agency action, the DAF has nonetheless elected to follow those regulations at 40 CFR Parts 1500–1508, in addition to the DAF’s procedures/regulations implementing NEPA at 32 CFR 989, to meet the agency’s obligations under NEPA, 42 U.S.C. §§ 4321 et seq.

## **DECISION SYNOPSIS**

The DAF will replace the current F-15C/D aircraft with F-35A aircraft at the 104 FW and F-15EX aircraft at both the 144 and 159 FWs. Each of these aircraft beddowns will include construction of new facilities and/or modification of existing facilities, and demolition of some facilities as discussed in the FEIS and shown on respective cantonment site plans (*FEIS*; *Pg. MA-5, § MA2.1.3 & Pg. MA-7, Fig. MA2.1-1; Pg. CA-5, § CA2.1.3 & Pg. CA-7, Fig. CA2.1-1; and Pg. LA-5, § LA2.1.3 & Pg. LA-7, Fig. LA2.1-1*). Fighter aircraft operating out of these three installations will continue training operations within existing airspace and training areas they currently use as discussed in the FEIS (*FEIS, Pg. MA-13, § MA2.1.6, Pg. CA-14, § CA2.1.6, and Pg. LA-13, § LA2.1.6*). Additionally, these beddowns will result in a net increase in base populations of up to approximately 80–100 persons. (*FEIS, Pg. MA-10, § MA2.1.4, Pg. CA-10, § CA2.1.4, and Pg. LA-10, § LA2.1.4*).

FAA is the approval authority of proposed Airport Layout Plan (ALP) changes which are major federal actions requiring FAA compliance with NEPA. FAA’s jurisdiction by law is specific to the Airport and Airway Improvement Act of 1982 (49 U.S.C § 47101 et seq.) and Section 743 of the FAA Reauthorization Act of 2024 (Public Law 118-63). Therefore, if the FAA receives a request from either the City of Westfield for BAF or the City of Fresno for FAT for approval of certain changes to their ALPs, FAA would be responsible for the corresponding environmental review under NEPA as a Cooperating Agency and may rely on the information and analyses in the FEIS pursuant to 40 CFR § 1506.3 for its separate decision-making purposes.

## **FINDING OF NO PRACTICABLE ALTERNATIVE**

In support of the 159 FW decision, proposed construction and related modification activities would result in effects to floodplains of NAS JRB New Orleans (*FEIS, Pg. LA-103, Fig. LA3.7-2*). The FEMA 100-year floodplain associated with the Mississippi River Delta affects a large portion of the NAS JRB New Orleans and surrounding areas and is present on much of the project area. Consequently, I find there are no practicable alternatives to siting some of the construction in the identified floodplains as discussed in the FEIS (*FEIS, LA-105, §LA3.7.2.1*). All practical means to minimize harm to or within floodplains will be applied.

## **BACKGROUND**

The EIS was prepared to support DAF's program to replace the aging F-15C/D fleet with newer generation fighter aircraft at installations where these older aircraft are still being flown and will be phased out due to safety and maintenance concerns. The proposal is the beddown, operation, and associated infrastructure construction. The F-15EX beddowns will establish the third and fourth operational locations (Ops 3 and Ops 4) which would include new and renovated infrastructure, increased numbers of support and operations personnel, and changes in number of operations up to the program of record. The F-35A beddown will establish the tenth operational location (Ops 10) for the F-35A and will also include new and renovated infrastructure, increased numbers of support and operations personnel, and changes in number of operations. The Final ANG F-15EX & F-35A EIS (*FEIS*, § 2.1 *et seq.*) describes in more detail the elements that these beddowns would bring to each base, including personnel and airfield operations.

During the 30-day wait period of the FEIS, the DAF received comments from the National Park Service (NPS) and the Environmental Protection Agency (EPA) Region 9.

- NPS's comments concerned the 159 FW alternative and raised concerns that a map in the FEIS (*FEIS*, Pg. LA-20, Fig. LA3.1-1, §LA3.1.1.1) did not depict the Jean Lafitte National Historic Park and Preserve completely and the corresponding analysis did not accurately reflect the effects of aircraft operations on the noise environment. After consideration of the NPS comments, the DAF determined that there would be no significant effects and noise levels may be reduced by up to one decibel for the preferred alternative from current conditions for the flying operations at NAS JRB New Orleans. These effects are noted in the FEIS (*FEIS* Pg. LA-31, §LA3.1.2.1). The DAF acknowledges these concerns and will include errata corrections with new figures in the administrative record.
- EPA's comments recommended additional outreach to the public and schools in areas with increased noise levels and recommended that testing for per- and polyfluoroalkyl substances be conducted prior to any ground disturbance. These recommendations do not require correction to the FEIS and will be addressed in the Mitigation Plan.

## **ALTERNATIVES CONSIDERED**

### **104 FW**

The 104 FW would convert from 18 F-15C aircraft up to 21 F-15EX aircraft; up to 21 F-35A aircraft; or retain the F-15C aircraft as far into the future as possible. Alternatives evaluated in the FEIS (*FEIS*, Pg. MA-1, § MA1.0, *et al*) included infrastructure construction and facility demolition.

**No Action Alternative.** The No Action Alternative serves as a baseline against which the impacts of the 104 FW alternatives are evaluated. Under the No Action Alternative, the DAF would not replace the F-15C aircraft and would not implement associated construction and other defined actions.

#### **144 FW**

The 144 FW would convert from 18 F-15C aircraft up to 21 F-15EX aircraft; or retain the F-15C aircraft as far into the future as possible. Alternatives evaluated in the FEIS (*FEIS, Pg. CA-1, § CA1.0, et al*) included infrastructure construction and facility demolition.

**No Action Alternative.** The No Action Alternative serves as a baseline against which the impacts of the 144 FW alternatives are evaluated. Under the No Action Alternative, the DAF would not replace the F-15C aircraft and not implement associated construction and other defined actions.

#### **159 FW**

The 159 FW would convert from 18 F-15C/D aircraft up to 21 F-15EX aircraft; up to 21 F-35A aircraft; or retain the F-15C/D aircraft as far into the future as possible. Alternatives evaluated in the FEIS (*FEIS, Pg. LA-1, § LA1.0, et al*) included infrastructure construction and facility demolition.

**No Action Alternative.** The No Action Alternative serves as a baseline against which the impacts of the 159 FW alternatives are evaluated. Under the No Action Alternative, the DAF would not replace the F-15C/D aircraft and not implement associated construction and other defined actions.

### **ENVIRONMENTALLY PREFERABLE ALTERNATIVES**

Of the alternatives considered in the Final EIS and carried forward in this ROD, the environmentally preferred alternative is the No Action Alternative. Under the No Action Alternative, no new aircraft would be based at any of the locations, no personnel changes or construction would be implemented. Under the No Action Alternative, the DAF (through the National Guard Bureau [NGB]) would continue to conduct their current mission using existing aircraft.

### **MITIGATION**

Mitigation covers a variety of actions that may have impact inducing effects and generally include those the DAF chooses to implement, and those conditions required by law or regulations (e.g., results of consultations and permitting). Mitigative actions not specifically identified herein, may be found at various locations throughout the FEIS (*FEIS, Pg. 2-45, § 2.6,*

*et al, describes mitigative actions and continuation of various noise reducing procedures and best practices).*

To track mitigations, NGB will develop a Mitigation Plan within 90 days of the signature of this ROD that identifies principal and subordinate organizations with responsibility for oversight and execution of specific mitigative actions. The DAF will not implement an impact-inducing action related to the Ops 10 beddowns before the applicable mitigation measure described in this ROD are funded and put in place.

The Mitigation Plan will:

- Identify specific mitigative actions.
- Identify the organization responsible for each mitigation to include tracking.
- Present the timing of and completion for each mitigation.

Mitigation includes ongoing monitoring of the amount of afterburner use associated with number of flight operations as analyzed in the FEIS (*FEIS, Pg. 2-2, § 2.2.1.2, and Pg. 2-6, Table 2.2-3*). Additionally, the DAF will ensure that NGB coordinates review of their mitigation and monitoring plan with the FAA and the City of Westfield and the City of Fresno associated with the civil airport locations as appropriate.

## **DECISION**

The DAF has considered the potential environmental consequences, comments, and concerns of the public, key stakeholders, as well as other factors related to national defense, current military operational needs and costs, and Cooperating Agency interests, and incorporates by reference the FEIS as reflected in the above discussions. The 104 FW best meets the requirements for the F-35A due cost, proximity to training infrastructure, and alignment with the National Defense Strategy.

The DAF has adopted all practicable means within its control to avoid or minimize environmental harm from the alternatives selected. The NGB developed Mitigation Plan will adhere to the mitigations discussed above and in other conditions discussed in the FEIS.

The DAF will, by this decision, replace the current F-15C aircraft with up to 21 F-35A aircraft at the 104 FW at Westfield-Barnes Regional Airport, Westfield, Massachusetts. As a result of this decision and in accordance with the fighter recapitalization plan, the DAF will replace the F-15C aircraft with up to 21 F-15EX aircraft at the 144 FW at Fresno Yosemite International Airport, Fresno, California; and the DAF will replace the F-15C/D with up to 21 F-15EX aircraft at the 159 FW at Naval Air Station Joint Reserve Base New Orleans, Belle Chasse, Louisiana. Replacement includes demolition, construction, and modification of facilities. Fighter aircraft

operating out of the three fighter wings will continue training operations within existing airspace and training areas currently used.

I certify that the DAF has considered all the alternatives, information, analyses, and objections submitted by the commenters.

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(Installations)

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Date