

US Department of Transportation Federal Aviation Administration

DOT Section 4(f) Evaluation for the Driggs-Reed Memorial Airport Driggs, Idaho

June 2021

This Department of Transportation Section 4(f) Evaluation (also referred to as a Section 303 Evaluation) is submitted for review pursuant to the following public law requirements: Section 102(2)(c) of the National Environmental Policy Act of 1969; 49 USC 47106; Section 303 of 49 USC Code, Subtitle I; and Section 106 of the National Historic Preservation Act of 1966.

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Driggs-Reed Memorial Airport DOT Section 4(f) Evaluation

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LIST OF ATTACHMENTS

1. State Historic Preservation Office (SPHO) Letter dated February 23, 2021
2. Advisory Council on Historic Preservation (ACHP) Letter dated March 16, 2021
3. Memorandum of Agreement (MOA) dated June 2021

1. INTRODUCTION

Section 303 was initially codified in Title 49 of the United States Code (USC) § 1653(f) (Section 4(f) of the USDOT Act of 1966). In 1983, § 1653(f) was reworded and recodified as Title 49 USC § 303, but still commonly referred to as DOT Section 4(f). Congress amended DOT Section 4(f) in 2005 when it enacted the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users.

DOT Section 4(f):

Prohibits the use of land of significance in publicly owned public parks, recreation areas, wildlife and waterfowl refuges, and land of a historic site for transportation projects unless the Administration determines that there is no feasible and prudent avoidance alternatives and that all possible planning to minimize harm has occurred.

The Federal Aviation Administration (FAA) is considering actions (known as Proposed Action) requested by the city of Driggs, Idaho (Airport Sponsor) to correct deficiencies in the Runway 4 Runway Protection Zone (RPZ) and Runway Object Free Area (ROFA) according to FAA design standards, at the Driggs-Reed Memorial Airport (Airport) in order to support a safe and viable Airport now and into the future. The Proposed Action involves shifting Runway 4/22 to the northeast by 1,945 feet along with associated projects as described in **Section 3.2**.

Implementation of the Proposed Action will require placing the Grand Teton Canal (10TN67) and associated ditches into culverts in numerous locations in order to facilitate the shifting of Runway 4/22 and reconfiguring of roads. The Grand Teton Canal is eligible for listing on the National Register of Historic Places (NRHP).

This DOT Section 4(f) Evaluation (Evaluation) was prepared as an appendix (**Appendix C**) to the Environmental Assessment (EA). This Evaluation consists of the following sections:

1. Introduction – Provides the regulatory context for the Evaluation; provides a brief description of the Airport; and describes the Purpose and Need for the Proposed Action;
2. Identification of DOT Section 4(f) Resources – Examines the lands in the airport vicinity relative to DOT Section 4(f) and identifies those resources that the FAA determined to be potentially subject to DOT Section 4(f);
3. Alternative Analysis – Identifies possible alternatives to avoid or minimize impacts to DOT Section 4(f) resources.
4. Coordination – Summarizes the efforts made to coordinate with agencies and parties owning DOT Section 4(f) lands on the potential effects of the proposed projects.
5. Finding – Provides the FAA DOT Section 4(f) Finding.

1.1 DOT Section 4(F) Feasible and Prudent Requirements

Programs or projects requiring the use of DOT Section 4(f) lands will not be approved by the FAA unless there is no prudent and feasible alternative to the use of such land, and such programs and projects include all possible planning to minimize harm resulting from the use. The term “feasible”¹ refers to sound engineering principals, while the term “prudent”¹ refers to rationale judgment. According to FAA Order 5050.4B, a project may be possible (feasible), but not prudent when one considers safety, policy, environmental, social, or economic consequences.

¹ FAA Order 5050.4B, National Environmental Policy Act Implementing Instructions for Airport Actions. Page 10- 10

The following factors are to be used to decide if an alternative is prudent:

- Does it meet the project’s Purpose and Need?
- Does it cause extraordinary safety or operational problems?
- Are there unique problems or truly unusual factors present with the alternative?
- Does it cause unacceptable and severe adverse social, economic, or environmental impacts?
- Does it cause extraordinary community disruptions?
- Does it cause additional construction, maintenance, or operational costs of an extraordinary magnitude?
- Does it result in accumulation of factors that collectively, rather than individually, have adverse impacts that present unique problems or reach extraordinary magnitudes?

The FAA must clearly explain why any alternative is rejected as not being prudent and feasible if the project results in the use of DOT 4(f) protected lands.

1.2 Airport Description and Surrounding Land Uses

The Driggs-Reed Memorial Airport (Airport) is a general aviation airport located in eastern Idaho near the Wyoming state line at 6,200 feet mean sea level. It lies within the Teton Valley between the Big Hole Mountains to the west and the Teton Range to the east. Access to the Airport is via Idaho State Highway 33, which runs north/south through the city of Driggs (**Figure 1-1**). The city of Driggs is approximately one mile south of the Airport.

Figure 1-1: Location Map



Source: Jviation

Two national parks and two popular ski areas are located near Driggs: Grand Teton National Park is approximately 40 miles east, while Yellowstone National Park is 115 miles northeast. Nearby skiing includes Grand Targhee Ski Resort, 12 miles northeast; and Jackson Hole Ski Area, approximately 34 miles southeast.

The Airport is home to a diverse aircraft fleet mix including single- and multi- engines, corporate jets, helicopters, gliders, and warbirds. Aircraft operators use the Airport for business, recreational, training, medical, and military activity, to name a few. Given its proximity to prime recreational opportunities, the Airport provides easy access for tourists. With several off-airport aviation subdivisions around the Airport, pilots can enjoy hangar ownership and adjacent living quarters with an approved through-the-fence agreement to access the airfield and aviation services.

Runway 4/22 at the Airport is 7,300 feet long and 100 feet wide with a full parallel taxiway, connecting taxiways, apron, airfield lighting, and visual and electronic navigational aids (NAVAIDs). The Airport also has an alternate grass runway located between Runway 4/22 and parallel Taxiway A, within taxiway connectors D and E. The grass runway is 3,050 feet long and 100 feet wide. **Figure 1-2** depicts an overview of the Airport's airside facilities.

Figure 1-2: Airside Facilities



Source: Jviation

The majority of airport services are provided by the Fixed Base Operator (FBO), Teton Aviation, including pilot instruction, major airframe and powerplant services, hangar space, tiedowns, oxygen service, deicing (Type 1), Jet-A and 100 LL fuel, scenic flights, an on-site restaurant, pilot lounge, courtesy transportation, and rental cars. Air Idaho Rescue also operates at the Airport and provides emergency response services to the region.

On-airport landside facilities include the main FBO facility that serves as a terminal building for Airport users, nearly 40 hangars ranging from 2,000 to 16,500 square feet, auto parking, and vehicle access. **Figure 1-3** presents an aerial view of the Airport's landside facilities.

Figure 1-3: Landside Facilities



Source: Jviation

The Airport also allows through-the-fence (TTF) operations from four different hangar lot developments located adjacent to the Airport on both sides of the runway. These development areas provide additional hangar space, help protect the Airport from undesirable development adjacent to the Airport, and help preserve the areas for aeronautical or other commercial uses. The four-platted TTF development subdivisions include Driggs Fly- In Parkway, Teton Aviation, Mustang Ranch, and Sweetwater Park. **Figure 1-4** details the TTF subdivision locations.

Figure 1-4: TTF Subdivision Locations



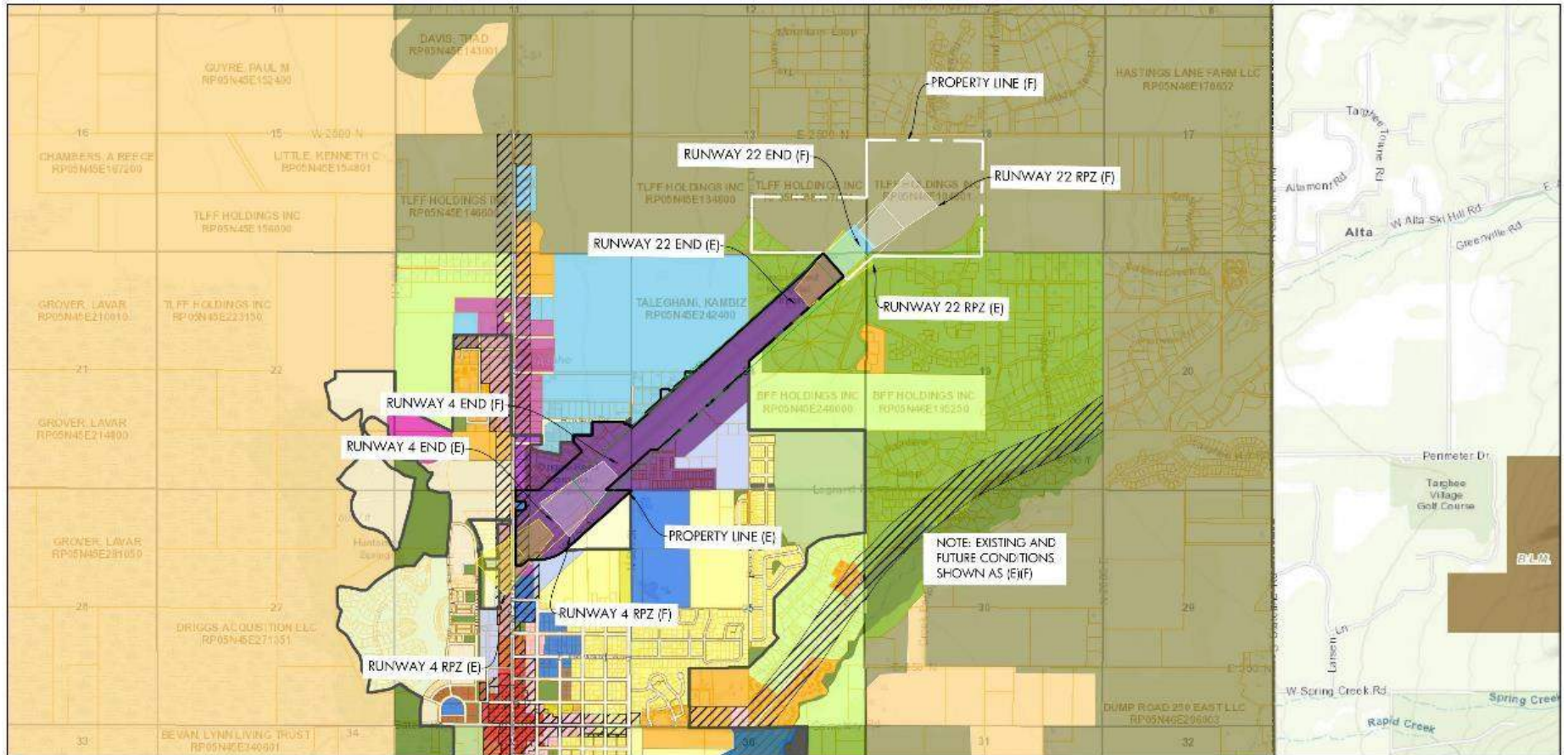
Source: Jviation

Land use on and surrounding the Airport is controlled by the city of Driggs and Teton County. While the Airport property is within Driggs city limits, a portion of the surrounding area of influence is within unincorporated Teton County.

Existing airport property is zoned by the city of Driggs as Commercial Heavy (CH). Land surrounding the Airport is zoned as a mix of agriculture, manufacturing, residential, industrial, civic, and commercial. **Figure 1-4** shows the land use surrounding the Airport.

Additionally, the City has adopted an Airport Overlay District to ensure that land uses established within the vicinity of the Airport would not conflict with the Driggs Comprehensive Plan, Airport Master Plan, or Airport Layout Plan; that sensitive or vulnerable uses will be reasonably protected from airport related activities including noises, hazards and similar conditions; and that the airport and airport related activities are reasonably protected from the encroachment of uses incompatible with the operation of the airport.

Figure 1-1: Land Use Map



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City Limits

County Zoning

- A-20 Agriculture, 20-acre min. lot size
- A/RR-2.5 Agriculture / Rural Residential, 2.5-acre min. lot size
- M-1 Manufacturing / Industrial
- Driggs Floodplain Overlay (adopted 9/29/2016)
- Driggs CBD Parking Overlay

Driggs Design Review Overlay

- Driggs Zoning (effective 7/15/2020)
- PUD-T-R Tributary - Residential, Golf & Recreation
- RC-2.5 Residential Cluster
- RS-7 Single & Two Family
- RM-1 Residential Multi-Family

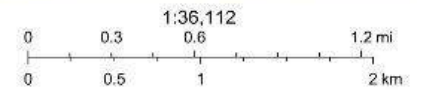
RM-2 Residential Multi-Family

- RX Residential Mixed Use
- NX Neighborhood Mixed Use
- DX Downtown Mixed Use
- CX Commercial Mixed Use
- IX Industrial Flex
- CC Commercial Corridor

CH Commercial Heavy

- IL Light Industrial
- PUD-HS-R Mixed Use Residential
- PUD-HS-C Mixed Use Commercial
- PUD-HS-L Lodge
- CIV Civic and Institutional
- REC Parks and Recreation

CON Conservation



Teton County Idaho GIS. Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USCS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User

County of Teton, Bureau of Land Management, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EPA, USDA | Teton County, ID GIS | Teton County GIS | Teton County Idaho GIS | GIS | City of Driggs, Teton County GIS |

Source: City of Driggs

1.3 Purpose and Need

The purpose of the Proposed Action is to improve safety by addressing deficiencies of Runway 4/22 safety areas to bring the southwest end of the Runway into compliance with FAA standards. To accomplish this, improvements and modifications must be made to facilities at the Airport to address deficiencies identified in the Airport Master Plan (2020 AMP).

The Proposed Action is needed because the 2020 AMP completed for the Airport determined that the current RPZ for the Runway 4 approach end extends over N Highway 33, encompasses five residential dwellings, and includes a small portion of an aircraft parking area. Airport control over the land in the RPZ is encouraged by the FAA to achieve the desired protection of people and property on the ground. Although the FAA recognizes that in certain situations the Sponsor may not fully control land within the RPZ, the FAA encourages Sponsors to take all possible measures to protect against and remove or mitigate incompatible land uses. The shift of Runway 4/22 and associated facilities 1,945 feet to the northeast is proposed in order to remove N Highway 33, residences, and the aircraft parking area from the Runway 4 RPZ, and will allow for a Sponsor-controlled RPZ. As a result of the shifting of Runway 4/22, property would be acquired, the existing property fence would be removed, a new wildlife fence installed, and flight procedures would require amendments.

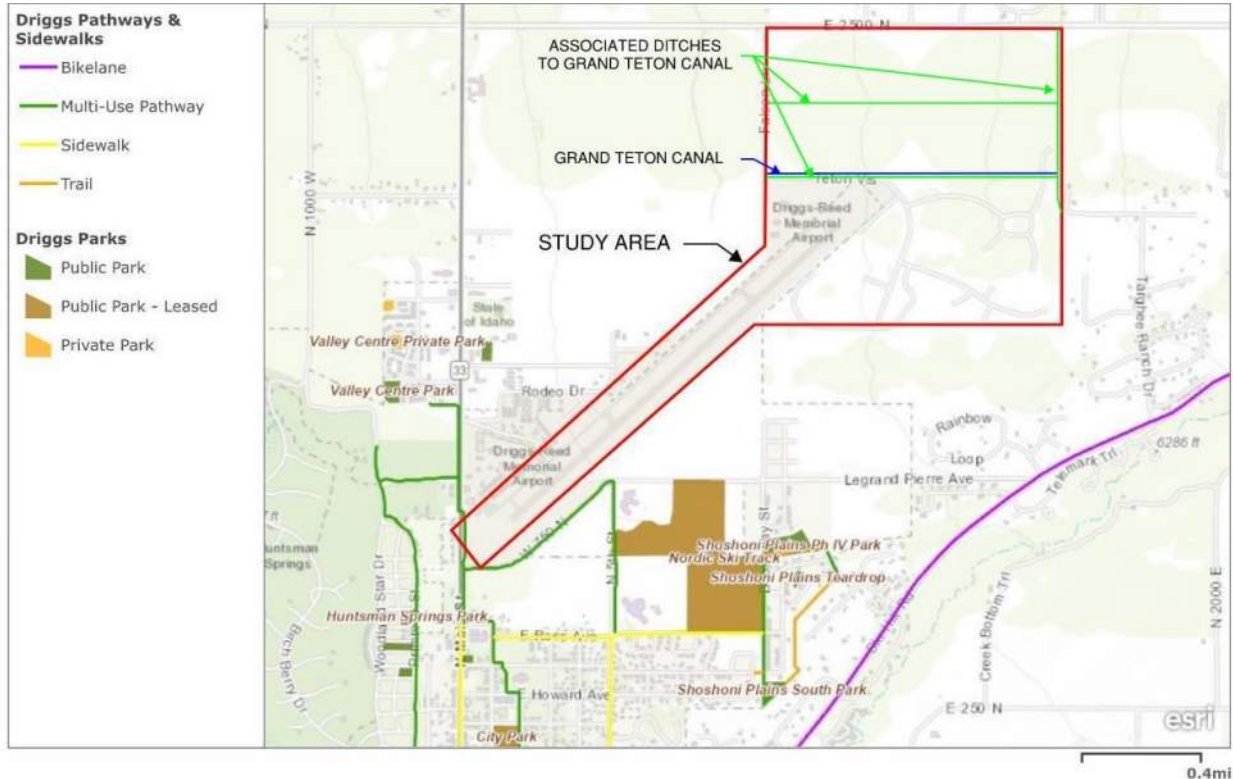
Additionally, the ROFA associated with Runway 4/22 also includes aircraft parking positions, a portion of the FBO building, and surface vehicle parking. FAA AC 150/5300-13A, *Airport Design*, indicates “objects non-essential for air navigation or aircraft ground maneuvering purposes are not to be placed in the OFA.” As such, the 2020 AMP recommends that the Runway 4 threshold should be relocated to bring the Airport into compliance with FAA guidelines and standards.

The Proposed Action would bring the Airport into compliance with FAA requirements for the Runway 4 RPZ and ROFA and ultimately increase the safety of the airport, the community, and those operating and living within them.

2. IDENTIFICATION of DOT SECTION 4(f) RESOURCES

DOT Section 4(f) lands are defined as “any publicly owned land from a public park, recreation area, or wildlife and waterfowl refuge of national, state, or local significance or land from an historic site of national, state, or local significance.”² To identify probable DOT Section 4(f) resources, the city of Driggs Parks and Recreation’s “Interactive Parks and Recreation Map” as well as Google Earth were used to identify recreational resources within proximity to the Airport, and a review of sites on or eligible for the National Register of Historic Place (NRHP) was conducted. Figure 2-1 shows the location of DOT Section 4(f) resources.

Figure 0-1: DOT Section 4(f) Resources in Proximity to the Airport



Source: City of Driggs, Interactive Parks and Recreation Map, Accessed January 26, 2021 at <https://www.driggsidaho.org/parks-and-recreation>

2.1 Parks/Recreational/Refuge Resources

Publicly owned land is considered to be a park, recreation area, or wildlife and waterfowl refuge when the land has been officially designated as such by a federal, state or local agency and one of its major purposes is for a park, recreation area, or wildlife and waterfowl refuge.

Several DOT Section 4(f) resources identified as Parks and Recreations were identified in the vicinity of the Airport:

- Valley Centre Park
- Huntsman Springs Park
- Nordic Ski Track (park)
- Shoshone Plains Ph IV Park

² 23 U.S.C. 138 *Preservation of Parklands*.

- Shoshoni Plains Teardrop (park)
- Shoshoni Plains South Park
- City Park
- Shoshoni Plains Pathway (trail)
- Multi-use Pathways

Of these resources identified, a portion of a multi-use pathway is located within the Study Area, and is the sole resource located in the Study Area. However, it would not be affected by the land acquisition or construction of the Proposed Action. The environmental condition of the pathway may improve with the shift of the runway and associated traffic to the northeast and away from the pathway.

Based on the background research, field surveys and agency coordination, it has been determined that there is no direct use of publicly owned parks, recreation areas, or wildlife and waterfowl refuges in the project area. No constructive use would occur as a result of the Proposed Action (see **Section 3.1** for constructive use definition). As no uses would occur, no further discussion of recreational resources is required.

2.2 Historic Sites

To identify potential historic sites, a *Class III Cultural Resources Inventory and Architectural History Survey of the Driggs-Reed Memorial Airport* (CRI) per Section 106 of the National Historic Preservation Act (Section 106), was recently completed for the Airport (dated September 2020). The CRI was completed as a supplement to a 2014 CRI to identify and evaluate resources at and abutting the Airport property. Section 106 cultural resources were identified in the Area of Potential Effect (APE) and further evaluated for impacts by the Proposed Action.

Sites and/or structures are defined as historically significant if they meet criteria for eligibility to the NRHP, maintained by the U.S. Department of Interior. Eligibility criteria are summarized as follows:

- Criterion A—Sites and/or structures associated with events that have made a significant contribution to broad patterns of our history.
- Criterion B— Sites and/or structures associated with the lives of persons significant in our past.
- Criterion C— Sites and/or structures that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction.

The CRI identified only one previously recorded property within the APE – Site 10TN67 (Grant Teton Canal). Two newly recorded historic-age properties were identified, but are not recommended as eligible for listing on the National Register of Historic Places (NRHP). These properties include the Driggs-Reed Memorial Airport (NRD-1) and Runway 4/22 (FN-35). No archaeological resources were identified in the APE during either survey.

Subsequent portions of this report summarize the Grand Teton Canal. Please refer to the Cultural Resources Inventory (located in **Appendix C** of the EA) for more detailed information on the completed survey and all resources identified.

Grand Teton Canal (10TN67): The Grand Teton Canal is an approximately 6-mile long unlined earthen canal that provides irrigation water to agricultural land in the Teton Valley. Construction on the Grand

Teton Canal began around 1888, prior to the establishment of an official water claim in 1892. The initial water appropriation for the canal was 1281 cubic feet per second (CFS). The water appropriation was expanded by an additional 29.28 CFS in 1916. The approximately 10-foot-wide by 5-foot-deep canal originates at a wood and concrete head gate on Teton Creek in Alta, Wyoming. It continues west across the state line into Idaho where it is diverted into three major laterals to the north, west, and southwest.

Within the project area, the Grand Teton Canal consists of one previously recorded segment measuring approximately 0.72 miles long, which runs east-west along the southern boundary of the project area, and three associated ditches connected to the Grand Teton Canal, which are contributing elements of the larger Grand Teton Canal System. The Grand Teton Canal and interconnected irrigation ditches transect the project area at various locations.

The Grand Teton Canal was originally recorded by S. Crockett in 2002. At that time, Crockett recommended the Canal eligible for listing in the NRHP under Criterion A for its association with the early settlement and establishment of agriculture in the Teton Valley. The segment of the Grand Teton Canal and associated ditches within the current project area retain their integrity of workmanship, materials, design, location, and association. The Grand Teton Canal System continues to be used for irrigation and agriculture. The Canal's integrity of setting has been compromised with the encroachment of residential development which has replaced agricultural uses with scattered residential subdivisions. However, as the Canal retains six aspects of historic integrity, and is still in use for irrigation and agriculture, the previously recorded segment of the Grand Teton Canal located within the project area and associated ditches are contributing elements of the Grand Teton Canal System.

As it is eligible for listing on the NRHP, the Grand Teton Canal is also considered a DOT Section 4(f) resource. Given its location in relation to the Driggs-Reed Memorial Airport and the proposed improvements to correct deficiencies and improve safety at the Airport, there are no practical measures to entirely avoid the Canal and its associated ditches; thus, the Grand Teton Canal and associated ditches would be impacted by the proposed project and will be considered in this evaluation.

3. ALTERNATIVE ANALYSIS

This section describes the methodology used for determining impacts to DOT Section 4(f) resources and provides details on the alternatives considered including potential impacts. Methods to minimize or mitigate impacts to the identified preferred alternative are also included.

3.1 Methodology for Determination of Impacts

Each DOT Section 4(f) resource was evaluated for potential impacts associated with each of the alternatives considered. The potential impact criteria evaluated for each site included direct impacts and constructive use impacts.

Direct Impacts/Physical Use

Direct impacts, or physical "use", refer to physical taking/acquisition of a DOT Section 4(f) resource for incorporation into a transportation project. In determining direct impacts, each proposed alternative was evaluated to determine if it would impact one of the identified DOT Section 4(f) resources.

Indirect Impacts/Constructive Use

"Use" within the context of DOT Section 4(f) includes not only actual physical taking of such property, but also "constructive use." Constructive use occurs when the impacts of a project on a DOT Section 4(f)

property are so severe that the activities, features, or attributes that qualify the property for protection under DOT Section 4(f) are substantially impaired. The definition of constructive use adopted for this study is based on Section 5.3.2 of the desk reference for FAA Order 1050.1F:

Substantial impairment occurs only when the protected activities, features, or attributes of the DOT Section 4(f) property that contribute to its significance or enjoyment are substantially diminished. This means that the value of the DOT Section 4(f) property, in terms of its prior significance and enjoyment, is substantially reduced or lost. For example, noise would need to be at levels high enough to have negative consequences of a substantial nature that amount to a taking of a park or portion of a park for transportation purposes.

In determining indirect impacts, each proposed alternative was evaluated to determine if construction and/or land acquisition would indirectly impact a DOT Section 4(f) resource.

3.2 Alternatives

The alternatives considered are based on the 2020 AMP, which identified four alternatives addressing the deficiencies identified with the ROFA and Runway 4 RPZ.

The alternatives considered during the early planning process are discussed in **Chapter 3** of the EA. The No Action Alternative, is described on page 21. The action alternatives (Alternatives 1 through 4) consist of various alternatives of Runway displacement and shifts to address the deficiencies with the ROFA and Runway 4 RPZ. These preliminary action alternatives are summarized below.

Preserving the length of Runway 4/22 was an important consideration. As discussed in the 2020 AMP, Runway 4/22 can accommodate most of its current users without aircraft weight limitations at its current length of 7,300 feet. The Airport's higher altitude and current runway length does limit larger aircraft from operating at the Airport with high loads; however the runway accommodates most general aviation corporate aircraft, which represent a large share of users at the Driggs-Reed Memorial Airport. The length of the runway was concluded to be adequate for the Airport in the 2020 AMP, and neither a reduction in length nor an extension was encouraged. Therefore, an alternative to simply shorten Runway 4/22 by 1,945 feet in order to address the identified issues with the Runway 4 RPZ and ROFA was not a prudent alternative, nor were other alternatives that substantially reduced the usable length of the runway.

Preliminary Action Alternatives Considered

Alternative 1 (Runway 4 Displacement) allows for a 1,120-foot displaced threshold on the Runway 4 end of Runway 4/22 with no extension on the Runway 22 end, as shown in Error! Reference source not found. of the EA. A displaced threshold is a threshold located at a point on the runway other than the designated beginning of the runway. The displaced area can be used for taxiing, takeoff, and landing rollout, but not for touchdown. This alternative brings the Runway 4 RPZ fully onto airport property to meet FAA RPZ standards.

Alternative 1 maintains the existing available takeoff distance for Runway 4 but shortens the available landing length to 6,180 feet. This option also reduces the takeoff run available (TORA) distance for Runway 22 to 6,180 feet in order to meet departure RPZ requirements. This alternative does not resolve the issue of the FBO building and airplane parking positions being in the ROFA.

In addition to reducing the TORA of Runway 22, Alternative 1 does not address the deficiencies identified for the ROFA to meet the purpose and need; and, therefore was not carried forward for further analysis in the EA. Consequently this alternative was found not to be prudent and is not considered further.

Alternative 2 (Runway 4/22 Shift of 1,120 feet) shows the Runway 4 threshold relocated 1,120 feet down the runway and an extension of 1,120 feet on the Runway 22 end, effectively shifting the Runway 1,120 feet to the northeast, as shown in Error! Reference source not found. of the EA. This would require property acquisition for the extension and the associated Runway 22 RPZ. Like Alternative 1, this option brings the Runway 4 RPZ fully onto airport property.

The benefit of this option is that it maintains the current runway length of 7,300 feet for both runway directions. However, this option does not resolve the ROFA conflict with the FBO building and airplane parking positions.

Alternative 2 does not address the deficiencies identified for the ROFA to meet the purpose and need; and therefore, was not carried forward for further analysis in the EA. Consequently this alternative was found not to be prudent and is not considered further.

Alternative 3 (Lateral Shift) proposes a lateral shift of Runway 4/22 by 52 feet to the southeast. The new runway would be built to the current length of 7,300 feet to prevent any operational limitations. This shift would correct the ROFA issue with respect to the FBO building but would not address the Runway 4 RPZ issues.

This shift would, however, require property acquisition to the southeast of the runway, significant dirt fill, grading, and paving work and a long-term closure of Runway 4/22.

Alternative 3 does not address the deficiencies identified for the Runway 4 RPZ to meet the purpose and need; and therefore, was not carried forward for further analysis in the EA. Consequently this alternative was found not to be prudent or feasible and is not considered further.

Alternatives Carried Forward for Analysis

No Action Alternative: The No Action Alternative does not include any improvements to the Airport, but the Sponsor would still need to maintain the Airport's current facilities. Under the No Action Alternative, the Runway threshold for Runway 4 would remain in its current location, Runway 4/22 would not be shifted, and no additional land would be acquired. The No Action alternative would not meet the Purpose and Need, and the FAA safety and design standards to ensure compatible land use in the Runway 4 RPZ and ROFA would not be met.

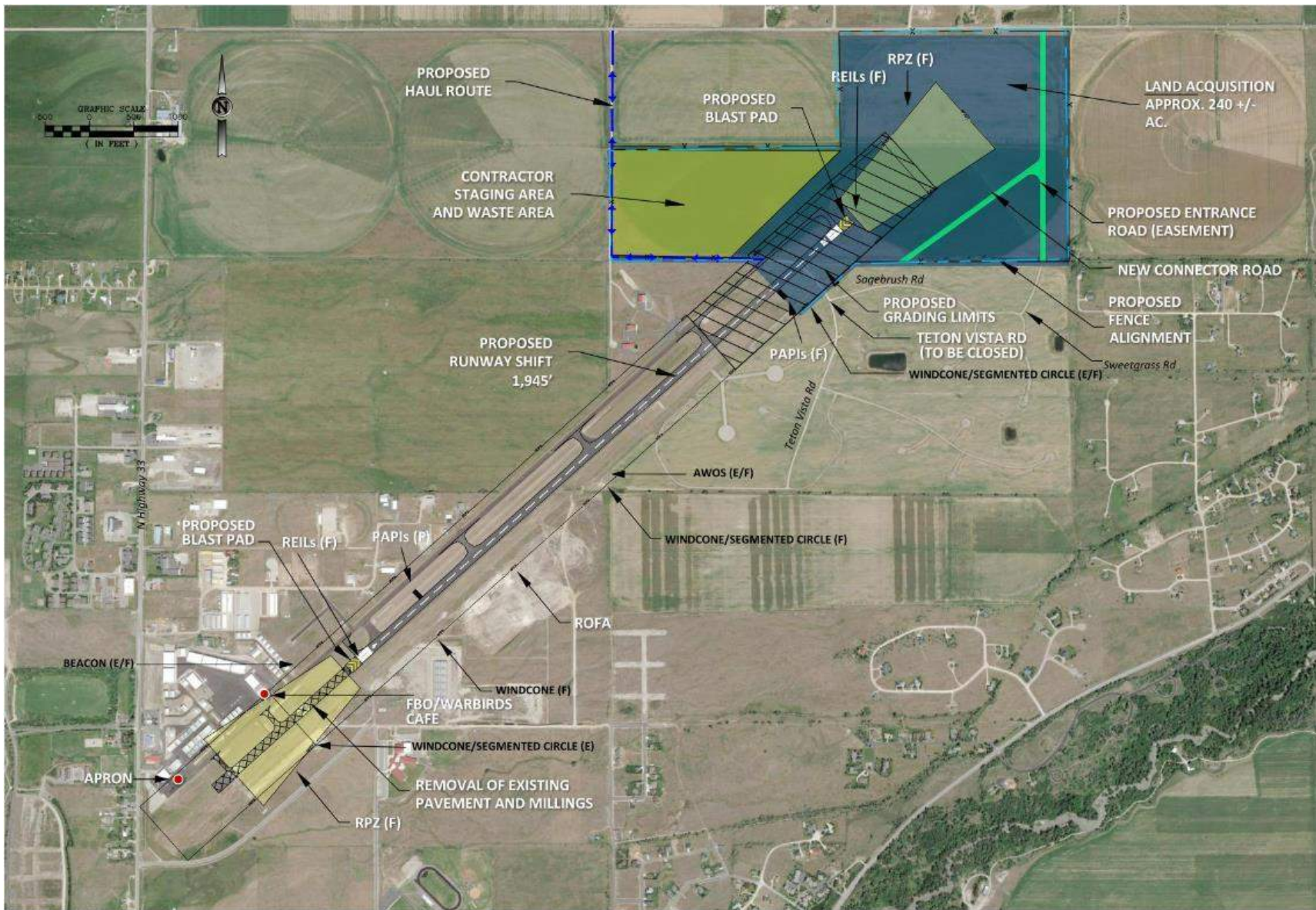
The No Action Alternative has been carried forward for further evaluation as required under FAA Orders 5050.4B and 1050.1F, and pursuant to CEQ regulations (40 C.F.R. §1502.14). However, it would not meet FAA safety and design standards and is inconsistent with existing Airport development plans. Although the No Action Alternative does not meet the Purpose and Need, CEQ and NEPA regulations require evaluation of a No Action Alternative. When compared with the Proposed Action, the No Action Alternative serves as a reference point.

Proposed Action: Relocates the Runway 4 threshold by 1,945 feet to the northeast and extends the Runway by 1,945 feet on the Runway 22 approach end. The specific components of the Proposed Action are shown in **Figure 3-1**. This alternative meets FAA RPZ requirements for the Runway 4 end and maintains the full usable runway length of 7,300 feet. The conflict with the current FBO building and parking positions would also be resolved with this option by shifting the ROFA far enough to remove the FBO conflict. The Proposed Action includes:

1. Acquisition of 245 acres of agriculture land to support the runway shift, relocated runway protection zone, and runway approach/departure surface.
2. Shift Runway 4/22 to the northeast by 1,945 feet:
 - a. Extension of runway pavement by 1,945 feet on the northeast end of the runway (Runway 22).
 - b. Relocation of the Runway 4 threshold by 1,945 feet.
 - i. Removal of existing pavement south of the relocated Runway 4 end.
 - c. Relocation of associated Navigational Aids (NAVAIDs) including the Runway 4 and 22 Precision Approach Path Indicators (PAPIs), and Runway 22 Runway End Identifier Lights (REILs), and runway/taxiway lighting and marking.
 - d. Extension of existing west partial parallel taxiway by 1,945 feet and new connecting taxiway at relocated Runway 22.
 - e. Closure of Teton Vista Road, extension of Sweetgrass Road, and construction of new connector road between Sagebrush and Sweetgrass Roads.
 - f. Amending flight procedures to accommodate the shift in runway location.
3. Construction of paved blast pads off ends of each runway.
4. Surface vehicle parking area re-striped to remove parking with ROFA.
5. Relocate the property fence near FBO and parking area outside of ROFA.
6. Remove the existing property fence and construct a new wildlife fence on new property line.

The shift of Runway 4/22 to the northeast would result in the closure of Teton Vista road and would require the construction of a new access road to properties located southeast of the runway. The land southeast of the new runway is divided into two parcels each requiring separate access. The new access road would connect into the existing Sweetgrass Road and provide access to the development south of Sweetgrass road. A connector road would also be constructed to provide access to the parcel currently accessed by Teton Vista road.

Figure 3-1: Proposed Action



Source: Jviation

3.3 Description of DOT Section 4(f) Resources Impacts and Measures to Minimize Harm

No Action Alternative

The No Action Alternative would not affect the Grand Teton Canal or any DOT Section 4(f) resources. However, the No Action Alternative is not a reasonable course of action because it would not meet the Purpose and Need. Moreover, deficiencies identified in the 2020 AMP regarding the Airport's Runway 4 Runway Protection Zone (RPZ) and Runway Object Free Area (ROFA) will remain.

Proposed Action

Grand Teton Canal (10TN67)

Direct Impacts/Acquisition:

The Proposed Action will require placing approximately 2,800 feet of the Grand Teton Canal and associated ditches into numerous culverts (two culverts to shift Runway 4/22 and five culverts for roads) in order to facilitate the shifting of Runway 4/22 and reconfiguring of roads. Placing the Grand Teton Canal and associated ditches into culverts does not affect the vital water conveyance function of the Canal or the Canal System. However, placing the Canal and associated ditches into culverts is a direct impact on the Canal System due to the effect on its historic nature, and therefore result in an "adverse effect" under Section 106 and a "direct use" under DOT Section 4(f).

Indirect Effects/Constructive Use:

The water conveyance function of the Grand Teton Canal System will not be impacted. No project-related constructive use effects would occur under the Proposed Action.

Proposed Mitigation:

The Idaho State University (ISU) is partnering with Idaho State Historical Society (ISHS) to help create an Idaho Irrigation Historic Context and Survey (Context). The ISHS has agreed to pay ISU to undertake this effort as documented in a memorandum of agreement (MOA) between ISHS and ISU that is effective from January 15, 2021 to December 31, 2022. The Context requires preparation of a history of the State's irrigation networks from pre-statehood through the present day. Objectives for the Context include completing a history of the State's irrigation networks, resolving errors and omissions in existing documentation regarding NRHP eligibility of Idaho's network of irrigation systems, and to create a resource to enable efficient completion of Section 106 consultation for federal agencies whose undertakings may effect irrigation networks.

To mitigate the adverse impact of placing approximately 2,800 feet of the Grand Teton Canal and associated ditches into numerous culverts (two culverts to shift Runway 4/22 and five culverts for roads), the city of Driggs, Idaho (Airport Sponsor) will provide \$8,000 to the ISHS to contribute to the fund for the Idaho Irrigation Historic Context and Survey.

Contribution to this fund will provide for mitigation to offset adverse impacts to the Grand Teton Canal due to the Proposed Action at the Driggs-Reed Memorial Airport.

Based on the DOT Section 4(f) Evaluation and coordination with the FAA, city of Driggs, and SHPO, a finalized Memorandum of Agreement (MOA) was signed in June 2021 is attached.

4. COORDINATION

Coordination among the FAA, SHPO, the city of Driggs, the Grand Teton Canal Company, Indian Tribes, and public has been conducted in the past and during the EA process and is summarized below.

4.1 Coordination with the FAA and State Historic Preservation Office

Coordination with the FAA and SHPO took place to identify historic resources, the respective impacts due to the Proposed Action, and all practical planning measures to avoid impacts to identified historic resources; in this case, the Grand Teton Canal. Coordination included:

- Several meetings and conference calls with the project team to confirm the area of potential impact, project alternatives, and eligible resource site boundaries.
- Discussions between the FAA and SHPO to discuss eligibility of the Grand Teton Canal and effects determinations outlined in the Section 106 Cultural Resources Inventory. In a letter dated December 10, 2020, the FAA determined that placing the NRHP-eligible Grand Teton Canal into multiple culverts will constitute an Adverse Effect to Historic Properties.
- In a letter dated February 23, 2021, SHPO concurred (**Attachment 1**) with the recommended determination of adverse effect to historic resources under Section 106.
- SHPO was a signatory on the MOA (**Attachment 3**).
- FAA notified the Advisory Council on Historic Preservation (ACHP) on March 5, 2021 to provide information and an invitation to participate in the Section 106 consultation. A response was received from ACHP on March 16, 2021, declining the invitation to participate unless circumstances change and their participation is needed (see **Attachment 2**).

4.2 Coordination with Indian Tribes

To seek input on properties of cultural or religious significance that may be affected by the Proposed Action, participate in government-to-government consultation, or provide comment on the proposed improvements, the FAA contacted the Confederated Tribes of the Warm Springs Reservation of Oregon, the Fort Belknap Indian Community, the Shoshone Bannock Tribes, and the Shoshone Tribe of the Wind River Reservation in letters dated November 4, 2020. No responses were received, aside from one request for an electronic copy of the surveys.

4.3 Coordination with Owners of DOT Section 4(f) Resources

The Grand Teton Canal is owned by the Grand Teton Canal Company Ltd. (Canal Company). Ongoing negotiations with the city of Driggs and the Canal Company have occurred for many years. Agreements have been negotiated and signed over the years beginning in 1991 in anticipation of bridging or placing the Grand Teton Canal into culverts in order to lengthen the runway, expand the Airport, or make other improvements. The most recent agreement on file is dated February 3, 2004, between the city of Driggs and the Canal Company. The agreement discusses placing the Canal into culverts to allow improvements to take place at the Airport, to include “lengthening the runway, installing a taxiway, and generally enlarging the airport” with the explicit assurance to water users that “the runway improvement will not, now or in the future, compromise the water delivery systems.”

The Canal Company was contacted regarding the Proposed Action as part of the EA and responded in an email dated March 3, 2021. The email stated that the Canal Company has no objections to the previous agreements in place or the Proposed Action. As a result, there is no need for an updated agreement to implement the Proposed Action. The Canal Company requests the ability to approve the design of the

future culvert prior to construction. See **Appendix I** in the EA for correspondence with the Grand Teton Canal Company and city of Driggs.

4.4 Coordination with the Public

Airport Master Plan:

The Airport completed an Airport Master Plan (AMP) Update in 2020. The Proposed Action was discussed as a solution to the recommendations found in the facility recommendations chapter. As part of the AMP process, several meetings with the planning advisory committee (PAC) were held to discuss the shortcomings identified in the AMP and the proposed solutions, to include the Proposed Action. These meetings were advertised and open to the public. **Table 4-1** provides a summary of public meetings and **Appendix J** in the EA provides a copy of meeting agendas or presentations presented.

Table 4-1: AMP Meetings

Date	Meeting Purpose
October 10, 2018	AMP Kick-off Meeting.
February 11, 2019	PAC Meeting - Project introduction
July 8, 2019	PAC Meeting – Project discussion, to include review of alternatives and Proposed Action
September 3, 2019	Strategic Planning Meeting – Discussion of future Airport development
February 10, 2020	PAC Meeting – Discussion of future alternatives and Proposed Action
September 14, 2019	AMP Public Open House
June 8, 2020	Airport Board Meeting – Discussion of future alternatives and Proposed Action

Source: Jviation

In addition to the meetings associated with the AMP, a survey requesting input from Airport tenants and users was completed throughout the AMP (see **Appendix J** of the EA for survey). The survey notified the tenants and users of the AMP and requested input on facility needs.

Draft EA:

The Draft EA was released for public comment on June 20th, 2021 through a Public Notice in the Post Register. The Notice included the opportunity for the public to submit written comments on the Proposed Action. Comments were accepted through July 20th, 2021. The Draft EA was available for review online at <https://www.driggsidaho.org/driggs-reed-memorial-airport>, a hardcopy was available upon request, or could be viewed at the following locations:

Driggs City Hall
 PO Box 48
 60 South Main St.
 Driggs, Idaho 83422

Those wanting to provide comments on the Draft EA were asked to address them to the following physical and email addresses:

Jviation, a Woolpert Company
 Attn: Morgan Einspahr
 720 S. Colorado Blvd., Suite 1200-S
 Glendale, CO 80246
morgan.einspahr@woolpert.com

The deadline for comment submission was no later than 5:00 pm Mountain Standard Time on July 20th, 2021. All mailed comments must have been received by the deadline, not simply postmarked by the date. It was asked that when submitting comments, the respondents please include their address, phone number, email address, or other identifying information. They were advised that the entire comment – including personal identifying information – may be made publicly available at any time.

5. FINDING

After careful and thorough consideration, the FAA determined that there are no feasible and prudent alternatives to the use of DOT Section 4(f) resources. As demonstrated in Section 3 of this Evaluation, the Proposed Action includes efforts to minimize impacts to DOT Section 4(f) resources by ensuring that the vital water conveyance function of the Grand Teton Canal System remains intact. Mitigation for adverse impacts to the Grand Teton Canal due to the Proposed Action will be the contribution of \$8,000 to the Idaho State Historical Society (ISHS) to contribute to the fund for the Idaho Irrigation Historic Context and Survey as outlined in the attached MOA (dated June 2021) as mitigation under Section 106 (see **Attachment 3**).

Attachment 1:

State Historic Preservation Office (SPHO) Letter dated February 23,
2021



23 February 2021



Brad Little
Governor of Idaho

Janet Gallimore
Executive Director
State Historic
Preservation Officer

Administration:
2205 Old Penitentiary Rd.
Boise, Idaho 83712
208.334.2682
Fax: 208.334.2774

Idaho State Museum:
610 Julia Davis Dr.
Boise, Idaho 83702
208.334.2120

**Idaho State Archives
and State Records
Center:**
2205 Old Penitentiary Rd.
Boise, Idaho 83712
208.334.2620

**State Historic
Preservation Office:**
210 Main St.
Boise, Idaho 83702
208.334.3861

**Old Idaho Penitentiary
and Historic Sites:**
2445 Old Penitentiary Rd.
Boise, Idaho 83712
208.334.2844

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Diane Stilson, P.E.
Federal Aviation Administration
Helena Airports District Office
2725 Skyway Drive
Suite 2
Helena, Montana 59602-1213
diane.stilson@faa.gov

Via Email

**RE: Class III Cultural Resources Inventory and Architectural History
Survey of the Driggs-Reed Memorial Airport / SHPO Rev. No. 2021-
179**

Dear Ms. Stilson :

Thank you for consulting with our office on the above referenced project. The State Historic Preservation Office is providing comments to the Federal Aviation Administration pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR § 800. Consultation with the SHPO is not a substitution for consultation with Tribal Historic Preservation Offices, other Native American tribes, local governments, or the public.

It is our understanding that the scope of the undertaking will include runway improvements, including placing the Teton Canal (10TN67) in multiple culverts to allow for the runway to be extended at the Driggs-Reed Memorial Airport in Driggs, Teton County, Idaho

After review of the documentation provided, we concur with the following proposed eligibility determinations: Driggs-Reed Memorial Airport (NRD-1) and Runway (FN-35) are not eligible for listing in the National Register of Historic Places (NRHP). The Teton Canal (10TN67) is eligible for listing in the NRHP.

Pursuant to 36 CFR § 800.5, we have applied the criteria of effect to the proposed undertaking. Based on the information received 10 December 2020 and 3 February 2021, we concur the proposed project actions will have **an adverse effect to historic properties.**

In the event that cultural material is inadvertently encountered during implementation of this project, work shall be halted in the vicinity of the finds until they can be inspected and assessed by the appropriate consulting parties.

Thank you for the opportunity to comment. Please note that our response does not affect the review timelines afforded to other consulting parties. Additionally, information provided by other consulting parties may cause us to revise our comments. We look forward to working with you, as well as other consulting parties (e.g. Teton County CLG, Preservation Idaho, and others) to avoid, minimize or mitigate this adverse effect. To learn more about the mitigation process please visit: <https://history.idaho.gov/section-106/mitigation-process/>. If you have any questions or the scope of work changes, please contact me via phone or email at 208.488.7463 or ashley.brown@ishs.idaho.gov.

Sincerely,



Ashley Brown, M.A.
Historical Review Officer
Idaho State Historic Preservation Office

Attachment 2:

Advisory Council on Historic Preservation (ACHP) Letter dated March
16, 2021



March 16, 2021

Ms. Diane Stilson, P.E.
Civil Engineer
Environmental Protection Specialist
FAA, Helena Airports District Office
2725 Skyway Drive, Suite 2
Helena, MT 59602

Ref: *Proposed Land Acquisition and Shift of Runway 4/22 at Driggs-Reed Memorial Airport
Driggs, Teton County, Idaho
ACHP Project Number: 16627*

Dear Ms. Stilson:

On March 5, 2021, the Advisory Council on Historic Preservation (ACHP) received your notification and supporting documentation regarding the potential adverse effects of the referenced undertaking on a property or properties listed or eligible for listing in the National Register of Historic Places. Based upon the information you provided, we have concluded that Appendix A, *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, of our regulations, "Protection of Historic Properties" (36 CFR Part 800) implementing Section 106 of the National Historic Preservation Act, does not apply to this undertaking. Accordingly, we do not believe our participation in the consultation to resolve adverse effects is needed.

However, if we receive a request for participation from the State Historic Preservation Officer, Tribal Historic Preservation Officer, affected Indian tribe, a consulting party, or other party, we may reconsider this decision. Should the undertaking's circumstances change, consulting parties cannot come to consensus, or you need further advisory assistance to conclude the consultation process, please contact us.

Pursuant to Section 800.6(b)(1)(iv), you will need to file the final Section 106 agreement document (Agreement), developed in consultation with the Idaho State Historic Preservation Office and any other consulting parties, and related documentation with the ACHP at the conclusion of the consultation process. The filing of the Agreement and supporting documentation with the ACHP is required in order to complete the requirements of Section 106 of the National Historic Preservation Act.

Thank you for providing us with your notification of adverse effect. If you have any questions or require our further assistance, please contact Mr. Anthony G. Lopez at (202) 517-0220 or by email at alopez@achp.gov and reference the ACHP Project Number above.

Sincerely,

LaShavio Johnson
Historic Preservation Technician
Office of Federal Agency Programs

Attachment 3:

Memorandum of Agreement (MOA) dated June 2021

MEMORANDUM OF AGREEMENT

**AMONG THE
FEDERAL AVIATION ADMINISTRATION,
CITY OF DRIGGS, IDAHO,
AND THE IDAHO STATE HISTORIC PRESERVATION OFFICE
REGARDING**

**THE PROPOSED LAND ACQUISITION AND SHIFT OF RUNWAY 4/22 AT DRIGGS-REED MEMORIAL
AIRPORT AT DRIGGS, IDAHO**

WHEREAS the Federal Aviation Administration (FAA) is considering funding for the acquisition of land, shifting of Runway 4/22, and associated improvements (the undertaking) at the Driggs-Reed Memorial Airport (Airport) at Driggs, Idaho, pursuant to 49 USC § 47107(a)(16), FAA Order 5100.38D, Airport Improvement Program Handbook; and

WHEREAS the undertaking consists of the acquisition of approximately 245 acres of agricultural land, shifting of Runway 4/22 by 1,945 feet to the northeast, relocation of the property fence and navigational aids, construction of blast pads, amendment of flight procedures, and reconfiguration of roads (layout included in Appendix A); and

WHEREAS, the FAA has determined that this undertaking is subject to the National Environmental Policy Act (NEPA) as well as the National Historic Preservation Act (NHPA) and its implementing regulations under Section 106 36 CFR part 800 (as amended); and

WHEREAS, the FAA is the lead agency for complying with NEPA; Section 106 of the NHPA as amended (16 USC 470f), and the regulations implementing Section 106 of the NHPA (36 CFR Part 800); and Government to Government consultation under Executive Order 13175; and

WHEREAS, the FAA has defined the undertaking's area of potential effect (APE), as defined at 36 CFR Part 800.16(d), as shown on the layout provided in Appendix A; and

WHEREAS, the FAA has determined that the undertaking may have an adverse effect on the Grand Teton Canal (10TN67), which is eligible to the National Register of Historic Places (NRHP) under Criteria A. The Canal and associated ditches, which are contributing features to the Canal, are proposed, as part of the undertaking, to be placed in numerous culverts to facilitate the shifting of Runway 4/22 and the reconfiguration of roads.

WHEREAS, the FAA has consulted with the Idaho State Historic Preservation Office (SHPO) pursuant to 36 CFR Part 800, the regulations implementing Section 106 of the NHPA (54 USC § 306108); and

WHEREAS, the FAA contacted the Confederated Tribes of the Warm Springs Reservation of Oregon, the Fort Belknap Indian Community, the Shoshone Bannock Tribes, and the Shoshone Tribe of the Wind River Reservation in accordance with Section 106 of the NHPA and implementing regulations 36 CFR Part 800 regarding the effects of the undertaking on historic properties and Executive Order 13175 regarding government to government consultation; and

WHEREAS, the FAA received no responses from any of the Tribes aside from one request for an electronic copy of the Cultural Resource Inventories; and

WHEREAS, in accordance with 36 CFR § 800.6(a)(1), the FAA has notified the Advisory Council on Historic Preservation (ACHP) of its adverse effect determination with specified documentation regarding the Grant Teton Canal (10TN67) and the ACHP has chosen not to participate in the consultation pursuant to 36 CFR § 800.6(a)(1)(iii); and

NOW, THEREFORE, the FAA, the SHPO, and the City of Driggs agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on historic properties.

STIPULATIONS

The FAA shall ensure that the following measures are carried out:

I. MITIGATION PLAN

The Idaho State University (ISU) is partnering with Idaho State Historical Society (ISHS) to help create an Idaho Irrigation Historic Context and Survey (Context). The ISHS has agreed to pay ISU to undertake this effort as documented in a memorandum of agreement (MOA) between ISHS and ISU that is effective from January 15, 2021 to December 31, 2022. The Context requires preparation of a history of the State's irrigation networks from pre-statehood through the present day. Objectives for the Context include completing a history of the State's irrigation networks, to resolve errors and omissions in existing documentation regarding NRHP eligibility of Idaho's network of irrigation systems, to create a resource to enable efficient completion of Section 106 consultation for federal agencies whose undertakings may affect irrigation networks, and to complete a survey to inform a Multiple Property Documentation NRHP nomination.

To mitigate the adverse effect of placing approximately 2,800 feet of the Grand Teton Canal (10TN67) and associated ditches into numerous culverts (two culverts to shift Runway 4/22 and five culverts for roads), the City of Driggs, Idaho (Airport Sponsor) will provide \$8,000 to the ISHS to contribute to the fund for the Idaho Irrigation Historic Context and Survey.

Contribution to this fund will provide for mitigation for the adverse effect to the Grand Teton Canal due to the Proposed Action at the Driggs-Reed Memorial Airport.

II. MONITORING AND REPORTING

The City of Driggs will notify the FAA when it completes the contribution to the fund for the Idaho Irrigation Historic Context and Survey. Upon receipt of confirmation, the FAA will notify the SHPO.

III. UNANTICIPATED DISCOVERIES AND EFFECTS

- A. A Plan for Discovery of Unanticipated Cultural Resources can be found in Appendix B of this MOA. If proposed project activities encounter a previously unknown cultural resource, or if project activities directly or indirectly affect a known resource in an unanticipated manner, the terms of this Plan will be followed.

- B. Design and initiation of data recovery or other mitigation measures will be implemented as expeditiously as possible. If data recovery is deemed necessary, it will be based upon a Data Recovery Plan developed in consultation with the SHPO. In the event a dispute arises with regard to appropriate mitigation measures, the FAA will consult with the ACHP in accordance with Stipulation VI to resolve the issue.

IV. DISCOVERY OF HUMAN REMAINS

If construction or other project personnel identify what they believe to be human remains, they will immediately halt construction at that location and notify the Teton County Coroner in accordance with Idaho Code Title 19, Chapter 43, Sections 19-4301. The Coroner is responsible to determine the cause and manner of death of any person who dies in Teton County. The Coroner should make every reasonable effort to gather evidence at the site without disturbing the remains. After all the evidence is gathered, the Coroner will write a report and present it to the family, if identified, and law enforcement. If it is determined that a crime has been committed, then the Coroner's report will be turned over to the Prosecuting Attorney. The Coroner should notify the SHPO of the findings within 48 hours. The SHPO will notify the Tribes (if applicable) and coordinate with FAA. The FAA will consult with all signatories to the MOA to determine if and when construction activities in the location of the discovery may resume.

V. DURATION

This MOA will be null and void if its terms are not carried out within (5) years from the date of its execution. Prior to such time, the FAA may consult with the other signatories to reconsider the terms of the MOA and amend it in accordance with Stipulation VII below.

VI. DISPUTE RESOLUTION

Should any signatory to this MOA object at any time to any actions proposed or the manner in which the terms of this MOA are implemented, the FAA shall consult with such party to resolve the objection. If the FAA determines that such objection cannot be resolved, the FAA will:

- A. Forward all documentation relevant to the dispute, including the FAA's proposed resolution, to the ACHP. The ACHP shall provide the FAA with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, the FAA shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP and signatories, and provide them with a copy of this written response. The FAA will then proceed according to its final decision.
- B. If the ACHP does not provide its advice regarding the dispute within the thirty (30) day time period, the FAA may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, the FAA shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories to the MOA, and provide them and the ACHP with a copy of such written response.
- C. The FAA's responsibility to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute remain unchanged.

VII. AMENDMENTS

This MOA may be amended when such an amendment is agreed to in writing by all signatories. The amendment will be effective on the date a copy signed by all of the signatories is filed with the ACHP.

VIII. TERMINATION

- A. If any signatory to this MOA determines that its terms will not or cannot be carried out, that party shall immediately consult with the other signatories to attempt to develop an amendment per Stipulation VII, above. If within thirty (30) days (or another time period agreed to by all signatories) an amendment cannot be reached, any signatory may terminate the MOA upon written notification to the other signatories.
- B. Once the MOA is terminated, and prior to work continuing on the undertaking, the FAA must either (a) execute an MOA pursuant to 36 CFR § 800.6 or (b) execute a PA pursuant to 36 CFR § 800.14 or (c) request, take into account, and respond to the comments of the ACHP under 36 CFR 800.7. The FAA shall notify the signatories as to the course of action it will pursue.
- C. Execution of this MOA and implementation of its terms evidence that the FAA has taken into account the effects of this undertaking on historic properties and afforded the ACHP an opportunity to comment.

SIGNATORIES:

UNITED STATES OF AMERICA
FEDERAL AVIATION ADMINISTRATION

STEVEN L
ENGBRECHT

Digitally signed by STEVEN L
ENGBRECHT
Date: 2021.06.14 17:14:57 -06'00'

June 14, 2021

Date: _____

Steve Engebrecht, Acting Manager
Helena Airports District Office

IDAHO STATE HISTORIC PRESERVATION OFFICE

Digitally
signed by
Tricia Canaday



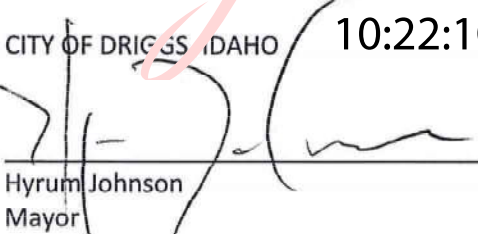
Tricia Canaday
Deputy State Historic Preservation Officer

Date:
2021.06.15

Date: _____

CITY OF DRIGGS, IDAHO

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Hyrum Johnson
Mayor

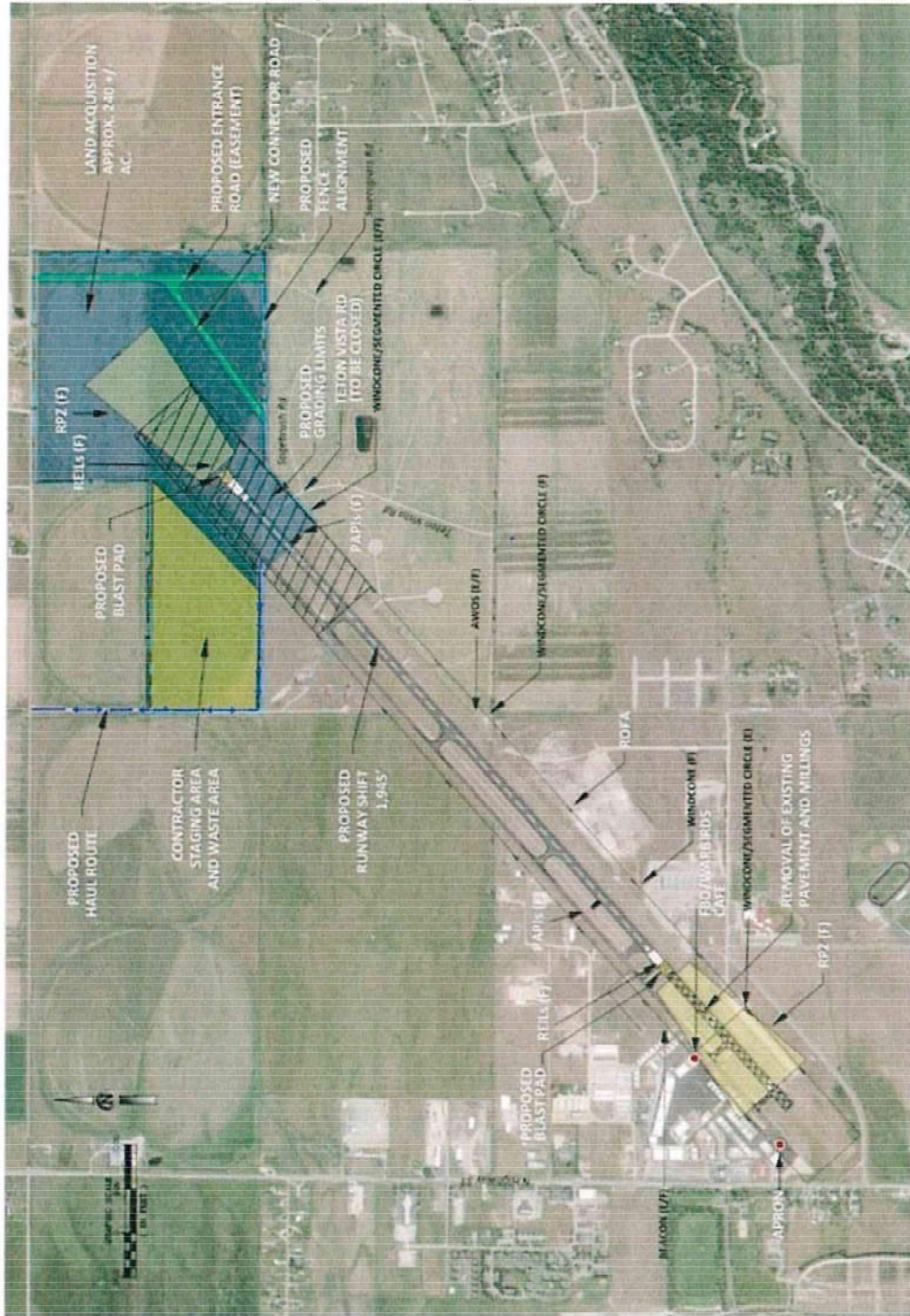
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APPENDIX A

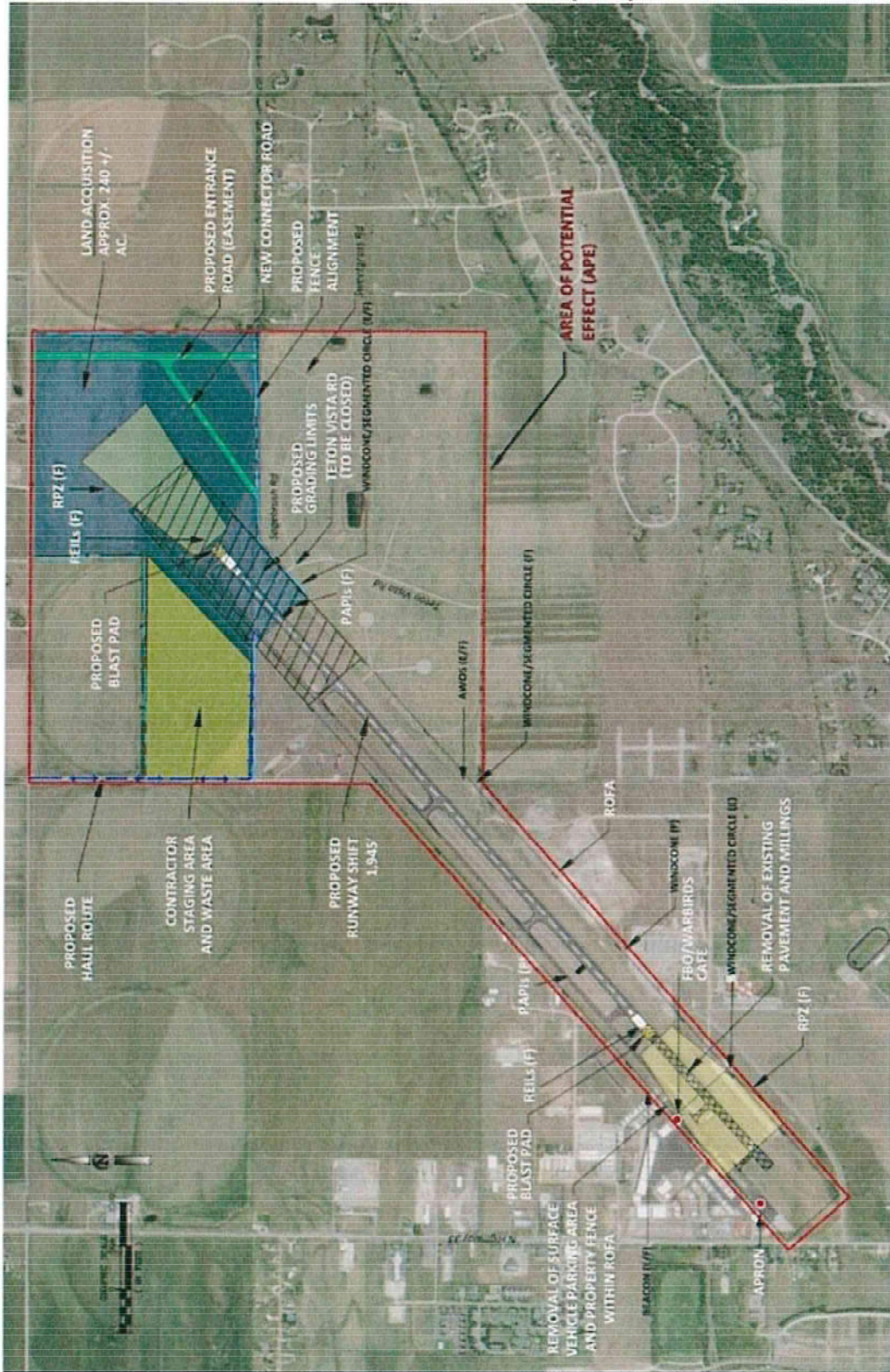
**TO THE MEMORANDUM OF AGREEMENT REGARDING THE PROPOSED LAND
ACQUISITION AND SHIFT OF RUNWAY 4/22
AT DRIGGS-REED MEMORIAL AIRPORT
AT DRIGGS, IDAHO**

Project Layout and Area of Potential Effect (APE)

Layout of Proposed Action



Area of Potential Effect (APE)



APPENDIX B

TO THE MEMORANDUM OF AGREEMENT REGARDING THE PROPOSED LAND ACQUISITION AND SHIFT OF RUNWAY 4/22 AT DRIGGS-REED MEMORIAL AIRPORT AT DRIGGS, IDAHO

Plan for Discovery of Unanticipated Cultural Resources

Cultural resources can be found during any ground-disturbing activity. If a monitor is onsite, he/she may determine if the discovery should trigger the procedures described in this document. If no monitor is onsite, all excavation and work in the area must stop, and the procedures as described below must be followed. If in doubt, follow the procedures outlined in this document. Unanticipated discoveries can vary and include evidence or remnants of historic-era and precontact activities by humans. Cultural resources can include, but are not limited to:

- Stone flakes, arrowheads, stone tools, bone or wooden tools, baskets, beads.
- Historic building materials such as nails, glass, metal such as cans, barrel rings, farm implements, ceramics, bottles, marbles, beads.
- Layers of discolored earth resulting from hearth fire
- Structural remains such as foundations
- Shell Middens
- Human skeletal remains and/or bone fragments which may be whole or fragmented.

In the event that previously unknown cultural resources are discovered within the Area of Potential Effects from construction activities of the undertaking, or should those activities directly or indirectly impact known historic properties in an unanticipated manner, the following actions, at a minimum, will be initiated by the FAA, or a representative duly authorized to perform these tasks:

1. All activities will halt in the immediate vicinity of the discovery and all actions that might adversely affect the property will be redirected to an area at least 200 feet from the point of discovery.
2. The FAA and the City of Driggs will be notified immediately (within 24 hours), and the FAA will notify SHPO and any Indian tribe that might attach religious and cultural significance to the affected property.
 - a. If not already onsite, a professional archaeologist who meets the Secretary of the Interior's qualifications (36 CFR Part 61) will be called in within 48 hours to assess the discovery.
3. Upon arriving at the site of the discovery, the professional archaeologist shall assess the resource. The assessment shall include:

- a. The nature of the resource (e.g., number and kinds of artifacts, presence/absence of features). This may require screening of already disturbed deposits, photographs of the discovery, Global Positioning System (GPS) data, and other necessary documentation. The archeologist will have basic archaeological excavation tools on hand.
 - b. The spatial extent of the resource. This may require additional subsurface examination, mapping or inspection, as is appropriate to the resource
 - c. The nature of deposition/exposure. This may require interviews with construction personnel and with other persons having knowledge about the resource or the expansion of existing disturbance to establish the characteristics of the deposits.
4. The professional archaeologist will complete a brief summary of the assessment and submit the report to the FAA, City of Driggs, and the SHPO within 10 days of fieldwork for further instruction. The FAA will also notify any Indian Tribe that might attach religious and cultural significance to the affected property.
5. The FAA will consult with the City of Driggs, SHPO, and any Indian tribe that might attach religious and cultural significance to the affected property to determine if and when construction activities in the location of the discovery may resume.
6. After consultation, the FAA will issue appropriate determinations of eligibility of any resources discovered and a determination of effect before construction in the location of the discovery may resume. Consistent with 36 CFR § 800.13(b)(3) (Post-review discoveries) Tribes and SHPO will have 72 hours to respond to the determinations.
7. If unanticipated discoveries are made on the undertaking, a technical report will be written at the end of the project by the on-site professional archaeologist and will be submitted within four months to the SHPO by the FAA. Reports dealing with sensitive information regarding sacred areas or other similar resources of historical or cultural importance to Native Americans will be reviewed only by those who have responsibility for National Register eligibility determinations or management concerns of such properties.
8. Report and documentation efforts shall conform with the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation (48 FR. 44716-44740), as well as with all applicable standards, guidelines, and forms for historic preservation, including Historic American Buildings Survey/Historic American Engineering Record/Historic American Landscapes Survey (HABS/HAER/HALS) guidance, and guidance established by the SHPO.
9. Points of Contact:

FAA: Diane Stilson, HLN ADO - (406) 441-5411

City of Driggs: Chris Schuehler, Driggs-Reed Memorial Airport Manager - (208) 354-2362

SHPO: Ashley Brown, Historical Review Officer – (208) 488-7463

