

Duffy, Daniel

FOI #14574

From: edward.russell@flightglobal.com
Sent: Wednesday, January 15, 2014 1:42 PM
To: Duffy, Daniel
Cc: Torres Rojas, Genara; Van Duyne, Sheree
Subject: Freedom of Information Online Request Form

Information:

First Name: Edward
Last Name: Russell
Company: Flightglobal
Mailing Address 1: 333 North Fairfax St
Mailing Address 2: Suite 301
City: Alexandria
State: VA
Zip Code: 22314
Email Address: edward.russell@flightglobal.com
Phone: 7038361897
Required copies of the records: No

List of specific record(s):

Pursuant to the Port Authority of New York and New Jersey PANYNJ policy on Freedom of Information found on the Port Authority website, I am requesting copies of all final memorandum and presentations submitted to the board of the PANYNJ recommending that it enter into an operating agreement for the Atlantic City International airport. Please contact me at Flightglobal, 333 North Fairfax Street, Suite 301, Alexandria, VA 22314, if you have any questions regarding my request. My office phone number is 703-836-1897 and email is edward.russell@flightglobal.com. I ask that you contact me if service and duplication charges for this request exceed 50 overall. Best, Edward Russell

THE PORT AUTHORITY OF NY & NJ

FOI Administrator

January 27, 2014

Mr. Edward Russell
Flightglobal
333 North Fairfax Street, Suite 301
Alexandria, VA 22314

Re: Freedom of Information Reference No. 14574

Dear Mr. Russell:

This is in response to your January 15, 2014 request, which has been processed under the Port Authority's Freedom of Information Code (the "Code", copy attached) for copies of all final memoranda and presentations submitted to the Board of Commissioners recommending that it enter into an operating agreement for the Atlantic City International Airport.

Material responsive to your request and available under the Code can be found on the Port Authority's website at <http://www.panynj.gov/corporate-information/foi/14574-LPA.pdf>. Paper copies of the available records are available upon request.

Certain material responsive to your request is exempt from disclosure pursuant to exemption (5) of the Code.

Please refer to the above FOI reference number in any future correspondence relating to your request.

Very truly yours,



Daniel D. Duffy
FOI Administrator

Attachment

*225 Park Avenue South, 17th Floor
New York, NY 10003
T: 212 435 3642
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**EXPANSION OF PORT AUTHORITY REGIONAL AIRPORT SYSTEM CAPACITY –
STUDY OF ATLANTIC CITY INTERNATIONAL AIRPORT**

It was recommended that the Board authorize the Executive Director to retain consulting services, on an “as-needed” basis, to assist in a study of the feasibility of incorporating Atlantic City International Airport (AC Airport) into the Port Authority’s regional airport system to provide additional aviation capacity for the Port Authority, at an estimated total cost of \$3 million.

The process of retaining consulting services and commencing the feasibility study shall begin forthwith and without delay.

The Port Authority’s four major airports (John F. Kennedy International, Newark Liberty International, LaGuardia and Stewart International Airports) handled 105.9 million passengers in 2011 and are projected to handle 107.5 million in 2012. Staff projects that these airports, together with Teterboro Airport, will be expected to handle 125 million passengers annually by 2015 and 150 million by 2025. Even with proactive management and timely investments in these airport facilities to meet these demand projections, the Port Authority’s regional airport system is expected to experience continuing aircraft delays, a greater number of days approaching peak capacity, and deteriorating levels of service during peak customer periods. In view of its location, current configuration and potential for expansion, AC Airport may be uniquely positioned to provide a viable alternative for addressing these expected capacity constraints.

Pursuant to the foregoing report, the Board adopted the following resolution, with Commissioners Bagger, Holmes, Lynford, Moerdler, Pocino, Rechler, Rubin, Sartor, Schuber and Steiner voting in favor; Commissioner Samson recused and did not participate in the consideration of, or vote on, this item. General Counsel confirmed that sufficient affirmative votes were cast for the action to be taken, a quorum of the Board being present.

RESOLVED, that the Executive Director be and he is hereby authorized to retain consulting services, on an “as needed” basis, to assist in a study of the feasibility of incorporating Atlantic City International Airport into the Port Authority’s regional airport system to provide additional aviation capacity for the Port Authority, at an estimated total cost of \$3 million, with such retention of consulting services and commencement of the feasibility study shall begin forthwith and without delay; and it is further

RESOLVED, that the form of any contracts and agreements in connection with the foregoing shall be subject to the approval of General Counsel or his authorized representative.

ATLANTIC CITY INTERNATIONAL AIRPORT – EXPANSION OF PORT AUTHORITY REGIONAL AIRPORT SYSTEM

It was recommended that the Board authorize the Executive Director, subject to certification of the Atlantic City International Airport (ACY) as an additional facility of the Port Authority, pursuant to Port Authority bond covenants, to: (1) enter into an operating agreement with the South Jersey Transportation Authority (SJTA) to allow the Port Authority to operate and maintain, on behalf of SJTA, ACY, with an option to purchase SJTA's interests in ACY subject to the conditions described herein; and (2) execute all documents, including, without limitation, agreements with public and private entities involving, among other matters, operation, maintenance, environmental studies, subsurface remediation, appraisals, surveys, title searches and title insurance, necessary or incidental to such operation with such option to purchase.

In 1967, New York enacted legislation authorizing the Port Authority to establish one additional air terminal in New York and one additional air terminal in New Jersey outside of the Port District, each such terminal to be at a site approved by the governor of the state in which the air terminal is located (1967 Act). In May 2007, New Jersey enacted a statute identical in scope to the 1967 Act. On October 12, 2007, Governor Eliot Spitzer approved Stewart International Airport as the additional air terminal in New York outside the Port District. At its meeting of September 20, 2012, the Board authorized the Executive Director to retain consulting services to assist in a study of the feasibility of incorporating ACY into the Port Authority's regional airport system to provide additional aviation capacity for the Port Authority. On March 18, 2013, Governor Chris Christie approved ACY as the additional air terminal in New Jersey outside the Port District.

ACY is a civilian-military public use airport owned and operated by SJTA. ACY features two runways, one 10-gate passenger terminal, a 1,400-space (six-level) parking garage, and surface lots for short-term and economy parking. ACY also includes several hangars, two fuel farms, and structures to house the New Jersey State Police, and firefighting and maintenance equipment.

The site on which ACY is located is composed of approximately 5,059 acres situated across parts of Hamilton, Galloway, and Egg Harbor Townships in Atlantic County, New Jersey. SJTA owns 84 acres of the site on which the civil terminal area is located. The Federal Aviation Administration (FAA) owns the remaining 4,975 acres. SJTA also acquired the City of Atlantic City's reversionary interest in approximately 4,312 acres of ACY. SJTA leases from the William J. Hughes Technical Center (FAA Technical Center, owned and operated by the FAA) approximately 2,200 acres, which encompasses the runways, taxiways and other areas of the airfield. Pursuant to lease and cooperative agreements between SJTA and the FAA, SJTA is responsible for the operation and maintenance of the runways and taxiways. Other areas of the site are leased by the FAA Technical Center to the New Jersey Air National Guard 177th Fighter Wing, United States Coast Guard, the Transportation Security Administration Federal Air Marshal Training Center and Transportation Security Laboratory.

Incorporating ACY into the Port Authority's network of airports would create a more integrated airport system. The Port Authority recognizes that the challenges raised by airport system congestion must be addressed by exploring both expansion at its existing airports and shifting demand to the region's outlying airports, thus creating capacity at the three core airports.

Outlying airports such as ACY can also serve local areas, build up local economies and expand the offering of air travel options.

The operating agreement would commence on July 1, 2013 and provide that the Port Authority operate ACY for a specified period of time, and, at the end of such period, the Port Authority would have an option, among other things, to purchase SJTA's interest in ACY, subject to Board approval.

Pursuant to the foregoing report, the Board adopted the following resolution, with Commissioners Bagger, Holmes, Lynford, Moerdler, Rechler, Rosado, Rubin, Sartor, Schuber and Steiner voting in favor; Commissioner Samson recused and did not participate in the consideration of, or vote on, this item. General Counsel confirmed that sufficient affirmative votes were cast for the action to be taken, a quorum of the Board being present.

RESOLVED, that the Executive Director be and he hereby is authorized, for and on behalf of the Port Authority, subject to certification of the Atlantic City International Airport (ACY) as an additional facility of the Port Authority, pursuant to Port Authority bond covenants, to: (1) enter into an operating agreement with the South Jersey Transportation Authority (SJTA) to allow the Port Authority to operate and maintain, on behalf of SJTA, ACY, with an option to purchase SJTA's interests in ACY subject to Board approval; (2) execute all documents, including, without limitation, agreements with public and private entities involving, among other matters, operation, maintenance, environmental studies, subsurface remediation, appraisals, surveys, title searches and title insurance, necessary or incidental to such operation with such option to purchase; and it is further

RESOLVED, that the Executive Director be and he hereby is authorized, for and on the Port Authority, to take any and all actions necessary to effectuate the foregoing, including the execution of agreements, contracts, and other documents to facilitate such action, together with amendments and supplements thereto, including amendments and supplements to existing agreements, and to take action in accordance with the terms of such agreements, contracts and other documents as may be necessary in connection therewith; and it is further

RESOLVED, that the form of all documents in connection with the foregoing shall be subject to the approval of General Counsel or his authorized representative.