





# Newark Liberty International Airport AirTrain Replacement Program

DRAFT EA APPENDICES (VOLUME 3)

### Newark Liberty International Airport AirTrain Replacement Program DRAFT EA Appendices



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# Appendix H

Appendix H: Parking & Traffic Assessment, June 2020, prepared by NV5, Inc.

### Parking & Traffic Assessment

### Newark Airport AirTrain Replacement

Prepared by:

NV5 Inc.

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June, 2020

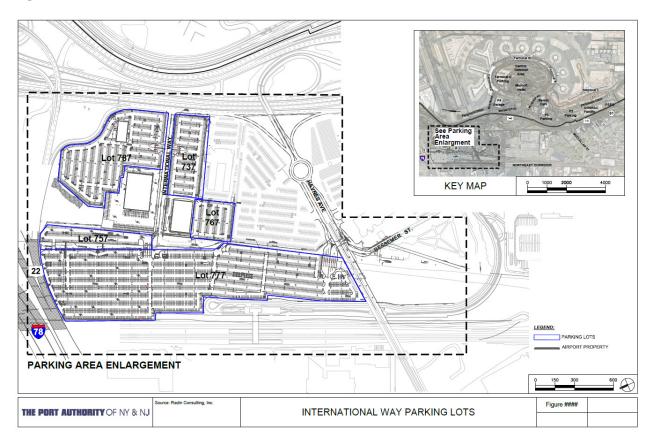
#### **Parking & Traffic Assessment**

#### **Existing Conditions - Supply**

In the vicinity of the Rail-link station, there are a series of parking lots identified as airline employee parking lots. The existing parking capacity of these lots are as follows:

Parking Lot	Capacity
737	426 spaces
757	280 spaces
767	291 spaces
777	3,830 spaces
787	1,033 spaces
Total	5,860 spaces

As indicated above, there is a total airline employee parking supply of 5,860 spaces in the vicinity of the Rail-link station. The approximate areas encompassed by these parking areas is shown on the Figure below.



#### **Existing Conditions - Parking Demand**

To determine the actual demand for parking for airline employees, traffic counts were conducted by NV5 at each of the access locations for the 7 day period from March 12, 2019 to March 18, 2019. The Figure below indicates the parking profile over the course of the week.



The results of the parking accumulation indicates that over the course of the week, a maximum of 3,786 vehicles were parked within the lots. As indicated above, a total of 5,860 spaces are available, resulting in a surplus parking supply of 2,074 vehicles.

#### **Proposed Parking Reductions**

To facilitate the AirTrain project, parking spaces will be eliminated for the construction of the proposed MCF and supporting infrastructure. During construction, a total of 1,312 parking spaces will be eliminated on the airport employee lots plus 3 spaces from the adjacent Holiday Inn hotel and 16 trailer spaces on the adjacent Anheuser Busch site. After construction is complete, 217 spaces will be returned to the airport employee lots, resulting in a total permanent parking loss of 1,095 spaces on the airport employee lots, 3 spaces at the adjacent hotel, and 16 trailer spaces on the adjacent Anheuser Busch site.



#### **Resulting Parking Impact**

Based on the analysis indicated herewith, the airline employee lots maintain 5,860 parking spaces, with a maximum of 3,786 occupied at any given time. This results in a net parking surplus of 2,074 spaces. The proposed AirTrain project will permanently reduce the parking surplus by a maximum of 1,095 spaces, leaving a surplus parking supply for the airline employee lot of 979 spaces. The 3 spaces lost at the adjacent hotel and 16 trailer spaces on the adjacent Anheuser Busch site are a nominal reduction and will not have a material impact on the operation of these facilities.

#### **Traffic Impacts Due to Loss of Parking Spaces**

Since the airline employee lots will continue to have adequate parking throughout the project, traffic patterns for airline employees are not anticipated to change during or after construction. While individual drivers may need to park in different spaces than they do currently, the facility has adequate parking capacity where vehicles will not need to be redirected to other off-site parking facilities.

#### Traffic Associated with the Proposed MCF Facility

As part of the AirTrain project, the existing MCF building will be relocated adjacent to the Rail Link building. Access to the new MCF for employees will be via the intersection of US 1&9 southbound and International Way, which is under the jurisdiction of NJDOT. Based on the NJDOT Access Code, changes in traffic are considered 'significant' if there is an increase of 100 or more vehicles trips in a single hour.

The proposed MCF building is anticipated to have a maximum of 60 parking spaces to accommodate employees and visitors. The facility is for maintenance purposes only and will not be open to the general public. Employees are anticipated to work in shifts with at most 36 employees on staff at any given time. In the unlikely event that all 36 employees change shifts within a single hour, a maximum of 72 trips would be added to the intersection of US 1&9 southbound and International Way, which does not constitute a significant increase in trips as per the NJDOT Access Code. Since the additional trips at this location are not considered significant no mitigation measures are required.



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Technical Appendix - Parking Accumulation Counts



									Min
	<u>.</u>			77		Way Access	Haynes A		292
Date	Channel Direction		ENTERING Westbound	EXITING Eastbound	ENTERING Westbound	EXITING Eastbound	ENTERING Westbound	EXITING Eastbound	Max 3786
				•					1000
	19 12:00 AM	3/12/19 12:00 AM	13	56	8	31	5	25	914
	19 12:15 AM 19 12:30 AM	3/12/19 12:15 AM	12 9	42	6 5	25 17	6 4	17	854
	19 12:30 AM 19 12:45 AM	3/12/19 12:30 AM 3/12/19 12:45 AM	9 7	31 64	2	35	4 5	14 29	810 696
	19 1:00 AM	3/12/19 1:00 AM	9	28	5	14	4	14	658
	19 1:15 AM	3/12/19 1:15 AM	6	24	2	18	4	6	622
3/12/201	19 1:30 AM	3/12/19 1:30 AM	9	16	3	9	6	7	608
3/12/201	19 1:45 AM	3/12/19 1:45 AM	8	18	3	12	5	6	588
3/12/201	19 2:00 AM	3/12/19 2:00 AM	14	18	5	11	9	7	580
	19 2:15 AM	3/12/19 2:15 AM	15	13	7	7	8	6	584
	19 2:30 AM	3/12/19 2:30 AM	18	11	6	5	12	6	598
	19 2:45 AM	3/12/19 2:45 AM	35	11	15	8	20	3	646
	19 3:00 AM 19 3:15 AM	3/12/19 3:00 AM 3/12/19 3:15 AM	32 55	11 10	21 26	9 7	11 29	2 3	688 778
	19 3:15 AW 19 3:30 AM	3/12/19 3:30 AM	53	9	25 25	4	28	5 5	866
	19 3:45 AM	3/12/19 3:45 AM	70	7	39	5	31	2	992
	19 4:00 AM	3/12/19 4:00 AM	98	11	49	8	49	3	1166
	19 4:15 AM	3/12/19 4:15 AM	146	7	77	5	69	2	1444
	19 4:30 AM	3/12/19 4:30 AM	133	14	74	8	59	6	1682
3/12/201	19 4:45 AM	3/12/19 4:45 AM	123	16	80	13	43	3	1896
	19 5:00 AM	3/12/19 5:00 AM	110	25	53	12	57	13	2066
	19 5:15 AM	3/12/19 5:15 AM	147	35	91	18	56	17	2290
	19 5:30 AM	3/12/19 5:30 AM	96	34	56	19	40	15	2414
	19 5:45 AM	3/12/19 5:45 AM	62	29	35	20	27	9	2480
	19 6:00 AM 19 6:15 AM	3/12/19 6:00 AM 3/12/19 6:15 AM	85 73	38 35	48 41	15 20	37 32	23 15	2574 2650
	19 6:15 AM 19 6:30 AM	3/12/19 6:15 AM 3/12/19 6:30 AM	73 72	35 22	41 36	20 19	32 36	15 3	2650 2750
	19 6:45 AM	3/12/19 6:45 AM	66	30	37	20	29	10	2822
	19 7:00 AM	3/12/19 7:00 AM	51	27	18	13	33	14	2870
	19 7:15 AM	3/12/19 7:15 AM	62	24	30	19	32	5	2946
3/12/201	19 7:30 AM	3/12/19 7:30 AM	50	63	28	45	22	18	2920
3/12/201	19 7:45 AM	3/12/19 7:45 AM	44	63	28	44	16	19	2882
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	19 9:45 AM	3/12/19 9:45 AM	34	24	19	19	15	5	2920
	19 10:00 AM	3/12/19 10:00 AM	42	24	17	19	25	5	2956
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3/12/201	19 10:30 AM	3/12/19 10:30 AM	40	26	21	16	19	10	3018
3/12/201	19 10:45 AM	3/12/19 10:45 AM	42	30	24	22	18	8	3042
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	19 1:00 PM	3/12/19 1:00 PM	97	54	63	21	34	33	3710
	19 1:15 PM	3/12/19 1:15 PM	93	67	56	35	37	32	3762
	19 1:30 PM	3/12/19 1:30 PM	79	89	48	31	31	58	3742
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	19 6:15 PM	3/12/19 6:15 PM	26	31	15	16	11	15	2558
	19 6:30 PM	3/12/19 6:30 PM	34	34	24	21	10	13	2558
	19 6:45 PM	3/12/19 6:45 PM	32	46	25 18	27 17	7 10	19 12	2530
	19 7:00 PM	3/12/19 7:00 PM	28	29 48	18 16	17 24	10	12 24	2528 2492
3/12/20	19 7:15 PM	3/12/19 7:15 PM 3/12/19 7:30 PM	30 30	48 50	16 20	24 36	14 10	24 14	2492 2452
3/12/201									

									Min
	Channel		77 ENTERING	77 EXITING	Internationa ENTERING	al Way Access EXITING	Haynes Av	ve Access EXITING	292 Max
Date	Direction		Westbound	Eastbound	Westbound	Eastbound	Westbound	Eastbound	3786
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	19 8:30 PM 19 8:45 PM	3/12/19 8:30 PM 3/12/19 8:45 PM	68 51	54 73	45 40	33 47	23 11	21 26	2468 2424
	19 9:00 PM	3/12/19 9:00 PM	35	48	26	20	9	28	2398
	19 9:15 PM	3/12/19 9:15 PM	37	70	19	43	18	27	2332
3/12/20	19 9:30 PM	3/12/19 9:30 PM	33	74	26	40	7	34	2250
	19 9:45 PM	3/12/19 9:45 PM	24	86	17	56	7	30	2126
	19 10:00 PM	3/12/19 10:00 PM	28	134 99	15 8	78 66	13 7	56 33	1914 1746
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	19 12:30 AM	3/13/19 12:30 AM	11	43	7	22	4	21	738
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	19 2:00 AM 19 2:15 AM	3/13/19 2:00 AM 3/13/19 2:15 AM	13	8 14	5	10	8	4	498
	19 2:30 AM	3/13/19 2:30 AM	21	10	6	3	15	7	520
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3/13/20	19 3:00 AM	3/13/19 3:00 AM	36	9	15	6	21	3	610
	19 3:15 AM	3/13/19 3:15 AM	55	9	25	7	30	2	702
	19 3:30 AM	3/13/19 3:30 AM	54	7	24	5	30	2	796
	19 3:45 AM 19 4:00 AM	3/13/19 3:45 AM 3/13/19 4:00 AM	78 96	12 11	38 46	8 9	40 50	4 2	928 1098
	19 4:15 AM	3/13/19 4:15 AM	152	15	90	12	62	3	1372
	19 4:30 AM	3/13/19 4:30 AM	119	14	64	8	55	6	1582
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3/13/20	19 5:00 AM	3/13/19 5:00 AM	130	20	76	11	54	9	2034
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	19 5:45 AM 19 6:00 AM	3/13/19 5:45 AM 3/13/19 6:00 AM	61 68	15 34	37 34	12 18	24 34	3 16	2492 2560
	19 6:15 AM	3/13/19 6:15 AM	80	53	43	39	37	14	2614
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3/13/20	19 6:45 AM	3/13/19 6:45 AM	68	33	34	27	34	6	2790
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	19 8:00 AM	3/13/19 8:00 AM	43	38	26	28	17	10	2880
	19 8:15 AM	3/13/19 8:15 AM	40	25	19	18	21	7	2910
3/13/20	19 8:30 AM	3/13/19 8:30 AM	37	36	24	29	13	7	2912
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	19 2:30 PM	3/13/19 2:30 PM	64	114	31	57 105	33 17	57 64	3330
	19 2:45 PM 19 3:00 PM	3/13/19 2:45 PM 3/13/19 3:00 PM	47 49	169 59	30 27	105 39	17 22	64 20	3086 3066
	19 3:15 PM	3/13/19 3:15 PM	58	69	37	28	21	41	3044
	19 3:30 PM	3/13/19 3:30 PM	47	72	30	46	17	26	2994

									Min
	Channel		7' ENTERING	77 EXITING	Internationa ENTERING	al Way Access EXITING	Haynes Av	ve Access EXITING	292 Max
Date	Direction		Westbound	Eastbound	Westbound	Eastbound	Westbound	Eastbound	3786
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	119 4:45 PM	3/13/19 4:45 PM	46	46	20 27	24 27	17	19	2836
	19 5:00 PM	3/13/19 5:00 PM	41	33	19	25	22	8	2852
3/13/20	19 5:15 PM	3/13/19 5:15 PM	39	53	17	29	22	24	2824
	119 5:30 PM	3/13/19 5:30 PM	27	46	15	34	12	12	2786
	119 5:45 PM	3/13/19 5:45 PM	41	72	26	45	15	27	2724
	119 6:00 PM 119 6:15 PM	3/13/19 6:00 PM 3/13/19 6:15 PM	34 39	37 35	18 23	21 14	16 16	16 21	2718 2726
	119 6:30 PM	3/13/19 6:30 PM	29	44	16	28	13	16	2696
	19 6:45 PM	3/13/19 6:45 PM	42	42	31	28	11	14	2696
3/13/20	19 7:00 PM	3/13/19 7:00 PM	32	45	20	22	12	23	2670
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	119 7:30 PM	3/13/19 7:30 PM	44	61	26	24	18	37	2618
	119 7:45 PM 119 8:00 PM	3/13/19 7:45 PM 3/13/19 8:00 PM	33 58	87 46	22 41	47 18	11 17	40 28	2510 2534
	119 8:15 PM	3/13/19 8:15 PM	67	55	43	35	24	20	2558
	119 8:30 PM	3/13/19 8:30 PM	78	70	48	43	30	27	2574
	19 8:45 PM	3/13/19 8:45 PM	50	98	33	54	17	44	2478
3/13/20	19 9:00 PM	3/13/19 9:00 PM	39	63	26	30	13	33	2430
	19 9:15 PM	3/13/19 9:15 PM	38	70	27	44	11	26	2366
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		3/13/19 10:00 PM 3/13/19 10:15 PM	24 20	154 120	15 14	86 63	9 6	68 57	1902 1702
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		3/13/19 10:45 PM	20	111	14	71	6	40	1416
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		3/14/19 12:30 AM	12	39	5	19	7	20	720
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3/14/20	119 1:00 AM	3/14/19 1:00 AM	9	35	4	16	5	19	570
3/14/20	119 1:15 AM	3/14/19 1:15 AM	11	23	6	16	5	7	546
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3/14/20	119 3:00 AM	3/14/19 3:00 AM	32	14	11	12	21	2	622
3/14/20	119 3:15 AM	3/14/19 3:15 AM	52	9	23	7	29	2	708
	19 3:30 AM	3/14/19 3:30 AM	52	8	20	5	32	3	796
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	3/16/2019	9 3:30 AM	3/16/19 3:30 AM	64	30	26	11	38	19	972

									Min
	Channel		77 ENTERING	77 EXITING	Internationa ENTERING	al Way Access EXITING	Haynes A	ve Access EXITING	292 Max
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	19 4:00 AM	3/16/19 4:00 AM	94	22	46	12	48	10	1124
	19 4:15 AM	3/16/19 4:15 AM	144	46 17	83	26 12	61	20 5	1320
	19 4:30 AM 19 4:45 AM	3/16/19 4:30 AM 3/16/19 4:45 AM	122 92	17	69 60	16	53 32	3	1530 1676
	19 5:00 AM	3/16/19 5:00 AM	96	27	57	20	39	7	1814
3/16/201	19 5:15 AM	3/16/19 5:15 AM	120	29	77	16	43	13	1996
	19 5:30 AM	3/16/19 5:30 AM	88	26	56	15	32	11	2120
	19 5:45 AM	3/16/19 5:45 AM	47	29	27	21	20	8	2156
	19 6:00 AM 19 6:15 AM	3/16/19 6:00 AM 3/16/19 6:15 AM	44 50	40 30	22 24	20 17	22 26	20 13	2164 2204
	19 6:30 AM	3/16/19 6:30 AM	40	20	15	14	25	6	2244
	19 6:45 AM	3/16/19 6:45 AM	47	31	20	23	27	8	2276
3/16/201	19 7:00 AM	3/16/19 7:00 AM	58	28	31	23	27	5	2336
	19 7:15 AM	3/16/19 7:15 AM	45	20	22	13	23	7	2386
	19 7:30 AM	3/16/19 7:30 AM	31	65	13	39	18	26	2318
	19 7:45 AM 19 8:00 AM	3/16/19 7:45 AM 3/16/19 8:00 AM	29 26	30 47	17 12	17 29	12 14	13 18	2316 2274
	19 8:15 AM	3/16/19 8:15 AM	25	28	11	15	14	13	2268
	19 8:30 AM	3/16/19 8:30 AM	17	22	8	12	9	10	2258
3/16/201	19 8:45 AM	3/16/19 8:45 AM	23	16	10	13	13	3	2272
3/16/201	19 9:00 AM	3/16/19 9:00 AM	19	39	7	17	12	22	2232
	19 9:15 AM	3/16/19 9:15 AM	25	33	12	26	13	7	2216
	19 9:30 AM	3/16/19 9:30 AM 3/16/19 9:45 AM	22	18	9	14	13	4	2224 2232
	19 9:45 AM 19 10:00 AM	3/16/19 9:45 AM 3/16/19 10:00 AM	27 23	23 26	11 11	10 15	16 12	13 11	2232
	19 10:00 AM	3/16/19 10:15 AM	23 27	29	11	20	16	9	2222
	19 10:30 AM	3/16/19 10:30 AM	44	24	19	11	25	13	2262
3/16/201	19 10:45 AM	3/16/19 10:45 AM	40	27	23	14	17	13	2288
	19 11:00 AM	3/16/19 11:00 AM	27	38	13	19	14	19	2266
	19 11:15 AM	3/16/19 11:15 AM	44	26	23	16	21	10	2302
	19 11:30 AM 19 11:45 AM	3/16/19 11:30 AM 3/16/19 11:45 AM	39 53	34 32	23 26	19 27	16 27	15 5	2312 2354
	19 11:45 AM 19 12:00 PM	3/16/19 11:45 AM 3/16/19 12:00 PM	53 54	32 18	28	15	26	3	2426
	19 12:15 PM	3/16/19 12:15 PM	65	35	34	22	31	13	2486
	19 12:30 PM	3/16/19 12:30 PM	76	46	38	20	38	26	2546
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	19 1:30 PM 19 1:45 PM	3/16/19 1:30 PM 3/16/19 1:45 PM	68 69	64 77	37 40	28 50	31 29	36 27	2698 2682
	19 2:00 PM	3/16/19 2:00 PM	59	86	29	43	30	43	2628
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	19 4:00 PM	3/16/19 4:00 PM	30	48	15	25	15	23	2286
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	19 5:00 PM	3/16/19 5:00 PM	43	40	30	19	13	21	2270
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	19 5:45 PM	3/16/19 5:45 PM	28	51	18	39	10	12	2204
	19 6:00 PM	3/16/19 6:00 PM	32	36	18	17	14	19	2196
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	19 6:45 PM 19 7:00 PM	3/16/19 6:45 PM	24	48 45	18	20	6 11	28 17	2120 2088
	19 7:00 PM 19 7:15 PM	3/16/19 7:00 PM 3/16/19 7:15 PM	29 24	45 34	18 14	28 17	11 10	17 17	2088
	19 7:30 PM	3/16/19 7:30 PM	29	48	17	26	12	22	2030
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	19 8:30 PM	3/16/19 8:30 PM	52	70	33	30	19	40	1938
	19 8:45 PM 19 9:00 PM	3/16/19 8:45 PM 3/16/19 9:00 PM	42 50	79 49	30 30	54 25	12 20	25 24	1864 1866
	19 9:00 PM 19 9:15 PM	3/16/19 9:00 PM 3/16/19 9:15 PM	33	49 72	30 21	25 39	20 12	33	1788
	19 9:30 PM	3/16/19 9:30 PM	16	51	11	32	5	19	1718
	19 9:45 PM	3/16/19 9:45 PM	27	83	18	52	9	31	1606
3/16/201	19 10:00 PM	3/16/19 10:00 PM	20	121	8	65	12	56	1404
	19 10:15 PM	3/16/19 10:15 PM	21	76	17	46	4	30	1294
	19 10:30 PM	3/16/19 10:30 PM	25	70	15	32	10	38	1204
	19 10:45 PM 19 11:00 PM	3/16/19 10:45 PM 3/16/19 11:00 PM	26 21	84 70	15 11	57 36	11 10	27 34	1088 990
	19 11:00 PM 19 11:15 PM	3/16/19 11:15 PM	25	61	19	36	6	25	918
	19 11:30 PM	3/16/19 11:30 PM	14	62	7	25	7	37	822

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	Channel		71 ENTERING	77 EXITING	Internationa ENTERING	al Way Access EXITING	Haynes A	ve Access EXITING	292 Max
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	19 12:15 AM 19 12:30 AM	3/17/19 12:15 AM 3/17/19 12:30 AM	11 15	27 39	6 10	17 22	5 5	10 17	556 508
	19 12:30 AM	3/17/19 12:45 AM	12	57	8	39	4	18	418
	19 1:00 AM	3/17/19 1:00 AM	13	37	6	23	7	14	370
3/17/201	19 1:15 AM	3/17/19 1:15 AM	7	36	2	22	5	14	312
	19 1:30 AM	3/17/19 1:30 AM	7	17	3	9	4	8	292
	19 1:45 AM	3/17/19 1:45 AM	12	9	5	8	7	1	298
	19 2:00 AM 19 2:15 AM	3/17/19 2:00 AM 3/17/19 2:15 AM	19 13	15 15	10 4	8 7	9 9	7 8	306 302
	19 2:30 AM	3/17/19 2:30 AM	17	11	9	7	8	4	314
	19 2:45 AM	3/17/19 2:45 AM	26	12	10	7	16	5	342
3/17/201	19 3:00 AM	3/17/19 3:00 AM	30	9	14	6	16	3	384
	19 3:15 AM	3/17/19 3:15 AM	57	11	30	8	27	3	476
	19 3:30 AM	3/17/19 3:30 AM	45	11	23	8	22	3	544
	19 3:45 AM 19 4:00 AM	3/17/19 3:45 AM 3/17/19 4:00 AM	67 78	8 14	36 39	5 11	31 39	3 3	662 790
	19 4:15 AM	3/17/19 4:15 AM	132	8	69	5	63	3	1038
	19 4:30 AM	3/17/19 4:30 AM	108	12	57	8	51	4	1230
3/17/201	19 4:45 AM	3/17/19 4:45 AM	83	13	45	11	38	2	1370
	19 5:00 AM	3/17/19 5:00 AM	98	25	51	18	47	7	1516
	19 5:15 AM	3/17/19 5:15 AM	111	29	60	17	51	12	1680
	19 5:30 AM 19 5:45 AM	3/17/19 5:30 AM 3/17/19 5:45 AM	64 44	20 27	36 23	12 17	28 21	8 10	1768 1802
	19 5:45 AM 19 6:00 AM	3/17/19 5:45 AM 3/17/19 6:00 AM	44 58	43	23 33	17 20	21 25	10 23	1802 1832
	19 6:15 AM	3/17/19 6:00 AM	45	29	24	17	21	12	1864
	19 6:30 AM	3/17/19 6:30 AM	45	26	19	19	26	7	1902
3/17/201	19 6:45 AM	3/17/19 6:45 AM	41	24	19	19	22	5	1936
	19 7:00 AM	3/17/19 7:00 AM	34	22	22	16	12	6	1960
	19 7:15 AM	3/17/19 7:15 AM	31	14	17	10	14	4	1994
	19 7:30 AM 19 7:45 AM	3/17/19 7:30 AM 3/17/19 7:45 AM	43 24	59 39	14 15	42 24	29 9	17 15	1962 1932
	19 7.45 AW 19 8:00 AM	3/17/19 7:45 AM 3/17/19 8:00 AM	28	39 34	12	22	16	12	1932
	19 8:15 AM	3/17/19 8:15 AM	26	31	16	21	10	10	1910
	19 8:30 AM	3/17/19 8:30 AM	22	36	13	22	9	14	1882
3/17/201	19 8:45 AM	3/17/19 8:45 AM	23	12	13	8	10	4	1904
	19 9:00 AM	3/17/19 9:00 AM	22	29	9	13	13	16	1890
	19 9:15 AM	3/17/19 9:15 AM	23	27	10	19	13	8	1882
	19 9:30 AM 19 9:45 AM	3/17/19 9:30 AM 3/17/19 9:45 AM	29 31	24 18	17 13	12 12	12 18	12 6	1892 1918
	19 10:00 AM	3/17/19 10:00 AM	29	13	14	9	15	4	1950
	19 10:15 AM	3/17/19 10:15 AM	27	26	15	19	12	7	1952
3/17/201	19 10:30 AM	3/17/19 10:30 AM	35	26	17	13	18	13	1970
	19 10:45 AM	3/17/19 10:45 AM	40	20	22	14	18	6	2010
	19 11:00 AM	3/17/19 11:00 AM	35	38	23	25	12	13	2004
	19 11:15 AM 19 11:30 AM	3/17/19 11:15 AM 3/17/19 11:30 AM	54 51	30 25	28 28	18 17	26 23	12 8	2052 2104
	19 11:45 AM	3/17/19 11:30 AM	46	25 21	26 26	18	23 20	3	2104
	19 12:00 PM	3/17/19 12:00 PM	71	39	45	28	26	11	2218
3/17/201	19 12:15 PM	3/17/19 12:15 PM	84	37	53	26	31	11	2312
	19 12:30 PM	3/17/19 12:30 PM	86	44	47	26	39	18	2396
	19 12:45 PM	3/17/19 12:45 PM	94	59	56	30	38	29	2466
	19 1:00 PM 19 1:15 PM	3/17/19 1:00 PM 3/17/19 1:15 PM	81 72	53 45	51 47	29 27	30 25	24 18	2522 2576
	19 1:30 PM	3/17/19 1:15 PM	68	45 82	44	36	25	46	2576
	19 1:45 PM	3/17/19 1:45 PM	59	110	40	70	19	40	2446
	19 2:00 PM	3/17/19 2:00 PM	41	75	23	33	18	42	2378
	19 2:15 PM	3/17/19 2:15 PM	48	78	31	48	17	30	2318
	19 2:30 PM	3/17/19 2:30 PM	48	69	28	35	20	34	2276
	19 2:45 PM	3/17/19 2:45 PM 3/17/19 3:00 PM	37 47	80	24 25	49	13	31 18	2190 2200
	19 3:00 PM 19 3:15 PM	3/17/19 3:00 PM 3/17/19 3:15 PM	44	42 39	25 25	24 22	22 19	18 17	2210
	19 3:30 PM	3/17/19 3:30 PM	41	44	25	19	16	25	2204
	19 3:45 PM	3/17/19 3:45 PM	41	41	24	33	17	8	2204
	19 4:00 PM	3/17/19 4:00 PM	36	30	24	17	12	13	2216
	19 4:15 PM	3/17/19 4:15 PM	34	34	21	22	13	12	2216
	19 4:30 PM	3/17/19 4:30 PM	34	31	16	20	18	11	2222
	19 4:45 PM 19 5:00 PM	3/17/19 4:45 PM 3/17/19 5:00 PM	38 42	43 29	21 24	25 18	17 18	18 11	2212 2238
	19 5:00 PM 19 5:15 PM	3/17/19 5:00 PM 3/17/19 5:15 PM	42 35	29 26	24 17	16	18	10	2238
	19 5:30 PM	3/17/19 5:30 PM	33	29	21	19	12	10	2264
	19 5:45 PM	3/17/19 5:45 PM	24	39	9	27	15	12	2234
3/17/201	19 6:00 PM	3/17/19 6:00 PM	30	33	20	21	10	12	2228
	19 6:15 PM	3/17/19 6:15 PM	40	43	24	29	16	14	2222
	19 6:30 PM	3/17/19 6:30 PM	33	38	20	22	13	16	2212
	19 6:45 PM	3/17/19 6:45 PM	29	32 45	22	19	7 9	13	2206 2162
	19 7:00 PM 19 7:15 PM	3/17/19 7:00 PM 3/17/19 7:15 PM	23 29	45 38	14 21	24 19	8	21 19	2144
	19 7:30 PM	3/17/19 7:30 PM	26	46	18	23	8	23	2104
			- <del>-</del>	-		==	-	•	**

									Min
	Channel		7 ENTERING	77 EXITING	International ENTERING	al Way Access EXITING	Haynes A	ve Access EXITING	292 Max
Date	Direction		Westbound	Eastbound	Westbound	Eastbound	Westbound	Eastbound	3786
3/17/20	19 7:45 PM	3/17/19 7:45 PM	43	37	31	27	12	10	2116
	19 8:00 PM	3/17/19 8:00 PM	43	39	27	21	16	18	2124
	19 8:15 PM 19 8:30 PM	3/17/19 8:15 PM 3/17/19 8:30 PM	69 53	49 58	46 29	28 35	23 24	21 23	2164 2154
	19 8:45 PM	3/17/19 8:45 PM	40	68	26	33	14	35	2098
	19 9:00 PM	3/17/19 9:00 PM	42	44	27	24	15	20	2094
3/17/20	19 9:15 PM	3/17/19 9:15 PM	24	65	13	30	11	35	2012
	19 9:30 PM	3/17/19 9:30 PM	33	44	23	26	10	18	1990
	19 9:45 PM 19 10:00 PM	3/17/19 9:45 PM	28	83 133	18	51 74	10	32 59	1880 1670
	19 10:00 PM	3/17/19 10:00 PM 3/17/19 10:15 PM	28 18	82	19 9	46	9 9	36	1542
	19 10:30 PM	3/17/19 10:30 PM	21	68	15	34	6	34	1448
3/17/20	19 10:45 PM	3/17/19 10:45 PM	24	95	16	61	8	34	1306
	19 11:00 PM	3/17/19 11:00 PM	19	78	13	37	6	41	1188
	19 11:15 PM	3/17/19 11:15 PM	15	64	8	40	7	24	1090
	19 11:30 PM 19 11:45 PM	3/17/19 11:30 PM 3/17/19 11:45 PM	11 13	66 106	8 7	37 64	3 6	29 42	980 794
	19 12:00 AM	3/18/19 12:00 AM	14	44	8	28	6	16	734
	19 12:15 AM	3/18/19 12:15 AM	12	41	8	32	4	9	676
3/18/20	19 12:30 AM	3/18/19 12:30 AM	9	26	6	14	3	12	642
	19 12:45 AM	3/18/19 12:45 AM	9	69	3	41	6	28	522
	19 1:00 AM	3/18/19 1:00 AM	9	22	4	18	5	4	496
	19 1:15 AM 19 1:30 AM	3/18/19 1:15 AM 3/18/19 1:30 AM	5 8	31 10	4 4	15 8	1 4	16 2	444 440
	19 1:45 AM	3/18/19 1:45 AM	6	28	2	17	4	11	396
3/18/20	19 2:00 AM	3/18/19 2:00 AM	11	15	2	6	9	9	388
3/18/20	19 2:15 AM	3/18/19 2:15 AM	18	12	9	8	9	4	400
	19 2:30 AM	3/18/19 2:30 AM	20	18	9	7	11	11	404
	19 2:45 AM	3/18/19 2:45 AM	32 35	10 7	12 15	8 4	20 20	2 3	448 504
	19 3:00 AM 19 3:15 AM	3/18/19 3:00 AM 3/18/19 3:15 AM	56	11	27	9	29	2	594
	19 3:30 AM	3/18/19 3:30 AM	40	8	21	4	19	4	658
3/18/20	19 3:45 AM	3/18/19 3:45 AM	69	13	40	8	29	5	770
	19 4:00 AM	3/18/19 4:00 AM	104	11	53	8	51	3	956
	19 4:15 AM	3/18/19 4:15 AM	164	11	90	8	74	3	1262
	19 4:30 AM 19 4:45 AM	3/18/19 4:30 AM 3/18/19 4:45 AM	120 118	10 12	60 73	7 8	60 45	3 4	1482 1694
	19 5:00 AM	3/18/19 5:00 AM	118	26	64	14	54	12	1878
	19 5:15 AM	3/18/19 5:15 AM	131	28	80	20	51	8	2084
3/18/20	19 5:30 AM	3/18/19 5:30 AM	78	27	44	16	34	11	2186
	19 5:45 AM	3/18/19 5:45 AM	53	23	27	12	26	11	2246
	19 6:00 AM 19 6:15 AM	3/18/19 6:00 AM 3/18/19 6:15 AM	62 84	38 47	39 45	17 28	23 39	21 19	2294 2368
	19 6:30 AM	3/18/19 6:30 AM	61	17	45 28	14	33	3	2456
	19 6:45 AM	3/18/19 6:45 AM	63	27	33	22	30	5	2528
3/18/20	19 7:00 AM	3/18/19 7:00 AM	56	23	32	18	24	5	2594
	19 7:15 AM	3/18/19 7:15 AM	46	19	24	12	22	7	2648
	19 7:30 AM	3/18/19 7:30 AM	46	52	29	32	17	20	2636
	19 7:45 AM 19 8:00 AM	3/18/19 7:45 AM 3/18/19 8:00 AM	49 39	53 38	32 24	35 25	17 15	18 13	2628 2630
	19 8:15 AM	3/18/19 8:15 AM	27	33	13	22	14	11	2618
	19 8:30 AM	3/18/19 8:30 AM	35	26	21	18	14	8	2636
3/18/20	19 8:45 AM	3/18/19 8:45 AM	35	33	23	19	12	14	2640
	19 9:00 AM	3/18/19 9:00 AM	22	25	8	17	14	8	2634
	19 9:15 AM	3/18/19 9:15 AM	36	47	18	21	18	26	2612
	19 9:30 AM 19 9:45 AM	3/18/19 9:30 AM 3/18/19 9:45 AM	26 41	30 25	16 20	17 14	10 21	13 11	2604 2636
	19 10:00 AM	3/18/19 10:00 AM	41	25	21	20	20	5	2668
	19 10:15 AM	3/18/19 10:15 AM	44	25	25	17	19	8	2706
	19 10:30 AM	3/18/19 10:30 AM	40	28	19	20	21	8	2730
	19 10:45 AM	3/18/19 10:45 AM	44	23	26	18	18	5	2772
	19 11:00 AM	3/18/19 11:00 AM	47	26 33	29 39	17 22	18	9 11	2814 2864
	19 11:15 AM 19 11:30 AM	3/18/19 11:15 AM 3/18/19 11:30 AM	58 51	32	31	17	19 20	15	2902
	19 11:45 AM	3/18/19 11:45 AM	45	39	27	29	18	10	2914
3/18/20	19 12:00 PM	3/18/19 12:00 PM	62	35	34	21	28	14	2968
	19 12:15 PM	3/18/19 12:15 PM	94	35	61	25	33	10	3086
	19 12:30 PM	3/18/19 12:30 PM	103	55	61	27	42	28	3182
	19 12:45 PM 19 1:00 PM	3/18/19 12:45 PM 3/18/19 1:00 PM	103 81	61 42	59 53	34 25	44 28	27 17	3266 3344
	19 1:00 PM 19 1:15 PM	3/18/19 1:15 PM	86	42 65	55 55	30	28 31	35	3344
	19 1:30 PM	3/18/19 1:30 PM	83	73	52	37	31	36	3406
	19 1:45 PM	3/18/19 1:45 PM	64	110	39	61	25	49	3314
	19 2:00 PM	3/18/19 2:00 PM	49	107	31	58	18	49	3198
	19 2:15 PM	3/18/19 2:15 PM	42	100	25	66	17	34	3082
	19 2:30 PM	3/18/19 2:30 PM	51	109	28	54	23	55	2966
	19 2:45 PM 19 3:00 PM	3/18/19 2:45 PM 3/18/19 3:00 PM	51 36	105 69	33 19	63 53	18 17	42 16	2858 2792
	19 3:15 PM	3/18/19 3:15 PM	59	48	32	24	27	24	2814
	19 3:30 PM	3/18/19 3:30 PM	52	84	32	46	20	38	2750

									Min
			77			Way Access	Haynes A	ve Access	292
	Channel		ENTERING	EXITING	ENTERING	EXITING	ENTERING	EXITING	Max
Date	Direction		Westbound	Eastbound	Westbound	Eastbound	Westbound	Eastbound	3786
3/18/2	2019 3:45 PM	3/18/19 3:45 PM	39	74	23	56	16	18	2680
3/18/2	2019 4:00 PM	3/18/19 4:00 PM	38	53	22	28	16	25	2650
3/18/2	2019 4:15 PM	3/18/19 4:15 PM	34	60	22	30	12	30	2598
3/18/2	2019 4:30 PM	3/18/19 4:30 PM	44	46	27	32	17	14	2594
3/18/2	2019 4:45 PM	3/18/19 4:45 PM	54	71	36	50	18	21	2560
3/18/2	2019 5:00 PM	3/18/19 5:00 PM	30	45	17	27	13	18	2530
3/18/2	2019 5:15 PM	3/18/19 5:15 PM	42	51	20	32	22	19	2512
3/18/2	2019 5:30 PM	3/18/19 5:30 PM	33	38	19	27	14	11	2502
3/18/2	2019 5:45 PM	3/18/19 5:45 PM	28	55	11	31	17	24	2448
3/18/2	2019 6:00 PM	3/18/19 6:00 PM	34	40	20	23	14	17	2436
3/18/2	2019 6:15 PM	3/18/19 6:15 PM	37	45	23	24	14	21	2420
3/18/2	2019 6:30 PM	3/18/19 6:30 PM	33	38	19	25	14	13	2410
3/18/2	2019 6:45 PM	3/18/19 6:45 PM	37	37	23	27	14	10	2410
3/18/2	2019 7:00 PM	3/18/19 7:00 PM	26	35	16	21	10	14	2392
3/18/2	2019 7:15 PM	3/18/19 7:15 PM	27	52	18	24	9	28	2342
3/18/2	2019 7:30 PM	3/18/19 7:30 PM	32	44	18	22	14	22	2318
3/18/2	2019 7:45 PM	3/18/19 7:45 PM	32	46	23	31	9	15	2290
3/18/2	2019 8:00 PM	3/18/19 8:00 PM	53	38	37	24	16	14	2320
3/18/2	2019 8:15 PM	3/18/19 8:15 PM	60	35	43	27	17	8	2370
3/18/2	2019 8:30 PM	3/18/19 8:30 PM	78	75	55	42	23	33	2376
3/18/2	2019 8:45 PM	3/18/19 8:45 PM	35	75	26	43	9	32	2296
3/18/2	2019 9:00 PM	3/18/19 9:00 PM	35	68	16	33	19	35	2230
3/18/2	2019 9:15 PM	3/18/19 9:15 PM	33	44	19	31	14	13	2208
3/18/2	2019 9:30 PM	3/18/19 9:30 PM	24	77	18	32	6	45	2102
3/18/2	2019 9:45 PM	3/18/19 9:45 PM	29	80	21	48	8	32	2000
3/18/2	2019 10:00 PM	3/18/19 10:00 PM	22	116	12	65	10	51	1812
3/18/2	2019 10:15 PM	3/18/19 10:15 PM	13	112	9	77	4	35	1614
3/18/2	2019 10:30 PM	3/18/19 10:30 PM	14	65	9	33	5	32	1512
3/18/2	2019 10:45 PM	3/18/19 10:45 PM	25	116	18	75	7	41	1330
3/18/2	2019 11:00 PM	3/18/19 11:00 PM	15	82	8	49	7	33	1196
3/18/2	2019 11:15 PM	3/18/19 11:15 PM	16	68	10	34	6	34	1092
3/18/2	2019 11:30 PM	3/18/19 11:30 PM	15	48	10	29	5	19	1026
3/18/2	2019 11:45 PM	3/18/19 11:45 PM	9	117	3	58	6	59	810

# Appendix I

Appendix I: EWR AirTrain Preferred Alignment – Draft Conceptual Schedule, August 2020, PANYNJ

#### PORT AUTHORITY NY NJ EWR AIRTRAIN PREFERRED ALIGNMENT - DRAFT CONCEPTUAL SCHEDULE EXECUTIVE SUMMARY BY WBS # Activity ID Activity Name Original Finish 2026 2027 2028 Duration 15-Mar-27 EWR AirTrain Preferred Alignment Schedule (EA Backup Current) 1352 1-Jun-21 EWR AirTrain Preferred Alignment Schedule (EA Backup Cu **Executive Summary** 1475 1-Jun-21 15-Mar-27 **Executive Summary** A1000 NTP (01-Jun-2021) 0 1-Jun-21 NTP (01-Jun-2021) A1040 G/W, Station Foundations & Structure Design 50% Complete 197 1-Jun-21 2-Mar-22 G/W, Station Foundations & Structure Design 50% Complete A1120 Site Survey 44 1-Sep-21 1-Nov-21 Site Survey 2-Mar-22 Mobilization A1020 Mobilization 66 1-Dec-21 A1500 **Guideway Construction Start** 0 3-Mar-22 ◆ Guideway Construction Start A1589 Integration Testing Summary 248 14-Jul-25 2-Jul-26 Integration Testing Summary A1590 2-Jul-26 Substantial Completion Substantial Completion A1610 Start Service for New AirTrain 2-Jul-26 ◆ Start Service for New AirTrain 44 3-Jul-26 As-Builts, Close out & Punchlist A1600 As-Builts, Close out & Punchlist 3-Sep-26 A1620 Demo Existing AirTrain Guideway & Stations 176 3-Jul-26 15-Mar-27 Demo Existing AirTrain Guideway & Stations A1630 Project Finish 0 15-Mar-27 Project Finish 861 18-Feb-22 9-Jul-25 **Detailed Summary Detailed Summary** 390 1-Jun-21 15-Feb-23 Design Design 515 1-Jun-21 1-Jun-23 Utility Relocations, Permits & Property **Utility Relocations, Permits & Property** 120 1-Oct-21 17-Mar-22 Submittals / Shopdrawings Submittals / Shopdrawings 235 24-Dec-21 22-Nov-22 Major Procurement **Major Procurement** 1006 18-Feb-22 2-Jul-26 Construction 720 3-Mar-22 2-Jan-25 **Stations** Stations 20-Nov-24 Station 1 693 3-Mar-22 Station 1 22 Station 2 148 3-Jan-24 30-Jul-24 23 Station 3 597 25-Aug-22 2-Jan-25 Station 3 24 Rail Link Station 395 17-Nov-22 10-Jun-24 Rail Link Station Maintenance & Control Facility (MCF) 696 3-Mar-22 25-Nov-24 Maintenance & Control Facility (MCF) 679 3-Mar-22 31-Oct-24 Pedestrian Bridges **Pedestrian Bridges** 468 27-<u>Jul-22</u> Ped. Bridge to Term B @ Station 3 29-May-24 Ped. Bridge to Term B @ Station 3 28 Ped. Bridge to Term C @ Station 3 307 18-Aug-23 31-Oct-24 Ped, Bridge to Term C @ Station 3 29 **B-C Connector Bridge** 366 3-Mar-22 9-Aug-23 B-C Connector Bridge 30 98 17-May-24 4-Oct-24 Station 3 - Ped. Bridge to P4 Station 3 - Ped. Bridge to P4 31 Misc. Construction 378 3-Mar-22 25-Aug-23 Misc. Construction 32 476 18-Feb-22 19-Mar-24 Guideway Construction **Guideway Construction** 33 398 19-Feb-22 13-Nov-23 Area A Area A 34 Area B 306 23-Apr-22 23-Aug-23 35 Area C 410 3-Mar-22 17-Dec-23 Area C 36 Area E Area E 288 17-Dec-22 19-Mar-24 37 38 385 18-Feb-22 24-Oct-23 Area F Area F **System Schedule** 848 28-Oct-22 2-Jul-26 System Schedule 39 10-Nov-22 ■ General General 10 28-Oct-22 40 419 11-Nov-22 8-Jul-24 Area A Wayside Systems Area A Wayside Systems 534 29-Nov-22 6-Jan-25 Area B Wayside Systems Area B Wayside Systems 42 442 27-Feb-23 19-Nov-24 Area C Wayside Systems Area C Wayside Systems 43 Area E Wayside Systems 424 30-Aug-23 1-May-25 Area E Wayside Systems 44 Area F Wayside Systems 534 1-Mar-23 7-Apr-25 **Area F Wayside Systems** 45 MCF Building Wayside Systems MCF Building Wayside Systems 258 7-Jun-24 12-Jun-25 46 Communication Rooms Systems 234 7-Jun-24 8-May-25 **Communication Rooms Systems** 47 360 12-Feb-24 10-Jul-25 APM Vehicles APM Vehicles 461 5-Jul-24 2-Jul-26 Low Level & Integration Testing Low Level & Integration Testing Remaining Level of Effort Remaining Work Milestone TASK filter: Text. Page 1 of 1 Print Date - 3-Aug-20 Actual Work Critical Remaining Work Summary

# Appendix J

Appendix J: Agency Consultation

### Appendix J

### Table J-1: AirTrain Replacement Program - Agency Coordination Summary

Agency	PANYNJ Correspondence Date	Agency Response/ Information Provided	Agency Response Date	Reply to Agency Response
The United States Fish and Wildlife Service (USFWS)	1/31/2020	No federally listed species within or in vicinity of the proposed project site; no further consultation required	2/6/2020	No reply required. Information was used in assessing impacts of the Proposed Action on biological resources in <b>Section 4.3</b> .
National Marine Fisheries Service (NOAA Fisheries)	1/23/2020	Magnuson-Stevens Fishery Conservation and Management Act - Essential Fish Habitat (EFH): Tidal, estuarine waterways and wetlands in the vicinity of the project may have EFH. Information on EFH and the consultation process available at: <a href="https://www.fisheries.noaa.gov/new-england-mid-atlantic/habitat-conservation/conserving-habitat-greater-atlantic-region">https://www.fisheries.noaa.gov/new-england-mid-atlantic/habitat-conservation/conserving-habitat-greater-atlantic-region</a> Endangered Species Act (ESA): No federally listed or proposed threatened or endangered species are known to exist in the proposed project's location; therefore, no consultation under Section 7 of the ESA is necessary.	3/12/2020	No tidal, estuarine waterways or wetlands are located within the Project Area; wetlands in the Project Area are freshwater wetlands. No discharges to tidal, estuarine waterways or wetlands are part of the Proposed Action.  No reply required. Information was used in assessing impacts of the Proposed Action on biological resources in <b>Section 4.3</b> .
New Jersey Department of Environmental Protection (NJDEP) Office of Permit Coordination and Environmental Review	1/23/2020	Projects that disturb more than one acre require a general permit for construction activities.  Construction related dewatering of over 100,000 gallons/day would be regulated under a short-term water use permit by rule (less than 31 days) or under a dewatering permit (greater than 31 days).  Any well drilling activities are required to be performed by a New Jersey licensed well driller.  A dewatering permit by rule may be applicable if the dewatering occurs from within a coffer dam, or similar confined space.  Discharge of uncontaminated construction dewatering water to surface water, including wetlands, would require a Construction Dewatering general permit. Information regarding this permit is available at: <a href="https://www.nj.gov/dep/dwq/gp_dewater.htm">https://www.nj.gov/dep/dwq/gp_dewater.htm</a> Discharge of contaminated construction dewatering water must be treated and could then potentially be discharged to surface water through the Groundwater Remediation Cleanup (BGR) general permit. Information regarding this permit is available at: <a href="https://www.nj.gov/dep/dwq/gp_bgr.htm">https://www.nj.gov/dep/dwq/gp_bgr.htm</a>	2/24/2020	The Proposed Action will disturb more than one acre. Permits will be acquired by the contractor as discussed in Section 4.1.  Construction related dewatering is not expected to exceed 100,000 gallons of water per day. Specific permitting needs for dewatering will be defined during the design phase of the project.  Although well drilling activities are not anticipated as part of the Proposed Action; if required, well drilling activities will be performed by a NJ licensed well driller.  The specific need for a construction general dewatering permit and/or a BGR general permit will be evaluated by the contractor during the design phase of the project. As discussed in Section 4.6, if installation of the pile caps and foundations require excavation below the seasonal groundwater table elevation, dewatering using a sediment filter bag may be required. During any dewatering operations, contaminated groundwater would be collected and treated to levels required by the PANYNJ NJPDES Permit prior to discharge.  As discussed in Section 4.6, the fill and groundwater beneath the project area are known to contain various levels of contaminated soil and groundwater are encountered they will be removed and disposed of in accordance with applicable regulations.

Agency	PANYNJ Correspondence Date	Agency Response/ Information Provided	Agency Response Date	Reply to Agency Response
NJDEP Bureau of Air Planning*	1/23/2020	The Air Quality Bureau of Evaluation and Planning (BEP) has the following comments:  - Essex County and Union County are part of the New York-Northern New Jersey-Long Island (NY-NJ-CT) nonattainment area; this area has been reclassified to serious nonattainment for the 2008 ozone NAAQS.  - Project will require a General Conformity Applicability Analysis and possibly a Conformity Determination.  Air Preconstruction Permits:  - Stationary permitting requirements would apply if stationary construction equipment or emergency generators are on site for longer than one year (NJAC 7:27-8.2 (c) 1-21)  - Any vehicles involved on the project must adhere to idling standards of less than 3 minutes (NJAC 7:27-8.4 and 15)  - Air pollution including odors that are detectable offsite that are injurious to human health or would result in citizen complaints are prohibited (NJAC 7:27-5.2)  - Dust emissions either windblown or generated from construction activities should be controlled to prevent offsite impacts or material tracked onto the roadways (NJAC 7:27-5.2)  The Bureau of Mobile Sources has the following comments:  1. Heavy duty equipment used for construction on airport-owned employee parking lots must adhere to the No Idling regulations, including not idling for more than 15 minutes above 25 deg. F.  2. Any and all light duty vehicles on the premises during construction cannot idle for more than 3 minutes.  3. Heavy duty equipment used for construction of employee parking deck must adhere to the No Idling regulations as identified in number 1  4. Heavy duty equipment used for construction should met the USEPA Tier 4 non-road emission standards and should use Ultra Low Sulfur Diesel (ULSD) fluid when applicable.  No Idling Regulations:  - All on-road vehicles and non-road construction equipment operating at, or visiting, the construction site shall comply with the three-minute idling limit (NJAC 7:27-14 and 15). Consider purchasing "no idling" signs to post at the site to remind contractors to comply with the idling limit	02/24/2020	A General Conformity Applicability Analysis was completed using the <i>de minimis</i> thresholds associated with a serious nonattainment area for ozone. As detailed in <b>Section 4.2</b> , construction and operational emissions for all years of the Proposed Action are below the <i>de minimis</i> thresholds for all nonattainment and maintenance parameters.  Stationary permitting requirements for emergency generators are listed in <b>Section 4.15</b> (List of Anticipated Permits, Approvals, or Reviews).  All comments within the Air Preconstruction Permits, Bureau of Mobile Sources comments, and No Idling Regulations sections of this comment letter are provided in <b>Table 4-6</b> (Avoidance and Minimization Measures and Best Management Practices) of the E.A.
NJDEP Division of Fish & Wildlife*	1/23/2020	Potential adverse impacts to fish and wildlife should be identified; timing restrictions for construction should be utilized to avoid adverse impacts to migratory birds.  County Soil Conservation District best management practices (BMPs) for prevention of sediment movement should be utilized.	2/24/2020	Sensitive species that may occur within the Project Area have been identified ( <b>Table 3-2</b> ). Potential impacts to those species are discussed in <b>Section 4.3</b> (biological resources). The need for BMPs for soil erosion and sediment control are discussed in <b>Section 4.1</b> (construction overview) and <b>Section 4.12</b> (water resources).

Agency	PANYNJ Correspondence Date	Agency Response/ Information Provided	Agency Response Date	Reply to Agency Response
NJDEP NJ State Historic Preservation Office (HPO)*	1/23/2020	The HPO reviewed submitted cultural resource survey reports that were prepared for the project (Phase IA Archaeological Survey, Historic Architectural Sites Survey).  Information provided by HPO is considered as informal notes and does not constitute identification level cultural resources survey under Section 106 of the National Historic Preservation Act or other law or regulation. These notes do not constitute project review under any state or federal law.  Projects that involve federal funding, licensing, or permitting or projects requiring various permits issued by DLUR (including Freshwater Wetlands, Waterfront Development, Upland Development, CAFRA, and Highland Preservation Area Approval) require HPO review. Consequently, if this project requires HPO review, an initial Phase IB archaeological survey would be requested in the area between Bessemer Street and Haynes Avenue. The HPO would not request additional information regarding architectural resources.	2/24/2020	Section 106 review was initiated with HPO on March 25, 2020. As discussed in <b>Section 3.5.6</b> and <b>Section 4.7</b> , consultation with the HPO is ongoing.
NJDEP Bureau of Tidelands Management*	1/23/2020 3/2/2020 (initial email correspondence)	Letter response from Office of Permit Coordination and Environmental Review indicated "For questions, please contact Randy Bearce".  Initial email from Patrick McHugh of NV5 was sent to Randy Bearce to verify that there are no tideland conveyance issues with the Proposed Action. Randy Bearce provided conveyance maps and indicated that he would follow up to see if the Project Area is covered by any grants that have been issued.	2/24/2020 3/11/2020 (reply to email correspondence)	As discussed in <b>Section 3.4.1</b> , based upon conveyance mapping supplied by NJDEP's Bureau of Tidelands, it appears that the majority, if not all, of the lands formerly flowed by the tide that are located within the project limits are covered by existing conveyances, primarily grants. The NJDEP Bureau of Tidelands has indicated that the need for tidelands conveyance will be evaluated during the regulatory permitting phase of the project. If determined to be necessary, the PANYNJ will obtain any required tideland conveyances prior to the start of construction.
NJDEP Division of Land Use Regulation (DLUR)*	1/23/2020	Project may require permits to address freshwater wetlands and flood hazard area impacts.  Recommend requesting a pre-application meeting with the DLUR.  For any activity under the jurisdiction of the Waterfront Development Law and within New Jersey's coastal zone, a consistency certification is required.  Consider climate resiliency; evaluate impacts on the project in the event of potential storm surge or sea level rise	2/24/2020	A pre-application meeting between NJDEP, DLUR, and PANYNJ will be conducted to clarify permitting needs for the project.  As discussed in Section 3.4.1 (coastal resources), the mean high water line (MHW) terminates at the tide gate located near the far eastern boundary of the Airport. This tide gate controls the Peripheral Ditch drainage to the Elizabeth Channel. Because the Proposed Action is located more than 500 feet from the MHW and is located outside of the Coastal Area Facility Review Act (CAFRA) Zone, no impacts to the coastal zone would occur, and no Coastal Zone Management Consistency Certification is anticipated to be required.  As discussed in Section 4.12 (water resources), the proposed AirTrain system will be elevated on its guideway and would be designed to ride above the 100-year flood elevation. The support infrastructure would be designed according to standards to withstand flood waters.
NJDEP, Site Remediation office of Brownfield Redevelopment*	1/23/2020	The project will not have any site remediation issues as proposed.	2/24/2020	No reply required. Information has been included in <b>Section 4.6.</b>
NJDEP Green Acres Program*	1/23/2020	Project will not occur on or near Green Acres encumbered parkland; project is not contrary to Green Acres rules.	2/24/2020	No reply required. Information has been included in <b>Section 3.4.5</b> (Land Use)

Agency	PANYNJ Correspondence Date	Agency Response/ Information Provided	Agency Response Date	Reply to Agency Response
NJDEP Natural Heritage Program (NHP)	2/27/20	There are no records of the following on or within ½ mile of the project site: rare plant species and ecological communities currently recorded in the NHP database; natural heritage priority sites; vernal pool habitat; rare wildlife species or wildlife habitat (Landscape Project 3.3: Stream Habitat File), or additional animal species tracked by Endangered and Nongame Species Program.	3/6/2020	Information resulting from the NHP database search was used in assessing impacts of the Proposed Action on biological resources in <b>Section 4.3</b> .
		The NHP reported the presence of several State threatened, endangered, or special concern bird species (black-crowned Night-heron, cattle egret, glossy ibis, least tern, little blue heron, savannah sparrow, snowy egret, upland sandpiper) and one State-threatened butterfly species on the project site (checkered white)		
NJDEP NJ State Historic Preservation Office (HPO) (Section 106 Consultation)	3/25/2020	Based upon HPO's review of the Phase 1A Cultural Resources Survey, HPO indicated that given the high archaeological sensitivity, a Phase 1B archaeological survey, and as necessary Phase 2 archaeological survey with a HPO approved work plan, must be conducted within the APE from Bessemer Street to Haynes Avenue.	5/12/20	As discussed in <b>Section 3.5.6</b> and <b>Section 4.7</b> , consultation with the HPO is ongoing.
		Based upon HPO's review of the Historic Architectural Sites Survey and Effects Assessment, HPO concurs with the findings of the survey and no additional consideration of architectural historic properties is necessary unless project plans substantially change in the future.		
	8/24/2020 (correspondence prepared by FAA; Phase 1B/II Work Plan submittal)	HPO concurred with the FAA's assessment that the program of Phase 1B archaeological survey backhoe trenching and any subsequent Phase II archaeological testing of any identified, potentially significant archaeological resources is appropriate. HPO also concurred that the provisions for treating any inadvertent discovery of human remains or burials is appropriate (see Appendix D).	9/22/20	No reply required.
	11/27/2020 (correspondence prepared by FAA; Phase 1B Report submittal)			
NJ Transit	1/30/2020	No comments received		No reply required
Amtrak	1/31/2020	No comments received		No reply required
Consolidated Rail Corporation (CONRAIL)	2/3/2020	No comments received		No reply required
North Jersey Transportation Planning Authority (NJTPA)	2/4/2020	No comments received		No reply required
Ms. Diane Gutierrez-Scaccetti, Commissioner NJDOT	2/24/2020	No specific comments at this time. Identified Elkins Green, Director of the Division of Environmental Resources at NJDOT, as the primary contact for any future NEPA collaboration.	3/31/20	No reply required
Honorable Ras J. Baraka, Mayor, City of Newark City of Newark	2/24/2020	No comments received		No reply required
Mr. Eric Pennington, Business Administrator City of Newark	2/24/2020	No comments received		No reply required
Honorable J. Christian Bollwage, Mayor City of Elizabeth	2/24/2020	No comments received		No reply required
Honorable Joseph DiVincenzo Jr., County Executive Essex County	2/24/2020	No comments received		No reply required

	PANYNJ	Agangy Bashansa Data	Dambuta Agamay Dagmana	
Agency	Correspondence Date	Agency Response/ Information Provided Agency Response Date	Reply to Agency Response	
Honorable Edward Oatman, County Manager, Union County	2/24/2020	No comments received	No reply required	
Section 106 Consultation: Ms. Kathy Kakaletris, Administrator, Union County Office of Cultural and Heritage Affairs	3/31/2020	No comments received	No reply required	
Section 106 Consultation: Mr. Gregory Lattanzi, Archaeological Society of New Jersey c/o New Jersey State Museum Bureau of Archaeology & Ethnography	4/1/2020	No comments received	No reply required	
Section 106 Consultation: Honorable J. Christian Bollwage, Mayor City of Elizabeth	5/5/2020	No comments received	No reply required	
Section 106 Consultation: Mr. Eric Pennington, Business Administrator City of Newark	5/5/2020	No comments received	No reply required	
Section 106 Consultation: Honorable Ras J. Baraka, Mayor, City of Newark	5/5/2020	No comments received	No reply required	
Section 106 Consultation: Honorable Joseph DiVincenzo Jr., County Executive Essex County	5/5/2020	No comments received	No reply required	
Section 106 Consultation: Honorable Brendan Gill, Freeholder President-at-Large, Essex County	5/5/2020	No comments received	No reply required	
Section 106 Consultation: Honorable Edward Oatman, County Manager, Union County	5/5/2020	No comments received	No reply required	
Section 106 Consultation: Honorable Alexander Mirabella, Freeholder Chairperson, Union County	5/5/2020	No comments received	No reply required	
Section 106 Consultation: Mr. Richard Partyka, Chairperson, Newark Landmarks and Historic Preservation Commission	4/3/2020	No comments received	No reply required	
Section 106 Consultation: Ms. Elizabeth Del Tufo, Newark Landmarks and Historic Preservation Commission *These offices have been contacted through	4/3/2020	No comments received	No reply required	

<sup>\*</sup>These offices have been contacted through the NJDEP Office of Permit Coordination and Environmental Review. Source: Radin Consulting, Inc.

January 31, 2020

United States Fish and Wildlife Service New Jersey Field Office 4 E. Jimmie Leeds Road, Suite No. 4 Galloway, New Jersey 08205

Re: AirTrain Newark Replacement Project Elizabeth City, Union County and City of Newark, Essex County, New Jersey

Dear Sir or Madam:

The Port Authority of New York and New Jersey (PANYNJ) is in the planning and National Environmental Policy Act (NEPA) documentation stages of AirTrain Newark Replacement Project (Project). The main hub for the airport is located at Block 1, Lot 2104 in Elizabeth City, Union County, New Jersey and Block 5094, Lot 1 in Newark City, Essex County, New Jersey. The existing AirTrain extends off the main hub and crosses Block 5088, Lot 126.03; Block 5090, Lots 1.06, 44.02, 8.02, and 26; and Block and Lots lacking parcel data information in Essex County, New Jersey and Block 1, Lot 2104 in Union County, New Jersey. The project area is shown in the attached figures.

#### **Project Description**

The Project includes replacing the existing AirTrain with a new automated people mover system. The proposed replacement system would enhance capacity, provide service between on-airport facilities, and maintain the connection to the NJ TRANSIT and Amtrak rail lines via an improved and expanded Rail Link Station. The proposed replacement system would serve Terminals B, C, and new Terminal 1, as well as parking areas (with hotel shuttle transportation), the Consolidated Rent-A-Car Facility, and the Rail Link Station.

The proposed replacement system would be a 2.4-mile dual guideway system located primarily on airport property. The distance between the two guideways is expected to be approximately 50 feet at the stations and approximately 16 feet in stretches between stations. As part of the Project, PANYNJ anticipates acquiring land (lease or title) near the Rail Link Station to accommodate permanent structures to support the proposed replacement system (e.g., a Maintenance and Control Facility [MCF]). The general areas considered for acquisition by PANYNJ are either vacant or used for airport employee parking. In addition, PANYNJ would have to obtain temporary easements for construction of the replacement system.

The Project involves the construction of all facilities and infrastructure for the replacement system including elevated guideway infrastructure, rider stations, elevated pedestrian connectors, utilities, substations, MCF, vehicles, train control, and a power distribution system. A parking deck for airport employees is also included.

As part of our NEPA documentation, we respectfully request confirmation that the Project as proposed is not likely to impact federally listed threatened or endangered species or their habitats. Additionally, we are requesting confirmation that the Project as proposed is not likely to impact migratory bird species of concern.

We have attached documentation for your review, including a "not for consultation" IPaC report and associated maps. In order to maintain the schedule for environmental planning for this project, we would appreciate your response to this inquiry by February 28, 2020. If you have any questions or require any additional information, please contact me at 973-565-5529 or by email at wlaventhal@panynj.gov. Thank you for your assistance.

Sincerely,

William Laventhal Program Manager

Newark Redevelopment – AirTrain

**PANYNJ** 

cc: Catherine Cronin, Project Executive, Redevelopment Programs, PANYNJ
Ralph D'Apuzzo, Program Director, Newark Redevelopment – AirTrain, PANYNJ

Edward Knoesel, Environmental Specialist, Eastern Region, FAA

Enclosures:
IPac Report
Existing Conditions Figure
Proposed Action Figure
Regional Location Map

**IPaC** 

**U.S. Fish & Wildlife Service** 

# IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

### Location

Essex and Union counties, New Jersey



### Local office

New Jersey Ecological Services Field Office

**(**609) 646-9310

**(609)** 646-0352

4 E. Jimmie Leeds Road, Suite 4 Galloway, NJ 08205

http://www.fws.gov/northeast/njfieldoffice/Endangered/consultation.html

# Endangered species

# This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population, even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

- 1. Draw the project location and click CONTINUE.
- 2. Click DEFINE PROJECT.
- 3. Log in (if directed to do so).
- 4. Provide a name and description for your project.
- 5. Click REQUEST SPECIES LIST.

Listed species<sup>1</sup> and their critical habitats are managed by the <u>Ecological Services Program</u> of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries<sup>2</sup>).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact <u>NOAA Fisheries</u> for <u>species under their jurisdiction</u>.

- 1. Species listed under the <u>Endangered Species Act</u> are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the <u>listing status page</u> for more information.
- 2. <u>NOAA Fisheries</u>, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

THERE ARE NO ENDANGERED SPECIES EXPECTED TO OCCUR AT THIS LOCATION.

# Migratory birds

Certain birds are protected under the Migratory Bird Treaty  $Act^{1}$  and the Bald and Golden Eagle Protection  $Act^{2}$ .

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described <u>below</u>.

- 1. The Migratory Birds Treaty Act of 1918.
- 2. The Bald and Golden Eagle Protection Act of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern <a href="http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php">http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php</a>
- Measures for avoiding and minimizing impacts to birds
   <a href="http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php">http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php</a>
- Nationwide conservation measures for birds
   <a href="http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf">http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf</a>

The birds listed below are birds of particular concern either because they occur on the <u>USFWS Birds of Conservation Concern</u> (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ <u>below</u>. This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the <u>E-bird data mapping tool</u> (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found <u>below</u>.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME

BREEDING SEASON (IF A
BREEDING SEASON IS INDICATED
FOR A BIRD ON YOUR LIST, THE
BIRD MAY BREED IN YOUR
PROJECT AREA SOMETIME WITHIN
THE TIMEFRAME SPECIFIED,
WHICH IS A VERY LIBERAL
ESTIMATE OF THE DATES INSIDE
WHICH THE BIRD BREEDS
ACROSS ITS ENTIRE RANGE.

"BREEDS ELSEWHERE" INDICATES
THAT THE BIRD DOES NOT LIKELY
BREED IN YOUR PROJECT AREA.)

#### Bald Eagle Haliaeetus leucocephalus

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

https://ecos.fws.gov/ecp/species/1626

Breeds Sep 1 to Jul 31

#### Blue-winged Warbler Vermivora pinus

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Breeds May 1 to Jun 30

#### Eastern Whip-poor-will Antrostomus vociferus

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 1 to Aug 20

#### King Rail Rallus elegans

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

https://ecos.fws.gov/ecp/species/8936

Breeds May 1 to Sep 5

#### Long-eared Owl asio otus

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

https://ecos.fws.gov/ecp/species/3631

Breeds elsewhere

#### Prairie Warbler Dendroica discolor

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 1 to Jul 31

#### Red-headed Woodpecker Melanerpes erythrocephalus

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 10 to Sep 10

#### Rusty Blackbird Euphagus carolinus

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds elsewhere

#### Wood Thrush Hylocichla mustelina

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 10 to Aug 31

## **Probability of Presence Summary**

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

#### Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

- 1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
- 2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.
- 3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

#### Breeding Season (=)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

#### Survey Effort (I)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

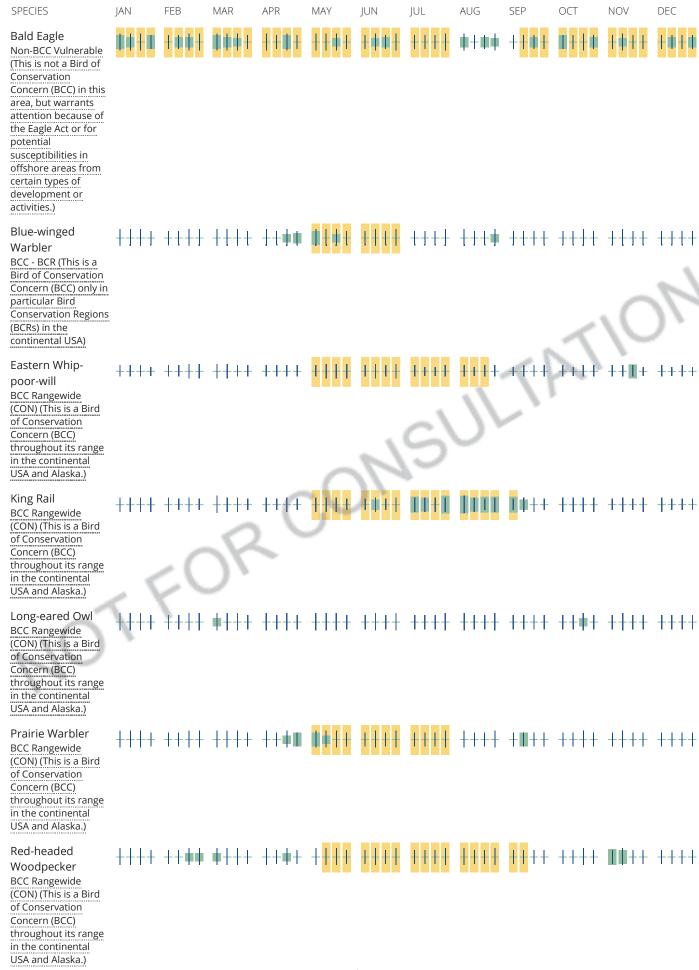
To see a bar's survey effort range, simply hover your mouse cursor over the bar.

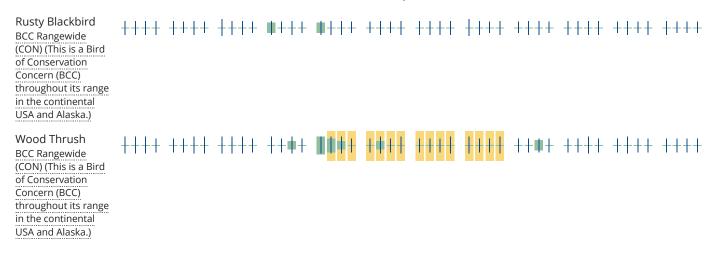
#### No Data (-)

A week is marked as having no data if there were no survey events for that week.

#### **Survey Timeframe**

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.





#### Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

<u>Nationwide Conservation Measures</u> describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. <u>Additional measures</u> and/or <u>permits</u> may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

#### What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS <u>Birds of Conservation Concern (BCC)</u> and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the <u>Avian Knowledge Network</u> (<u>AKN</u>). The AKN data is based on a growing collection of <u>survey</u>, <u>banding</u>, <u>and citizen science datasets</u> and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle (<u>Eagle Act</u> requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the <u>AKN Phenology Tool</u>.

# What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the <u>Avian Knowledge Network (AKN)</u>. This data is derived from a growing collection of <u>survey</u>, <u>banding</u>, <u>and citizen</u> science datasets .

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

#### How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: The Cornell Lab of Ornithology All About Birds Bird Guide, or (if you are unsuccessful in locating the bird of interest there), the Cornell Lab of Ornithology Neotropical Birds

guide. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

#### What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

- 1. "BCC Rangewide" birds are <u>Birds of Conservation Concern</u> (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
- 2. "BCC BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
- 3. "Non-BCC Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the <u>Eagle Act</u> requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

#### Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the Northeast Ocean Data Portal. The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the <u>Diving Bird Study</u> and the <u>nanotag studies</u> or contact <u>Caleb Spiegel</u> or <u>Pam Loring</u>.

#### What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to <u>obtain a permit</u> to avoid violating the Eagle Act should such impacts occur.

#### Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or

minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

## **Facilities**

## National Wildlife Refuge lands

Any activity proposed on lands managed by the <u>National Wildlife Refuge</u> system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS AT THIS LOCATION.

### Fish hatcheries

THERE ARE NO FISH HATCHERIES AT THIS LOCATION.

# Wetlands in the National Wetlands Inventory

Impacts to <u>NWI wetlands</u> and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local <u>U.S. Army Corps of Engineers District</u>.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

This location overlaps the following wetlands:

ESTUARINE AND MARINE DEEPWATER

E1UBLx

E1UBL

E1UBLx6

**ESTUARINE AND MARINE WETLAND** 

E2EM5P6

E2EM5P

E2EM1Nx

E2EM1P

SULTATIO

E2EM1N E2USNx E2USN

FRESHWATER EMERGENT WETLAND

PEM5R

PEM1E

PEM1R

PEM1Fx

PEM1A

PEM1C

FRESHWATER FORESTED/SHRUB WETLAND

PSS1E

FRESHWATER POND

**PUBVx** 

**PUBHx** 

**PUSC** 

**RIVERINE** 

R1UBVx

R3UBH

R2UBHx

R5UBH

A full description for each wetland code can be found at the National Wetlands Inventory website

### **Data limitations**

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

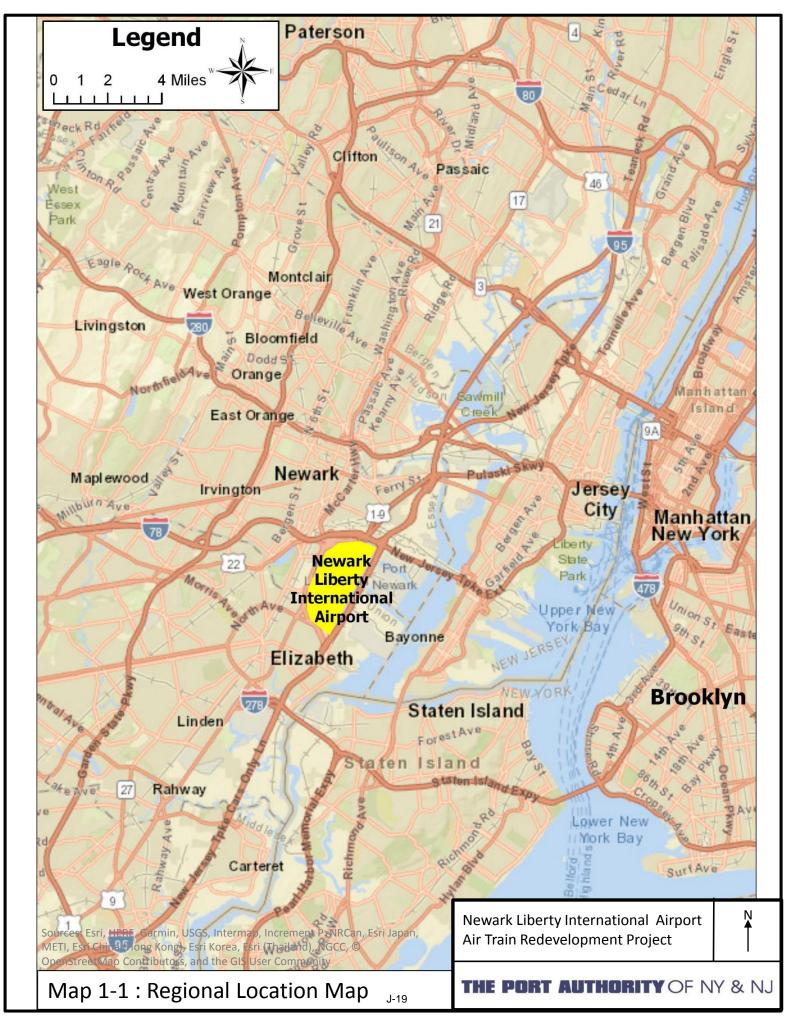
### Data exclusions

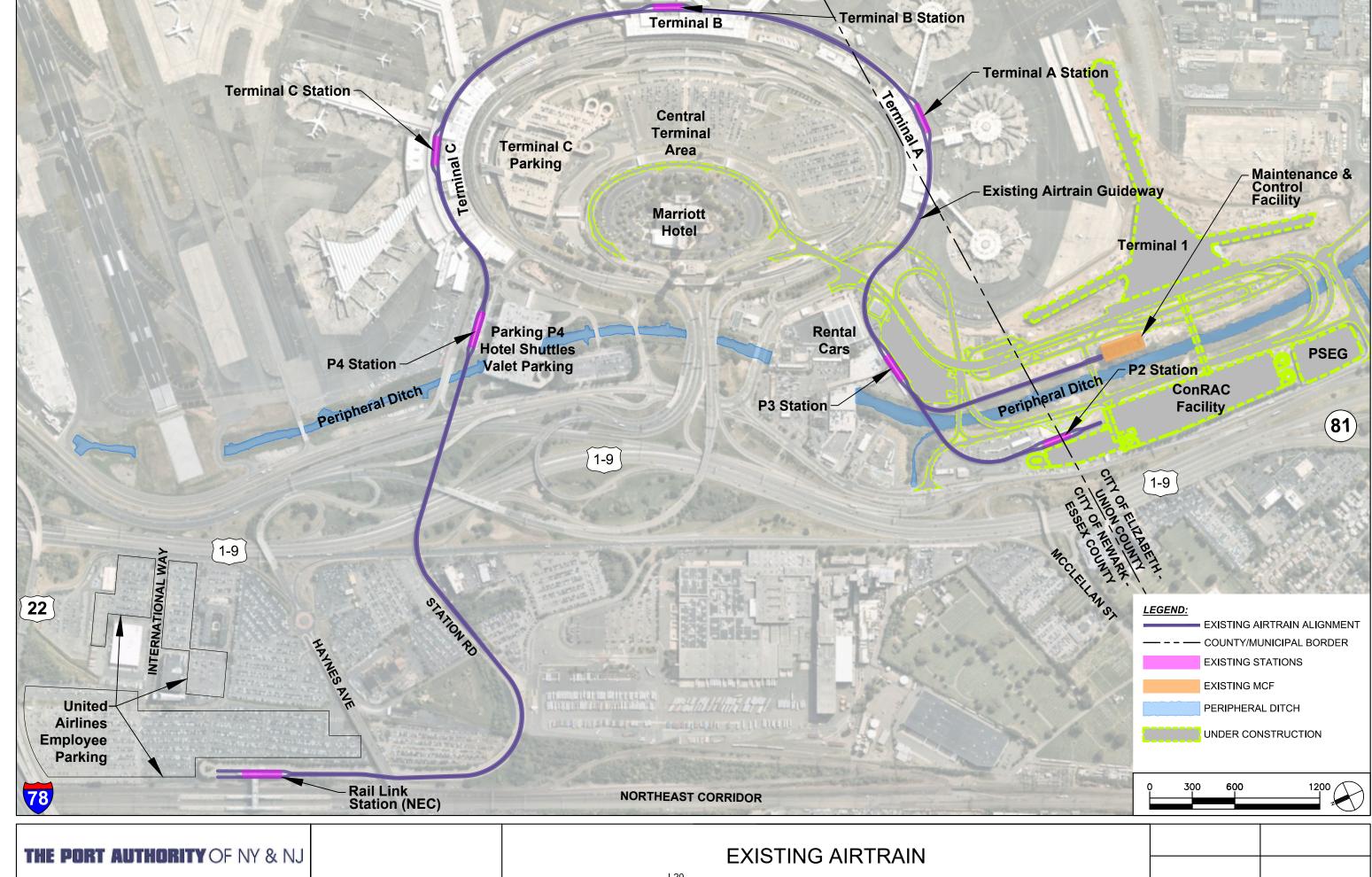
Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tuberficid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

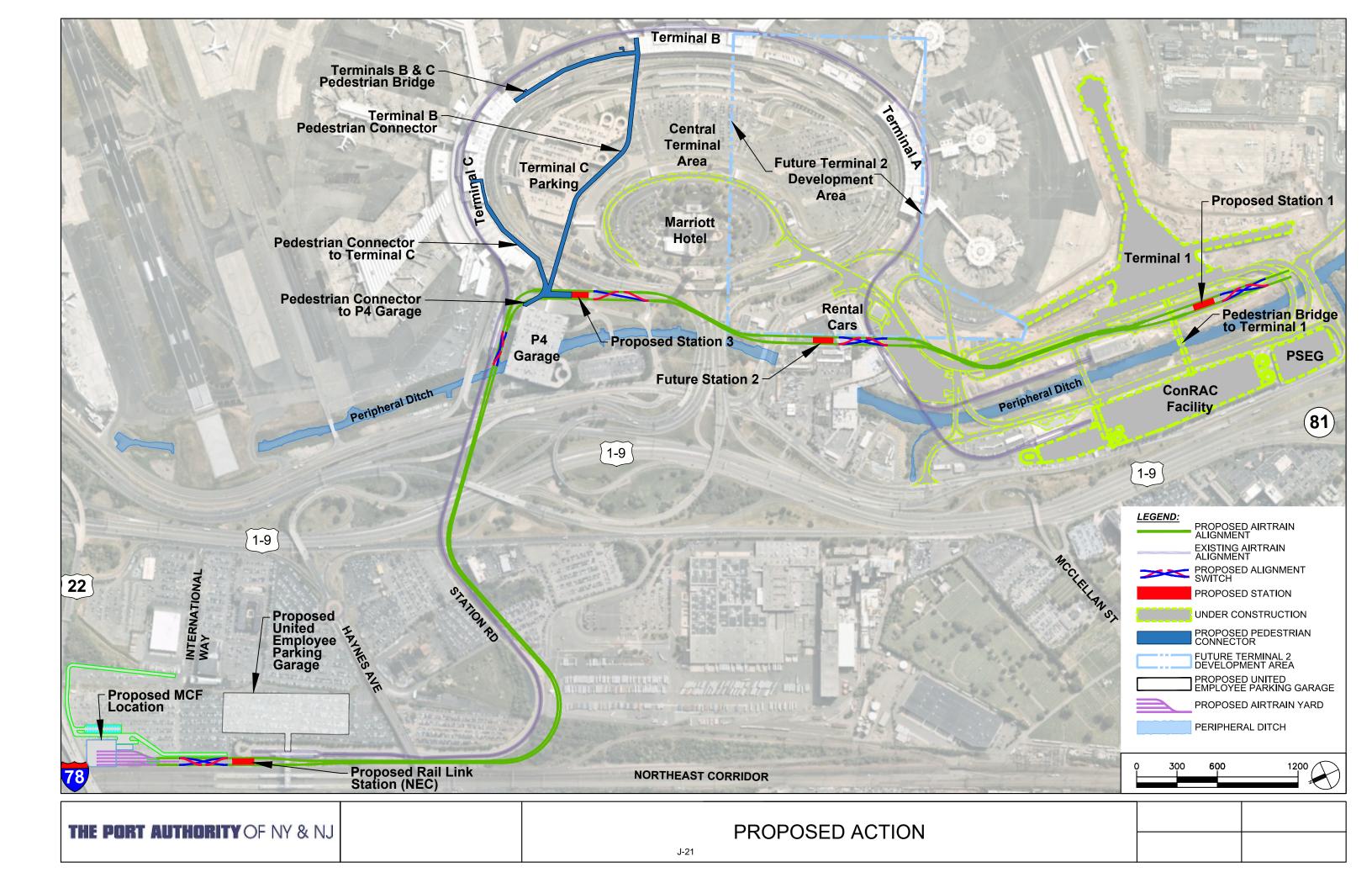
### **Data precautions**

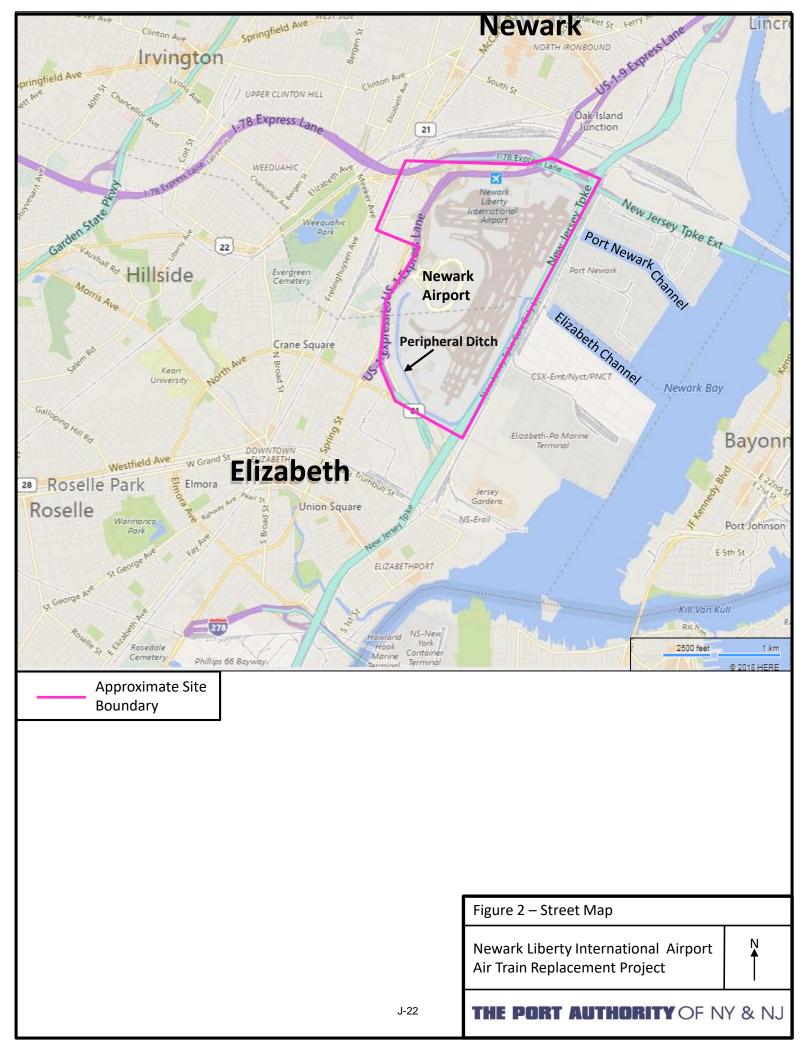
Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

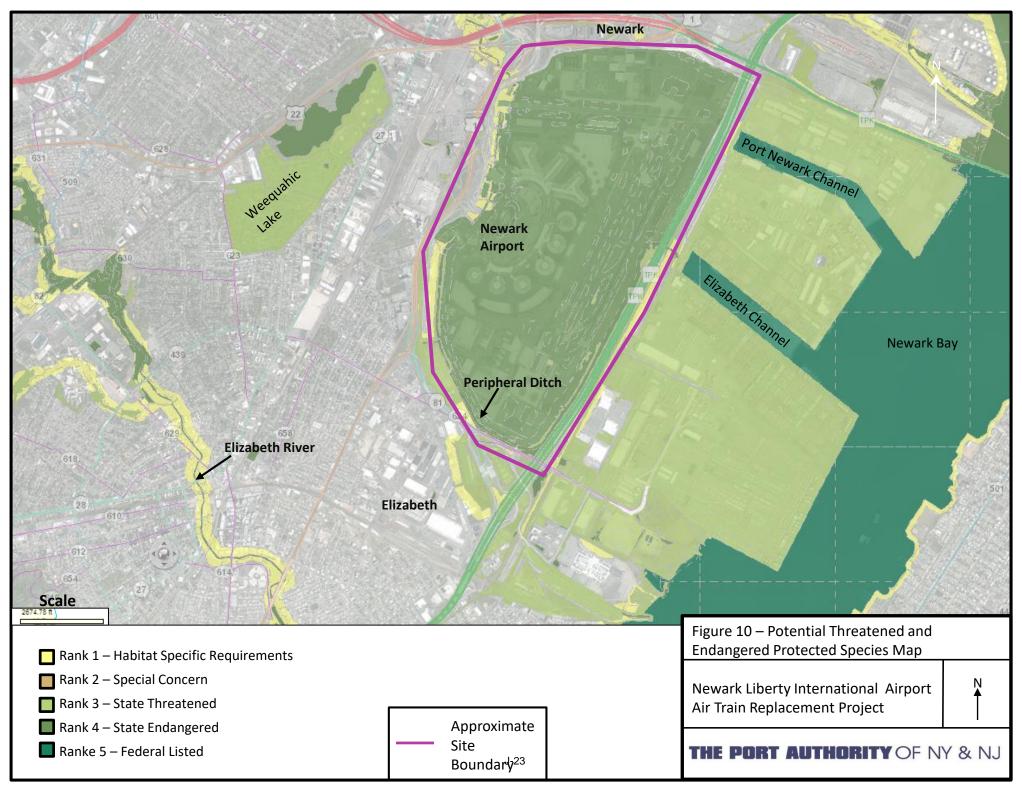
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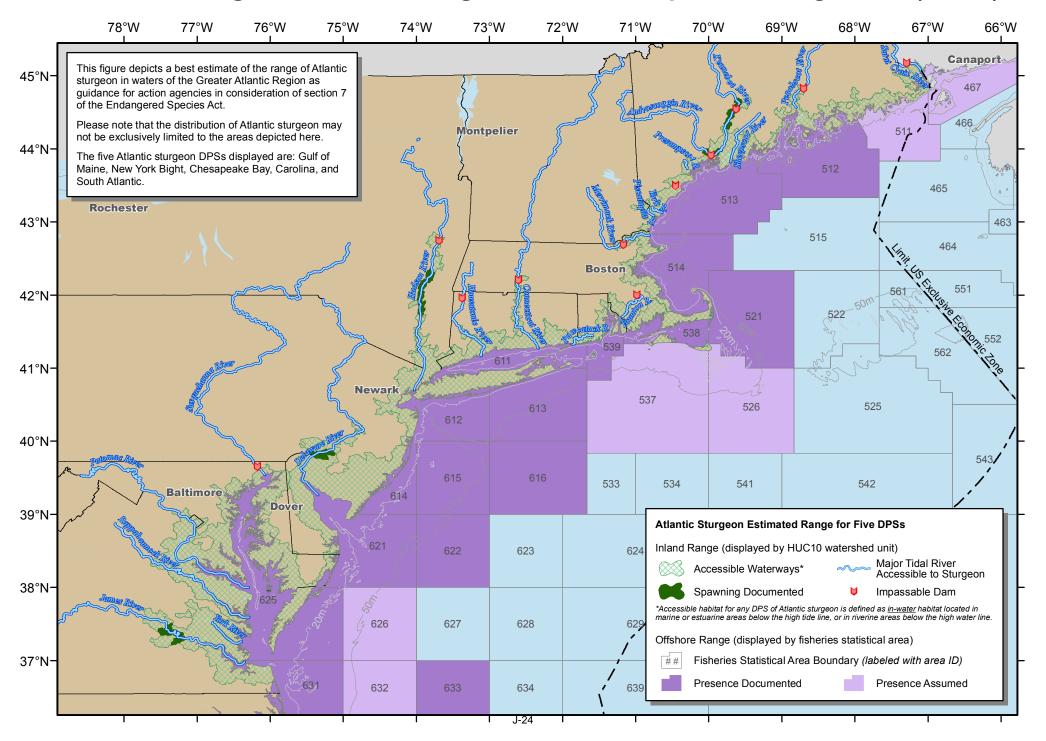




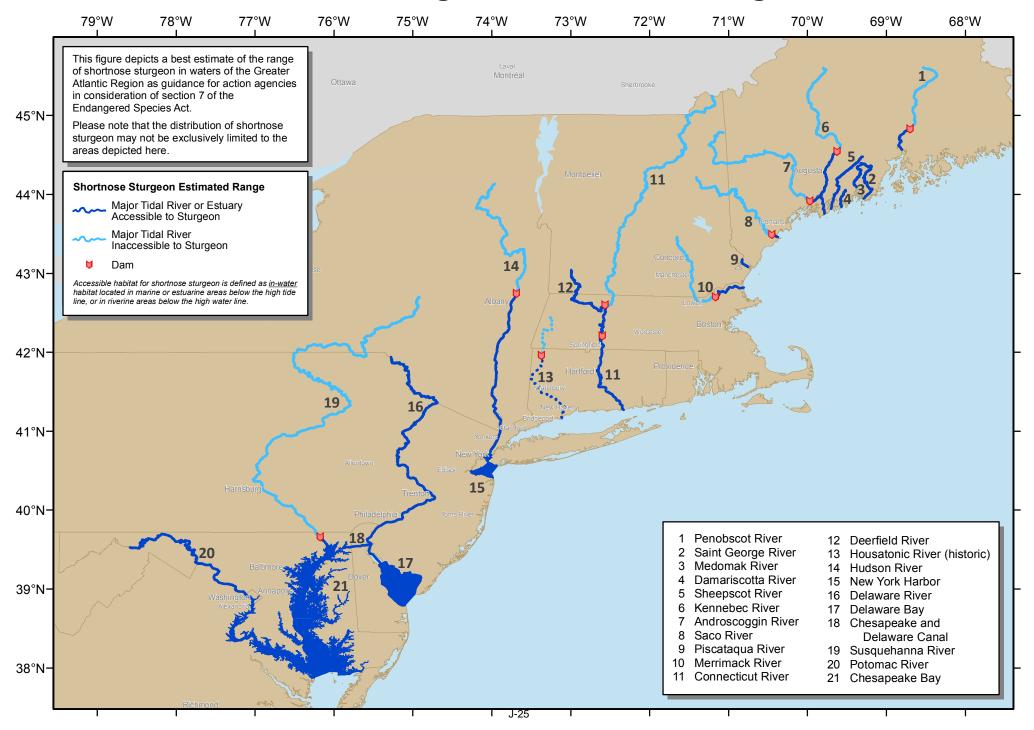




## Estimated Range of Atlantic Sturgeon Distinct Population Segments (DPSs)



# **Estimated Range of Shortnose Sturgeon**





### **United States Department of the Interior**

### FISH AND WILDLIFE SERVICE

New Jersey Field Office 4 E. Jimmie Leeds Road, Suite 4 Galloway, New Jersey 08205-4465 Phone (609) 646-9310 http://www.fws.gov/northeast/njfieldoffice



IN REPLY REFER TO: 20-CPA-0121

William Laventhal, Program Manager The Port Authority of New York and New Jersey 4 World Trade Center 150 Greenwich Street, 24th Floor New York, New York 10007 wlaventhal@panynj.gov

FEB 0 6 2020

Reference: Air Train Newark Replacement Project, Elizabeth City, Union County; and City of Newark, Essex County, New Jersey

The U.S. Fish and Wildlife Service (Service) has reviewed the above-referenced proposed project pursuant to the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) (ESA) ensuring the protection of federally listed endangered and threatened species. The following comments do not address all Service concerns for fish and wildlife resources and do not preclude separate review and comment by the Service as afforded by other applicable environmental legislation.

The Service has determined that no federally listed species occur within or in the vicinity of the proposed project site. Therefore, no further consultation pursuant the ESA is required. If additional information on federally listed species becomes available, or if project plans change, this determination may be reconsidered.

Please contact Carlo Popolizio at (609) 382-5271 should you have any questions or comments regarding this correspondence.

Reviewing Biologist:

Carlo Popolizio

Authorizing Supervisor:

no effect.doc 01/07/08

January 31, 2020

United States Fish and Wildlife Service New Jersey Field Office 4 E. Jimmie Leeds Road, Suite No. 4 Galloway, New Jersey 08205

Re: AirTrain Newark Replacement Project
Elizabeth City, Union County and City of Newark, Essex County, New Jersey

Dear Sir or Madam:

The Port Authority of New York and New Jersey (PANYNJ) is in the planning and National Environmental Policy Act (NEPA) documentation stages of AirTrain Newark Replacement Project (Project). The main hub for the airport is located at Block 1, Lot 2104 in Elizabeth City, Union County, New Jersey and Block 5094, Lot 1 in Newark City, Essex County, New Jersey. The existing AirTrain extends off the main hub and crosses Block 5088, Lot 126.03; Block 5090, Lots 1.06, 44.02, 8.02, and 26; and Block and Lots lacking parcel data information in Essex County, New Jersey and Block 1, Lot 2104 in Union County, New Jersey. The project area is shown in the attached figures.

### **Project Description**

The Project includes replacing the existing AirTrain with a new automated people mover system. The proposed replacement system would enhance capacity, provide service between on-airport facilities, and maintain the connection to the NJ TRANSIT and Amtrak rail lines via an improved and expanded Rail Link Station. The proposed replacement system would serve Terminals B, C, and new Terminal 1, as well as parking areas (with hotel shuttle transportation), the Consolidated Rent-A-Car Facility, and the Rail Link Station.

The proposed replacement system would be a 2.4-mile dual guideway system located primarily on airport property. The distance between the two guideways is expected to be approximately 50 feet at the stations and approximately 16 feet in stretches between stations. As part of the Project, PANYNJ anticipates acquiring land (lease or title) near the Rail Link Station to accommodate permanent structures to support the proposed replacement system (e.g., a Maintenance and Control Facility [MCF]). The general areas considered for acquisition by PANYNJ are either vacant or used for airport employee parking. In addition, PANYNJ would have to obtain temporary easements for construction of the replacement system.

The Project involves the construction of all facilities and infrastructure for the replacement system including elevated guideway infrastructure, rider stations, elevated pedestrian connectors, utilities, substations, MCF, vehicles, train control, and a power distribution system. A parking deck for airport employees is also included.

As part of our NEPA documentation, we respectfully request confirmation that the Project as proposed is not likely to impact federally listed threatened or endangered species or their habitats. Additionally, we are requesting confirmation that the Project as proposed is not likely to impact migratory bird species of concern.

We have attached documentation for your review, including a "not for consultation" IPaC report and associated maps. In order to maintain the schedule for environmental planning for this project, we would appreciate your response to this inquiry by February 28, 2020. If you have any questions or require any additional information, please contact me at 973-565-5529 or by email at wlaventhal@panynj.gov. Thank you for your assistance.

Sincerely,

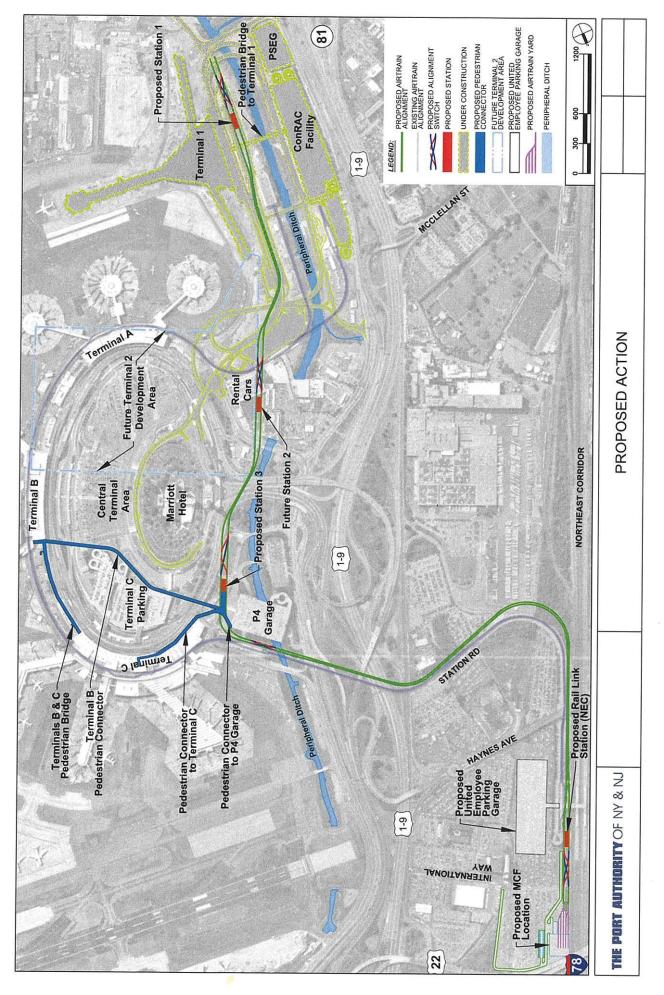
William Laventhal Program Manager

Newark Redevelopment - AirTrain

**PANYNJ** 

cc: Catherine Cronin, Project Executive, Redevelopment Programs, PANYNJ
Ralph D'Apuzzo, Program Director, Newark Redevelopment – AirTrain, PANYNJ
Edward Knoesel, Environmental Specialist, Eastern Region, FAA

Enclosures: IPac Report Existing Conditions Figure Proposed Action Figure Regional Location Map



January 23, 2020

Karen Greene
Mid-Atlantic Field Office Supervisor and EFH Coordinator
Greater Atlantic Regional Fisheries Office
55 Great Republic Drive
NOAA Fisheries Service
Gloucester, MA 01930

Re:

Newark Liberty International Airport AirTrain Replacement

**Essential Fish Habitat** 

Elizabeth City, Union County and City of Newark, Essex County, New Jersey

Dear Ms. Greene:

The Port Authority of New York and New Jersey (PANYNJ) is in the planning and National Environmental Policy Act (NEPA) documentation stages of replacing the existing AirTrain at Newark Liberty International Airport. The main hub for the airport is located at Block 1, Lot 2104 in Elizabeth City, Union County, New Jersey and Block 5094, Lot 1 in Newark City, Essex County, New Jersey. The existing AirTrain extends off the main hub and crosses Block 5088, Lot 126.03; Block 5090, Lots 1.06, 44.02, 8.02, and 26; and Block and Lots lacking parcel data information in Essex County, New Jersey and Block 1, Lot 2104 in Union County, New Jersey. The project area is shown in the attached figures.

### **Project Description**

The Proposed Action would include replacing the existing AirTrain with a new automated people mover system. This replacement system would enhance capacity, provide service between on-airport facilities, and maintain the connection to the NJ TRANSIT and Amtrak lines via an improved and expanded Rail Link Station. The new AirTrain would serve Terminals B, C, and new Terminal 1, as well as parking areas (with hotel shuttle transportation), Consolidated Rent-A-Car Facility, and the Rail Link Station. An overview of the Proposed Action is shown in the attached figure.

The proposed replacement AirTrain system would be a 2.4-mile dual guideway system located primarily on airport property. The distance between the two guideways is expected to be approximately 50 feet at the stations and approximately 16 feet in stretches between stations. As part of the Proposed Action, the PANYNJ anticipates acquiring (lease or title) land near the Rail Link Station to accommodate permanent structures to support the proposed replacement AirTrain (e.g., a Maintenance and Control Facility [MCF]). The general areas considered for acquisition by the PANYNJ are either vacant or used for airport employee parking. In addition, the PANYNJ would have to obtain temporary easements for construction of the Proposed Action.

The Proposed Action involves the construction of all facilities and infrastructure for the replacement AirTrain system – including elevated guideway infrastructure, rider stations, elevated pedestrian connectors, utilities, substations, MCF, vehicles, train control, and a power distribution system. A parking deck for airport employees is also included.

As part of our NEPA documentation, we respectfully request an inventory of essential fish habitat within or near the project limits and a determination of any adverse effects, or lack thereof, to federally listed species within the project limits that would result from replacement of the AirTrain.

In order to maintain the schedule for environmental planning for this project, we would appreciate a response to this inquiry by <u>February 22, 2020</u>. If you have any questions or require any additional information to process this request, please contact me at 973-565-5529 or by email at wlaventhal@panynj.gov. Thank you for your assistance.

Sincerely,

William Laventhal

Program Manager

Newark Redevelopment – AirTrain

**PANYNJ** 

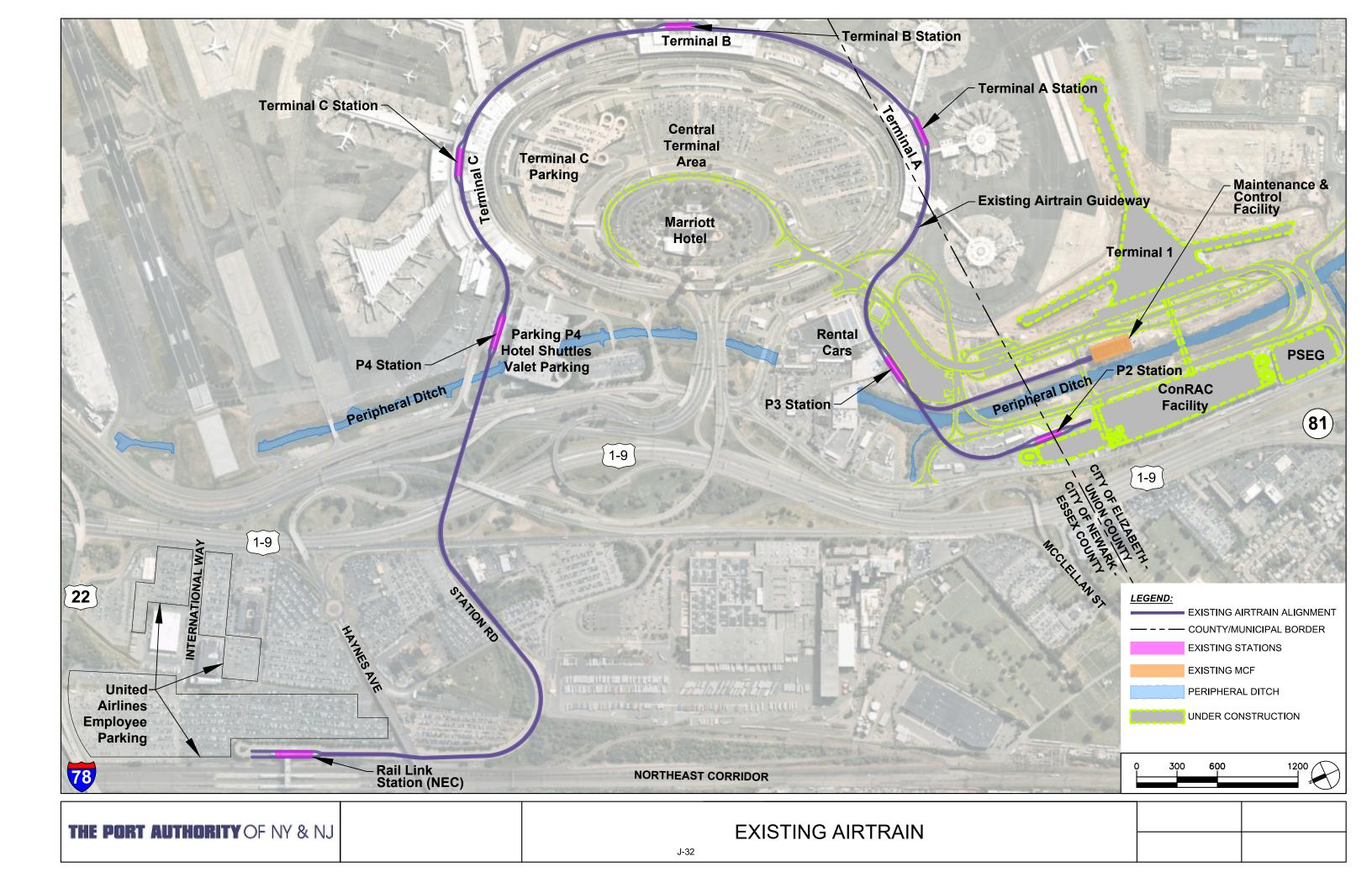
cc: Edward Knoesel, Environmental Specialist, Eastern Region, FAA

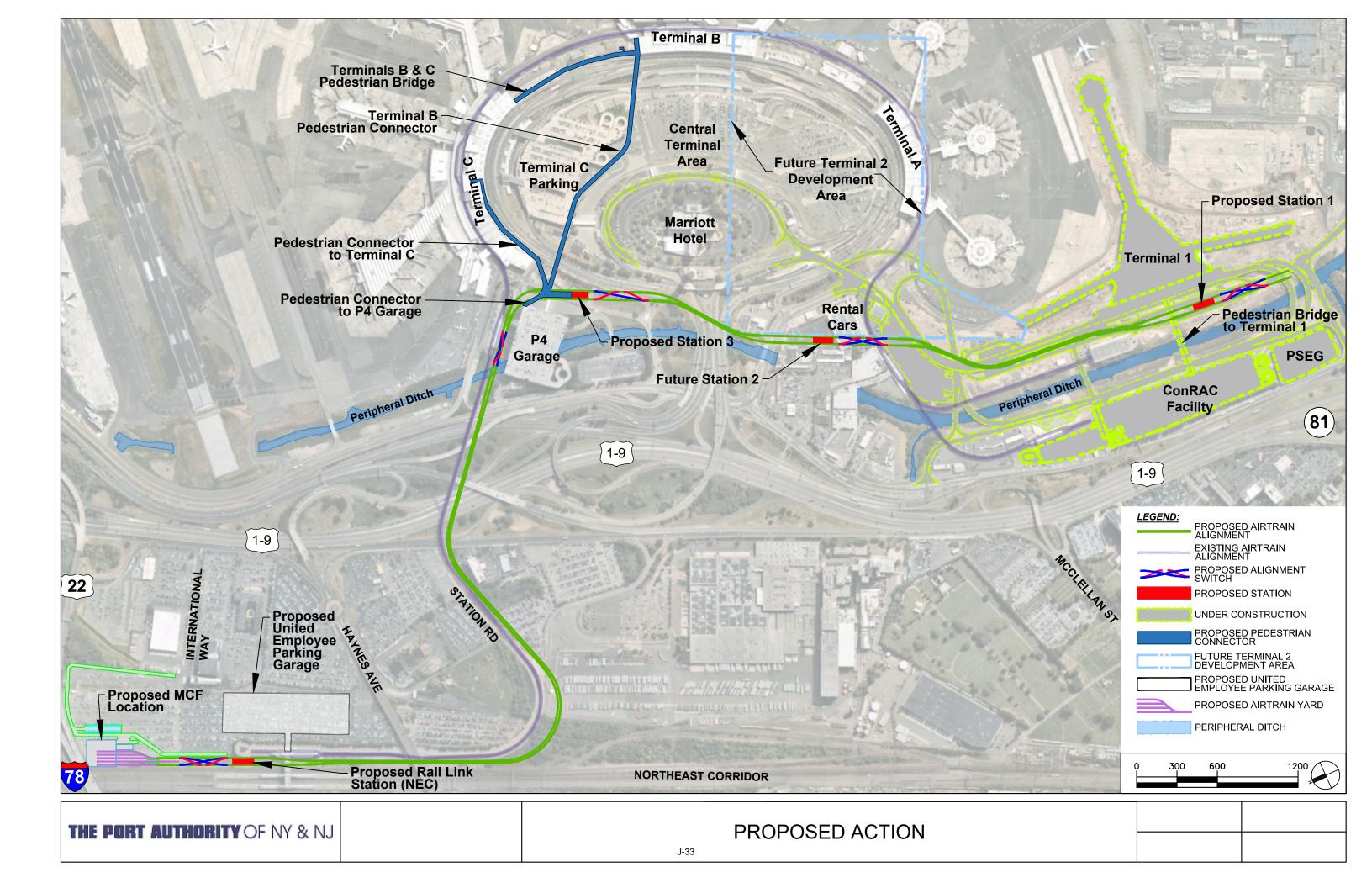
Ralph D'Apuzzo, Program Director, Newark Redevelopment – AirTrain, PANYNJ

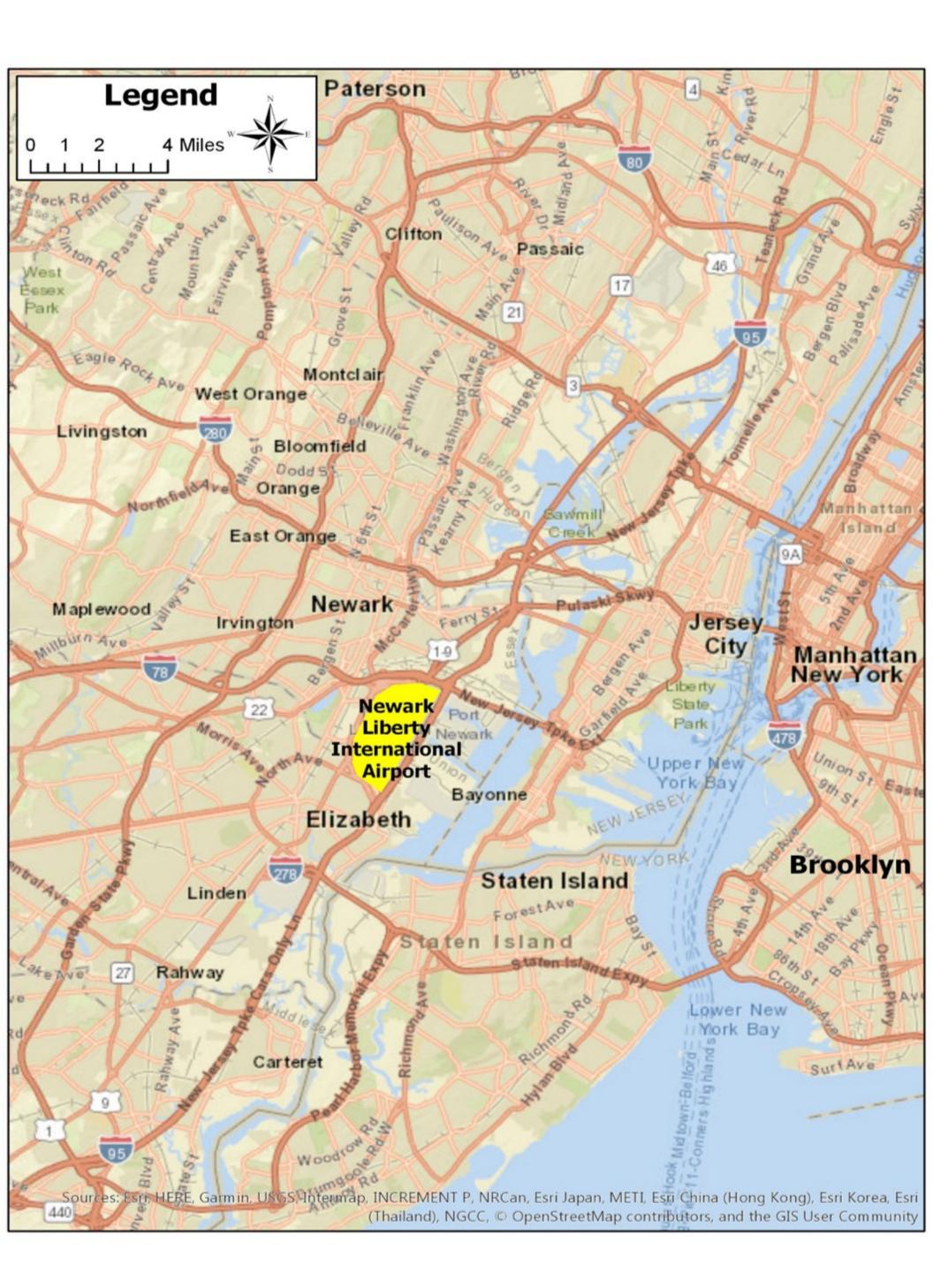
Catherine Cronin, Project Executive, Redevelopment Programs, PANYNJ

**Enclosures:** 

Existing Conditions Figure Proposed Action Figure Regional Location Map







From: <u>Karen Greene - NOAA Federal</u>

To: <u>Laventhal, William</u>

 Cc:
 Edith Carson-Supino; Jessie Murray - NOAA Federal

 Subject:
 Re: FW: EWR AirTrain Replacement Program - NMFS

**Date:** Thursday, March 12, 2020 3:06:50 PM

**CAUTION:** This email originated from outside the Port Authority. Do not open attachments or click on links from unknown senders or unexpected emails.

My apologies for the delay, William,

We have received your January 23, 2020, letter requesting technical assistance regarding essential fish habitat in the vicinity of Newark Airport in Elizabeth City, Union County and the City of Newark, Essex County, New Jersey as part of the planning and National Environmental Policy Act (NEPA) process for the replacement of the existing AirTrain.

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### Magnuson-Stevens Fishery Conservation and Management Act - Essential Fish Habitat

Based upon the location map provided, essential fish habitat (EFH) may be designated in tidal, estuarine waterways and wetlands in the vicinity of the project area. Information on EFH and the consultation process can be found on our website at: <a href="https://www.fisheries.noaa.gov/new-england-mid-atlantic/habitat-conservation/conserving-habitat-greater-atlantic-region">https://www.fisheries.noaa.gov/new-england-mid-atlantic/habitat-conservation/conserving-habitat-greater-atlantic-region</a>.

### **Endangered Species Act**

No federally listed or proposed threatened or endangered species under our jurisdiction are known to exist in the site of your proposed project. Based on this, we do not believe a consultation in accordance with section 7 of the Endangered Species Act is necessary. As such, no further coordination on this activity with the NOAA Fisheries Protected Resources Division is necessary at this time. Should project plans change or new information become available that changes the basis for this determination, further coordination should be pursued. Please contact me ((978) 282-8490 or <a href="mailto:Edith.Carson-Supino@noaa.gov">Edith.Carson-Supino@noaa.gov</a>), should you have any questions regarding these comments. You can also find information about the temporal and spatial distribution of species and their different life stages on our interactive <a href="mailto:species mapper">species mapper</a>. The mapper can be found on our website <a href="mailto:https://noaa.maps.arcgis.com/apps/webappviewer/index.html?">https://noaa.maps.arcgis.com/apps/webappviewer/index.html?</a>

Thank you.

### Karen

Karen Greene
Mid-Atlantic Field Offices Supervisor
NOAA/National Marine Fisheries Service
Greater Atlantic Regional Fisheries Office
Habitat Conservation Division
James J. Howard Marine Sciences Laboratory
74 Magruder Rd.
Highlands, NJ 07732
732 872-3023 (office)

On Wed, Mar 11, 2020 at 11:32 AM Laventhal, William <<u>wlaventhal@panynj.gov</u>> wrote:

Dear Ms. Green,		
I hope this message finds you well. I am following up on our request for an inventory of essential fish habitat along with a determination of any effects to federally listed species. Please let us know if there is additional information that would assist with our request.		
All the best,		
William		
From: Laventhal, William < <u>wlaventhal@panynj.gov</u> > Sent: Thursday, January 23, 2020 4:19 PM To: Karen.Greene@noaa.gov Cc: Cronin, Catherine < <u>ccronin@panynj.gov</u> >; D'Apuzzo, Ralph < <u>rdapuzzo@panynj.gov</u> >; Herndon, Jane < <u>jherndon@panynj.gov</u> >; Lamond, Kathryn < <u>klamond@panynj.gov</u> >; edward.knoesel@faa.gov Subject: EWR AirTrain Replacement Program - NMFS		
Dear Ms. Greene,		
In connection with Newark Liberty International Airport's AirTrain Replacement Program, attached is a letter requesting an inventory of essential fish habitat within or near the project limits, along with a determination of any effects to federally listed species. We are available to discuss at your convenience. We thank you in advance for your assistance.		
Kind regards,		
William		
William Laventhal		
Program Manager – AirTrain		
Newark Airport Redevelopment Program		

Port Authority of NY & NJ

973-565-5529

### wlaventhal@panynj.gov

NOTICE: THIS E-MAIL AND ANY ATTACHMENTS CONTAIN INFORMATION FROM THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY AND AFFILIATES. IF YOU BELIEVE YOU HAVE RECEIVED THIS E-MAIL IN ERROR, PLEASE NOTIFY THE SENDER IMMEDIATELY, PERMANENTLY DELETE THIS E-MAIL (ALONG WITH ANY ATTACHMENTS), AND DESTROY ANY PRINTOUTS.



# DEPARTMENT OF THE ARMY HEW YORK DISTRICT. CORPS OF ENGINEERS JACOB K. JAVITS FEDERAL BUILDING HEW YORK, H.Y. 10278-0090

DEC 1 4 1988

Regulatory Functions Program

SUBJECT:

The Port Authority of New York & New Jersey/Peripheral Ditch at Newark International Airport - File No. 88-1780-RS

Mr. Christopher Reppie Supervisor, Permits and Government Approvals The Port Authority of New York & New Jersey One World Trade Canter New York, New York 10048

Dear Mr. Zeppie:

Reference is made to your recent request for a determination of Department of the Army Regulatory jurisdiction for the Peripheral Ditch surrounding Newark International Airport at Newark, Essex County, New Jersey.

Based upon a review of the information contained in your letters of October 24th, and December 6th, 1988, and a field visit conducted by Mr. Steven Mars of my staff on December 5th, 1988, we have determined that the Peripheral Ditch contains those necessary attributes to be defined a water of the United States pursuant to Section 404 of the Clean Water Act. Since the waterway is not subject to the ebb and flow of the tide and is not subject to utilization by interstate or foreign commerce, it is not regulated under the authority of Section 10 of the Rivers and Barbors Act of 1899.

We understand that the Port Authority of New York and New Jersey has proposed a number of future construction activities within the Peripheral Ditch aimed at maintaining and restoring stormwater capacity, retention and transport capabilities. Such activities, since their purpose is within the intent of retaining and/or improving the stormwater runoff functions of the ditch will be normally covered under the intent of the Corps of Engineers Nationwide permit program. In addition, any construction activities in, under or over the waterway, not entailing the discharge of dredged or fill material, will not require authorization from the Corps of Engineers.

If you have any questions regarding the above please contact Mr. Steven R: Mars, Regulatory Specialist at (212) 264-

Sincerely

Joseph J. Seerode 12/1/30 Regulatory Functions Program January 23, 2020

Megan Brunatti
State of New Jersey Department of Environmental Protection
Office of Permit Coordination and Environmental Review
401 East State Street
Mail Code: 401-07J
Trenton, New Jersey 08625-0420

Re: Newark Liberty International Airport

NEPA Environmental Assessment for AirTrain Replacement Program Preliminary Environmental Scoping / Request for Information

Dear Ms. Brunatti:

An Environmental Assessment (EA) for the AirTrain Replacement Program at the Newark Liberty International Airport (EWR), located in the City of Newark, Essex County, NJ and the City of Elizabeth, Union County, NJ, is being prepared for the Port Authority of New York and New Jersey (PANYNJ). The EA will evaluate the environmental impacts associated with the proposed project in order to comply with Federal Aviation Administration (FAA) requirements to assess impacts associated with airport development projects. Since the proposed project is a federal action, National Environmental Policy Act (NEPA) review is necessary. The FAA is the NEPA lead agency for the proposed action. This letter has been submitted to elicit comments and request pertinent information from your agency.

### **Project Background**

The existing AirTrain opened in 1996, serving the Central Terminal Area. In 2001, the AirTrain was extended to the Rail Link Station to provide EWR airline passengers with a connection to Amtrak and NJ TRANSIT regional rail service on what is known as the Northeast Corridor rail line. Over the last fifteen years, the PANYNJ has made significant efforts to modernize and redevelop the passenger terminals at EWR to respond to the current and future needs of airlines and riders. Currently, the PANYNJ is replacing Terminal A with the construction of the new Terminal 1, as well as replacing the existing rental car facilities and patron parking area P3 with a Consolidated Rent-A-Car Facility and Parking Garage (ConRAC). The new AirTrain will connect these new/relocated facilities to support access for passengers, employees and security personnel.

### **Project Description**

The Proposed Action would include replacing the existing system with a new automated people mover system. This replacement system would enhance capacity, provide service between on-airport facilities, and maintain the connection to the NJ TRANSIT and Amtrak lines via an improved and expanded Rail Link Station. The new AirTrain would serve Terminals B, C, and new Terminal 1, as well as parking areas (with hotel shuttle transportation), ConRAC, and the Rail Link Station. An overview of the Proposed Action is shown in the attached figure.

The proposed replacement AirTrain system would be a 2.4-mile dual guideway system located primarily on airport property. The distance between the two guideways is expected to be approximately 50 feet at the stations and approximately 16 feet in stretches between stations. As part of the Proposed Action, the

PANYNJ anticipates acquiring (lease or title) land near the Rail Link Station to accommodate permanent structures to support the proposed replacement AirTrain (e.g., a Maintenance and Control Facility [MCF]). The general areas considered for acquisition by the PANYNJ are either vacant or used for airport employee parking. In addition, the PANYNJ would have to obtain temporary easements for construction of the Proposed Action.

The Proposed Action involves the construction of all facilities and infrastructure for the replacement AirTrain system – including elevated guideway infrastructure, rider stations, elevated pedestrian connectors, utilities, substations, MCF, vehicles, train control, and a power distribution system. A parking deck for airport employees is also included.

### **Requested Information**

As part of the preliminary scoping process, we are requesting that your agency provide relevant information or comments regarding the following Environmental Impact Categories, taken from the FAA Order 1050.1F *Environmental Impacts: Policies and Procedures* as they may relate to your interest in the proposed project. The categories are listed in the following table:

Air Quality	Natural Resources and Energy Supply
Biological Resources (including Fish, Wildlife, and Plants)	Noise and Noise-Compatible Land Use
Climate	Traffic
Coastal Resources	Socioeconomics
Department of Transportation Act, Sec 4(f)	Environmental Justice
Farmlands	Children's Environmental Health and Safety Risks
Hazardous Materials, Solid Waste, and Pollution Prevention	Light Emissions & Visual Effects
Historic, Architectural, Archeological, and Cultural Resources	Water Resources (Wetlands, Floodplains, Surface Waters, Groundwater, Wild & Scenic Rivers)
Land Use	Cumulative Impacts

As part of preparation of the EA, technical studies have been/are being conducted that include the following:

- Phase 1A Cultural Resources Survey
- Wetlands Delineation
- Historic Architectural Survey
- Air Quality Assessment
- Traffic Study

Enclosed are five (5) copies of this letter to be circulated to the appropriate departments or offices of the NJDEP, including, but not limited to, the NJDEP Natural Heritage Program, the New Jersey Historic Preservation Office, NJDEP Bureau of Tidelands Management, and the NJDEP Site Remediation Program.

In order to maintain the schedule for environmental planning for this project, we would appreciate a response to this inquiry by <u>February 22, 2020</u>. If we do not hear from you by that date, we will assume that you have no comments. If you have any questions regarding the project, please contact me at 973-565-5529 or by e-mail at wlaventhal@panynj.gov. Thank you for your assistance.

Sincerely,

William Laventhal

**Program Manager** 

Newark Redevelopment - AirTrain

**PANYNJ** 

cc: Edward Knoesel, Environmental Specialist, Eastern Region, FAA

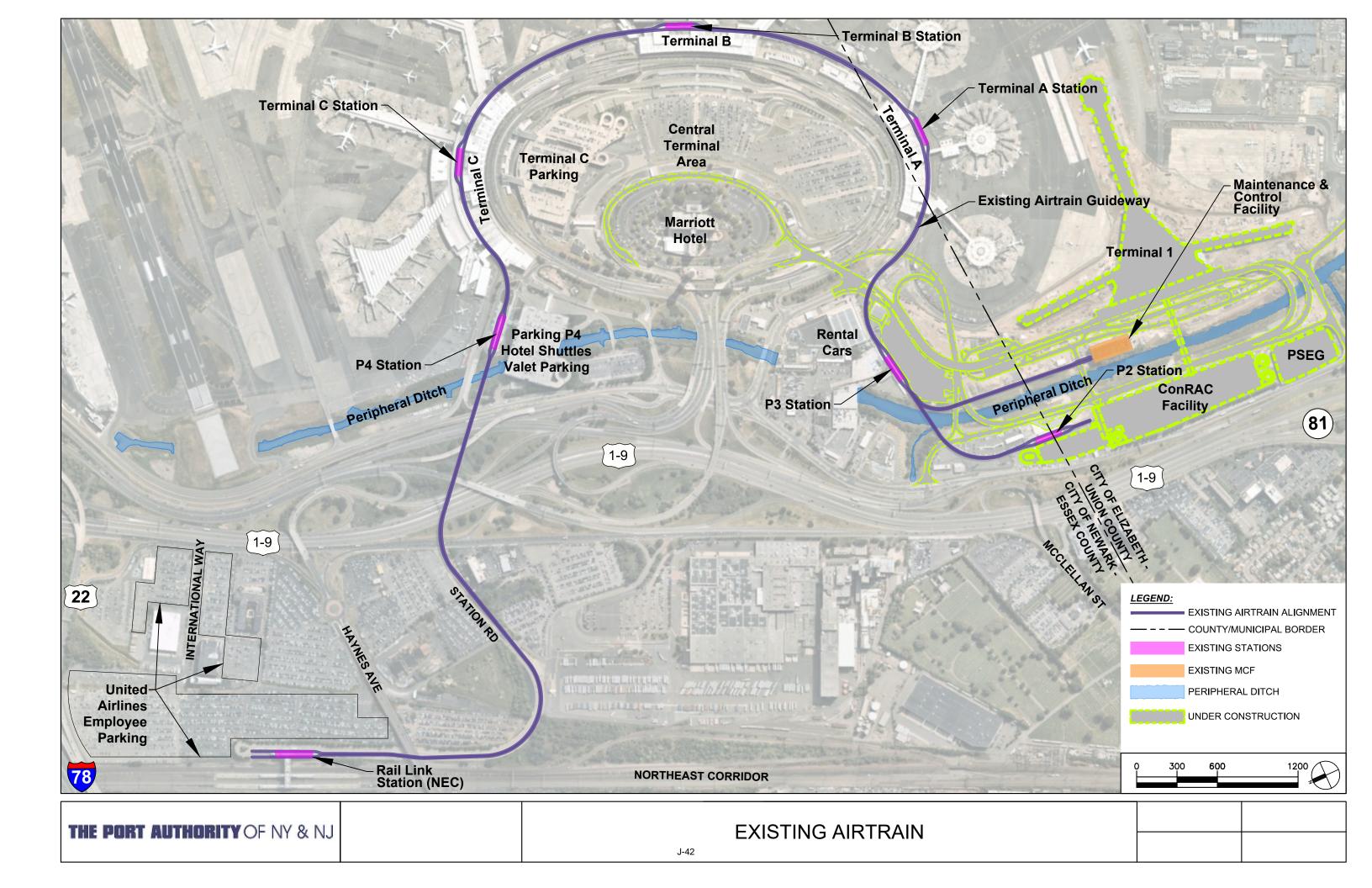
Ralph D'Apuzzo, Program Director, Newark Redevelopment – AirTrain, PANYNJ

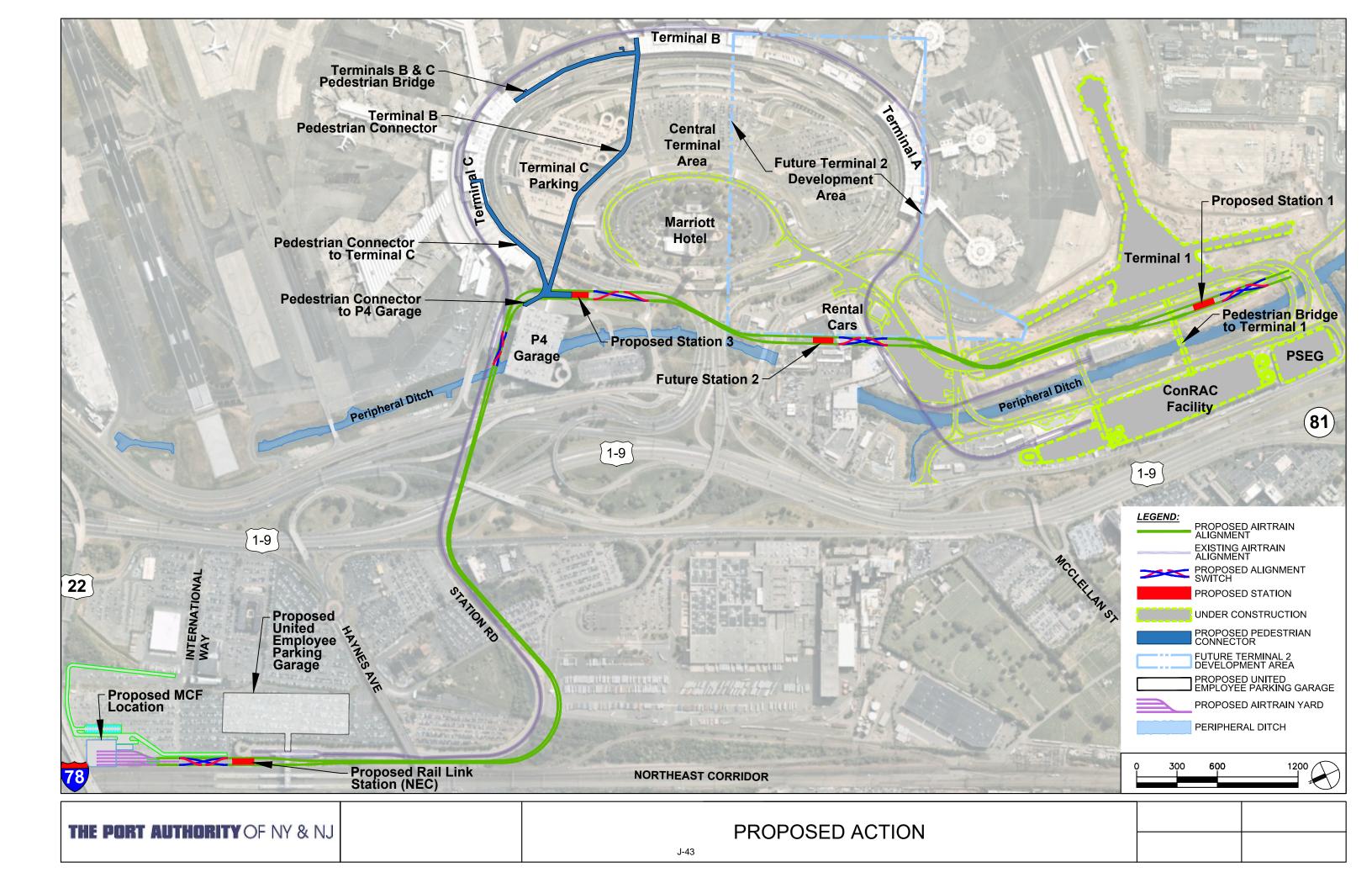
Catherine Cronin, Project Executive, Redevelopment Programs, PANYNJ

**Enclosures:** 

Existing Conditions Figure Proposed Action Figure

**Regional Location Map** 









### State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Office of Permit Coordination and Environmental Review 401 East State Street, Mail Code 401-07J, P.O. Box 420 Trenton, New Jersey 08625-0420

Phone: (609) 292-3600 Fax: (609) 292-1921 www.nj.gov/dep/pcer CATHERINE R. McCABE
Commissioner

February 24, 2020

SHEILA Y. OLIVER Lt. Governor

PHILIP D. MURPHY

Governor

Mr. William Laventhal, Program Manager Port Authority of NY &NJ 260 Kellogg Street Newark, NJ 07114

RE:

Comments on the NEPA Scoping Document Proposed Replacement of EWR Air Tran System Newark Airport, Newark, Essex County

Dear Mr. Laventhal:

The New Jersey Department of Environmental Protection's (Department) Office of Permit Coordination and Environmental Review (PCER) distributed, for review and comment, the National Environmental Policy Act (NEPA) scoping document for the proposed replacement of the existing airport elevated transport system as per the enclosed map and list of potentially impacted lots and blocks of property. The new 2.4 mile dual guideway system automated system will serve terminals B, C and a new Terminal 1 as well as parking areas and the Rail Link Station. The project will require some additional land acquisition. Currently, in preparation of an environmental assessment, studies are being conducted by the applicant to determine any potential impacts to air quality, wetlands and flood hazard areas, cultural and historic resources and fish and wildlife.

In response to your request for a determination as to whether the proposal will have any adverse impacts to, but not limited to, land use, historical or cultural resources, threatened and endangered species and migratory birds, or whether there are any impacts to Green Acres-encumbered parkland held by the State, local government units and/or nonprofit organizations, the Department offers the following comments for your consideration:

### Air Quality

### **Bureau of Air Planning**

The Bureau of Evaluation and Planning (BEP) has reviewed the January 23, 2020 letter and attachments submitted by the Port Authority of NY and NJ and has the following comments:

### 1.) PANYNJ - Environmental Scoping Document (page 2):

The scoping document states, "As part of the preliminary scoping process, we are requesting that your agency provide relevant information or comments regarding the following Environmental Impact Categories, taken from the FAA Order 1050.1F *Environmental Impacts: Policies and Procedures* as they may relate to your interest in the proposed project."

### Comment #1:

On August 23, 2019, the USEPA issued a Final Order (Federal Register Vol. 84, No 164) which reclassified the New York-Northern New Jersey-Long Island (NY-NJ-CT) nonattainment area to "serious" nonattainment for the 2008 ozone National Ambient Air Quality Standard. The corresponding de minimis level for a "serious" nonattainment area in the Federal General Conformity regulation (40 CFR Part 93, Subpart B Determining Conformity of General Federal Actions to State or Federal Implementation Plans)) is 50 tons per year (tpy) for NOx or VOC, and 100 tpy for PM2.5 (and precursors). The AirTrain Replacement project is in Essex and Union county. Both counties are part of the New York-Northern New Jersey-Long Island (NY-NJ-CT) nonattainment area and the reclassification to "serious" will apply to this project. Please consider this change in classification when preparing the Environmental Assessment and when completing the General Conformity Applicability Analysis and Conformity Determination (if required).

### 2.) PANYNJ - Environmental Scoping Document (page 1):

The scoping document states, "An Environmental Assessment (EA) for the AirTrain Replacement Program at the Newark Liberty International Airport (EWR), located in the city of Newark, Essex County, NJ and the City of Elizabeth, Union County, NJ, is being prepared for the Port Authority of New York and New Jersey (PANYNJ)"

### Comment #2:

A General Conformity Applicability Analysis and possibly a Conformity Determination will be required for this project in accordance with the USEPA's Federal General Conformity regulation (40 CFR, part 93, Subpart B, Determining Conformity of General Federal Actions to State or Federal Implementation Plans). Section 93.150 (b) (Prohibition) of the Federal General Conformity regulation states, "No department, agency or instrumentality of the Federal Government shall engage in, support in any way or provide financial assistance for, license or permit, or approve any activity which does not conform to an applicable implementation plan."

# 3.) EWR AirTrain Replacement Program (Program Briefing Book): Section 3.1 Replacement AirTrain (Elements to Be Provided)

In the program briefing book for the AirTrain replacement program found on the PANYNJ website (<a href="https://www.ewrredevelopment.com/wp-content/uploads/2020/01/Airtrain-EWR-Program-Briefing-Book-V2.pdf">https://www.ewrredevelopment.com/wp-content/uploads/2020/01/Airtrain-EWR-Program-Briefing-Book-V2.pdf</a>), it states, "While the remainder of the ROW is yet to be finalized, 37 foundations for the AirTrain Program are under construction in the southernmost portion of the alignment in order to minimize future impact to the Terminal One roadway operations."

### Comment #3:

When preparing the General Conformity Applicability Analysis and Conformity Determination (if necessary), the USEPA guidance (General Conformity Guidance: Questions and Answers, July 13, 1994, <a href="https://www.epa.gov/sites/production/files/2016-03/documents/gcgqa\_940713.pdf">https://www.epa.gov/sites/production/files/2016-03/documents/gcgqa\_940713.pdf</a>) indicates that a project cannot be broken into segments in order to be below the de-minimis levels in the Federal General Conformity regulation. All reasonably foreseeable emissions must be included for the project in determining applicability. Please consider the air emissions associated with the construction of the 37 foundations for the AirTrain Program in the General Conformity Applicability Analysis and Conformity Determination (if required).

If you have any additional questions, please contact Connor Milligan with the Division of Air Quality at (609)292-9906 or <a href="mailto:Connor.Milligan@dep.nj.gov">Connor.Milligan@dep.nj.gov</a>

### **Air Preconstruction Permits**

The applicant should review the requirements of NJAC 7:27-8.2(c) 1-21 for stationary permitting requirements. This includes but is not limited to, construction equipment-stationary construction equipment or emergency generators, may require air pollution permits if it is located on the site for longer than one year NJAC7:27-8.2(d)15.

Idling Vehicles- any vehicles involved on the project must adhere to the idling standards (less than 3 minutes) in NJAC 7:27-14 and 15.

Air pollution including odors that are detectable offsite that are injurious to human health or would result in citizen complaints are prohibited. NJAC 7:27-5.2.

Fugitive Dust - dust emissions either windblown or generated from construction activities should be controlled to prevent offsite impacts or material tracked onto the roadways. NJAC 7:27-5.2.

If you have any additional questions, please contact Danny Wong and Jeffrey Meyer at (973) 656-4444.

### **Mobile Sources**

After reviewing the environmental assessment for the Newark Liberty International Airport AirTrain extension project, the Bureau of Mobile Sources' has the following comments:

- Heavy duty equipment used for construction on airport-owned employee parking lots must adhere to the No Idling regulations, including not idling for more than 15 minutes above 25 deg. F.
- 2. Any and all light duty vehicles on the premises during construction cannot idle for more than 3 minutes.
- 3. Heavy duty equipment used for construction of the employee parking deck must adhere to the No Idling regulations as indicated in number 1.
- 4. Heavy duty equipment used for construction should meet the US EPA Tier 4 non-road emission standards and should use Ultra Low Sulfur Diesel (ULSD) fluid when applicable.

For the No Idling Regulations specifics, please read below:

All on-road vehicles and non-road construction equipment operating at, or visiting, the
construction site shall comply with the three-minute idling limit, pursuant to N.J.A.C. 7:27-14
and N.J.A.C. 7:27-15. Consider purchasing "No Idling" signs to post at the site to remind
contractors to comply with the idling limits. Signs are available for purchase from the

Bureau of Mobile Sources at 609/292-7953 or <a href="http://www.stopthesoot.org/sts-no-idle-sign.htm">http://www.stopthesoot.org/sts-no-idle-sign.htm</a>.

- All non-road diesel construction equipment greater than 100 horsepower used on the project
  for more than ten days should have engines that meet the USEPA Tier 4 non-road emission
  standards, or the best available emission control technology that is technologically feasible
  for that application and is verified by the USEPA or the CARB as a diesel emission control
  strategy for reducing particulate matter and/or NOx emissions.
- All on-road diesel vehicles used to haul materials or traveling to and from the construction site should use designated truck routes that are designed to minimize impacts on residential areas and sensitive receptors such as hospitals, schools, daycare facilities, senior citizen housing, and convalescent facilities.

If you have any additional questions, please contact Kris Dahl at (609) 292-1122.

### Land Use

### Freshwater Wetlands and Flood Hazard Area

Based upon the information provided and a review of the project on GIS, the proposed work may have freshwater wetlands and flood hazard area impacts requiring permits from the Division of Land Use Regulation (DLUR). The applicant has indicated that a flood hazard area jurisdictional determination and a wetlands freshwater wetlands letter of interpretation will be sought in order to verify the presence or absence Footprint of Disturbance for a proposed project. It is advised that the applicant and/or their agent request a pre-application meeting with the DLUR staff prior to the submission of any applications.

If you have any questions regarding this information, please contact Christopher Jones at (609) 777-0454 or <a href="mailto:Christopher.Jones@dep.nj.gov">Christopher.Jones@dep.nj.gov</a>

### **Coastal Zone Consistency**

For any activity under the jurisdiction of the Waterfront Development Law and within New Jersey's coastal zone, a consistency certification is required according to the Federal regulations at 15 CFR part 930.54 If you have any additional questions regarding this matter, please contact Colleen Keller of the Division of Land Use Regulation at (609) 633-2289.

### Climate Resiliency

By utilizing predictive models, the applicant should evaluate impacts on the replacement public transport system in the event of on any potential storm surge or sea level rise. If you have any additional questions, please contact Nick Angarone at:

Nicholas Angarone, PP/AICP New Jersey Department of Environmental Protection Bureau of Climate Resilience Planning 401 East State Street | P.O. Box 402 | Trenton, NJ 08625 Tel. 609 984-0058 | Email: nick.angarone@dep.nj.gov

#### Tidelands

For any questions, please contact Randy Bearce at (609) 292-2573

### **Natural Resources**

### Fish and Wildlife

By utilizing State and Federal Threatened and Endangered species databases, the applicant shall identify any potential adverse impacts to fish and wildlife. Any timing restrictions for constructions should be utilized to avoid any adverse impacts to migratory birds. In addition, the the County Soil Conservation District best management practices (BMP's) for prevention of sediment movement should be used at all times and maintained for function

If you have any questions regarding the comments please feel free to contact Kelly Davis or Joseph Corleto at (609) 292-9451 or at **Joseph.Corleto@dep.nj.us**.

### **Historic and Cultural Resources**

HPO-B2020-142

The Historic Preservation Office (HPO) was provided the opportunity to review and comment on the following cultural resource survey reports for the above-referenced undertaking:

Howson, Jean

January 2020

*Phase IA Archaeological Survey, Newark AirTrain Replacement.* Prepared for The Port Authority of NY & NJ. Prepared by NV5.

And

Zerbe, Nancy L. December 2019

Historic Architectural Sites Survey and Effects Assessment for the Newark AirTrain Replacement Project, City of Newark Essex County and City of Elizabeth, Union County, New Jersey. Prepared for The Port Authority of NY & NJ. Prepared by ARCH<sup>2</sup>, Inc.

According to the submitted documentation, the project involves the replacement of the existing AirTrain system with a new 2.4-mile automated people mover system. The new system will serve Terminals B and C and the new Terminal 1 as well as parking areas, the Consolidated Rental Car Facility and Parking Garage, and the Rail Link Station. The project involves the construction of all facilities and infrastructure for the new system including elevated guideway infrastructure, rider stations, elevated pedestrian connectors, utilities, substations, a maintenance and control facility, vehicles, train control, and a power distribution system.

### Archaeology

The above-referenced Phase IA archaeological survey report states that the majority of the project's area of potential effects (APE) was located within a former larger marsh complex and subsequently filled

during the late nineteenth and early twentieth centuries. While the potential exists for deeply buried Pre-Contact period archaeological resources exists, the project has a low potential to encounter those resources.

The report further assesses the APE from Bessemer Street to Haynes Avenue possessing sensitivity for human burials from the Newark City Cemetery (1869-1954) and late nineteenth century historic period resources from a former glue factory, several dwellings, and hospital. The report recommends consultation with the HPO for consideration if project impacts on archaeological resources.

### Historic Architecture

According to the above-referenced architectural survey, there are four previously identified historic properties within the current project's APE: Pennsylvania Railroad New York to Philadelphia Historic District (aka Amtrak's Northeast Corridor) (SHPO Opinion: 1/14/2015); the Haynes Avenue Bridge (SHPO Opinion: 6/3/1991); Newark Metropolitan Airport Administration Building, Brewster Hangar, and Medical building (SR: 6/25/1980; NR: 12/12/1980); and the U.S. route 1/9 Historic District (SHPO Opinion: 3/8/1996). The current survey evaluated four additional properties: Newark Liberty International Airport's Terminals A, B, and C; Anheuser-Busch, Inc.: Kinglands Rum and Barrel, Inc.; and the New Jersey Galvanizing and Tinning Works, Inc. It is recommended in the survey that the four previously identified historic properties would not be adversely affected by the project due to the nature of the historic resources and the project area as well as the distance between the proposed project and the historic properties. Additionally, it is recommended that the four newly surveyed properties do not possess the characteristics necessary to be eligible for listing on the New Jersey and National Registers of Historic Places.

### **Additional Comments**

The HPO reviews projects for their effects on historic resources when federal funding, licensing, or permitting is involved. The HPO also reviews projects requiring Freshwater Wetlands, Waterfront Development, Upland Development, CAFRA and Highland Preservation Area Approval permits issued by the State of New Jersey's Division of Land Use Regulation, as well as, environmental assessments under Executive Order 215. In consequence, if this project is subject to any of the above-referenced regulations, the HPO would request an initial Phase IB archaeological survey within the area discussed above to identify the presence or absence of archaeological resources within the project's APE. The HPO would not request additional information regarding architectural resources.

This information is provided as informal notes to you and does not constitute identification level cultural resources survey under Section 106 of the National Historic Preservation Act or other law or regulation. These notes do not constitute project review under any state or federal law. The absence of previously identified cultural resources does not imply that there are no eligible historic properties in the requested area. Further identification of cultural resources may be required under one or more historic preservation review processes depending on project funding, licensing, or permitting.

Thank you for providing the opportunity to review and comment on the potential for the abovereferenced project to affect historic properties. Please reference HPO project number 20-0602 in any future calls, emails, submissions or written correspondence to help expedite your review. If you have any questions, please feel free to contact Vincent Maresca at 609-633-2395 or vincent.maresca@dep.nj.gov Lindsay questions regarding archaeology Thivierge 609-292-4091 with or at Lindsay. Thivierge@dep.nj.gov. with questions regarding historic architecture, historic districts, or historic landscapes.

### Green Acres

Regarding the Newark AirTrain Replacement Properties within the Project Area list of properties provided by the applicant for the EWR AirTrain Replacement Program, it does not appear that this project will occur on or near Green Acres encumbered parkland. Therefore, because Green Acres does not have jurisdiction over the property to be impacted, this project is not contrary to Green Acres rules. If you have any additional questions, please contact Nancy Lawrence, Compliance Officer with the Bureau of Legal Services and Stewardship at:

NJDEP Green Acres Program Mail Code 501-01, P.O. Box 420 501 East State Street, 1st Floor, Trenton, NJ 08625-0420 609.341.2054 direct; 609.984.0608 fax

### **Site Remediation**

The Site Remediation Office of Brownfield Redevelopment doesnot have any comments regarding this proposed project. In addition, the expansion/construction of the EWR Air Transit Replacement System will not have any site remediation issues as proposed. If you have any additional comment, please contact Anthony Findley at (609) 292-1388 or at <a href="mailto:Anthony.findley@dep.nj.gov">Anthony.findley@dep.nj.gov</a>

### Water Quality

### NJPDES Discharge to Groundwater Stormwater Management

Based on the information provided, it does not appear that more than one acre will be disturbed during the construction of this communication tower. If more than one acre will be disturbed, a general permit for Construction Activities, (5G3) may be required. The permit application process is available online at http://www.state.nj.us/dep/DWQ/5G3.htm. If you have any additional questions, please contact Eleanor Krukowski at (609) 633-9286 or eleanor.krukowski@dep.nj.gov.

### Water Allocation

If construction related dewatering is required at rates exceeding 100,000 gallons per day of water (70 gallons per minute pumping capacity) then that activity would be regulated under a short term water use permit by rule if less than 31 days, or a dewatering permit if 31 days or longer. A dewatering permit by rule may be applicable if the dewatering occurs from within a coffer dam, or similar confined space.

Any well drilling activities are required to be performed by a New Jersey licensed well driller. Well construction permits are required for any well construction activities except for: in kind well screen replacements, test borings less than 50 feet deep and 8.5 inches or less in diameter, cathodic protection wells which are 50 feet or less in depth and six inches or less in diameter, and dewatering wells or dewatering wellpoints which are 25 feet or less in depth and six inches or less in borehole diameter. The drilling of blast holes in quarries or mines is not regulated under the Well Construction regulations.

If you have any additional questions, please contact Ken Komar at (609) 292-8803.

### NJPDES Discharge to Surface Water

If uncontaminated construction dewatering water is proposed to be discharged to surface water, including wetlands, they will need a Construction Dewatering general permit. Information regarding this permit can be found at <a href="http://www.nj.gov/dep/dwq/gp\_dewater.htm">http://www.nj.gov/dep/dwq/gp\_dewater.htm</a>. This Construction Dewatering general permit is designed for short term discharges only and authorizes the discharge of groundwater, during construction dewatering, that contains negligible levels of pollutants, to the surface waters of the State of New Jersey. This general permit does not cover discharges from sites known or suspected to contain contaminated groundwater, such as remediation or petroleum products clean-up sites, stormwater discharges, and discharges associated with sediment laden waters. The Certification Form and accompanying sample analysis data must be submitted <a href="https://www.nj.gov/dep/dwq/gp\_dewater.htm">at least 14 working days prior</a> to the proposed discharge for review.

If the construction dewatering water is **contaminated**, it must be **treated** and could then potentially be discharged to surface water through the Groundwater Remediation Cleanup (BGR) general permit. Information regarding this general permit can be viewed at <a href="http://www.nj.gov/dep/dwq/gp">http://www.nj.gov/dep/dwq/gp</a> BGR.htm.

If you have any additional questions, please contact Dwayne Kobesky at (609) 777-0285

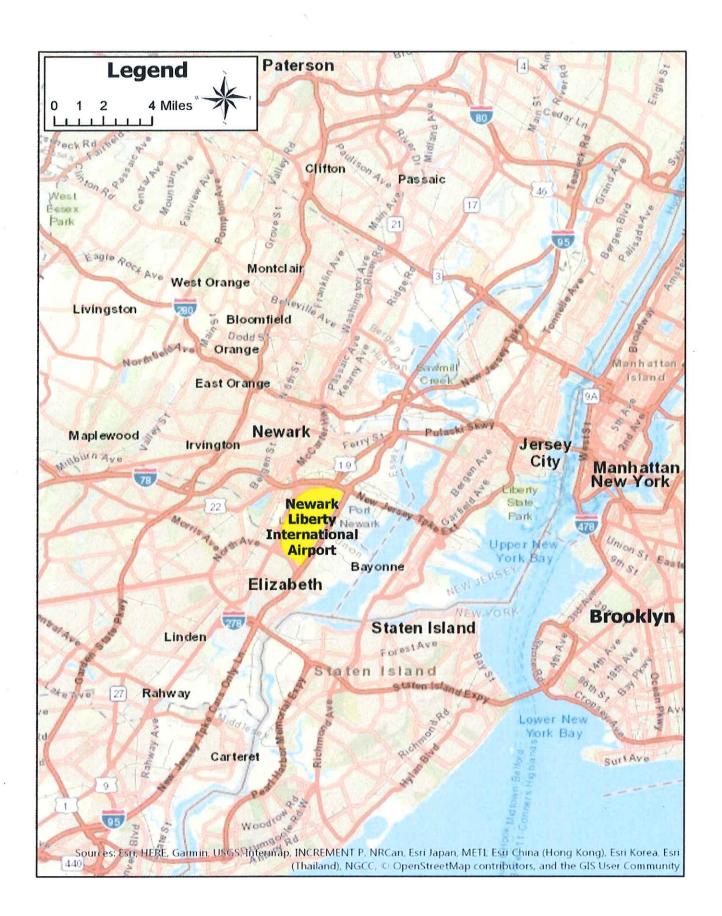
Thank you for giving the New Jersey Department of Environmental Protection the opportunity to comment on the scoping document for the proposed project. Please contact me at (609) 292-3600 if you have any additional questions or concerns.

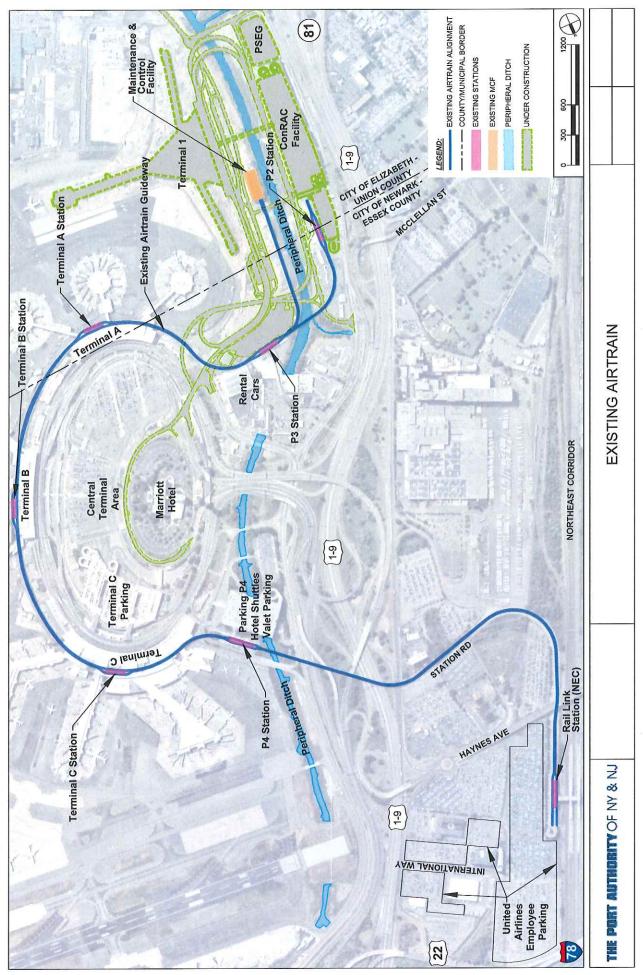
Sincerely,

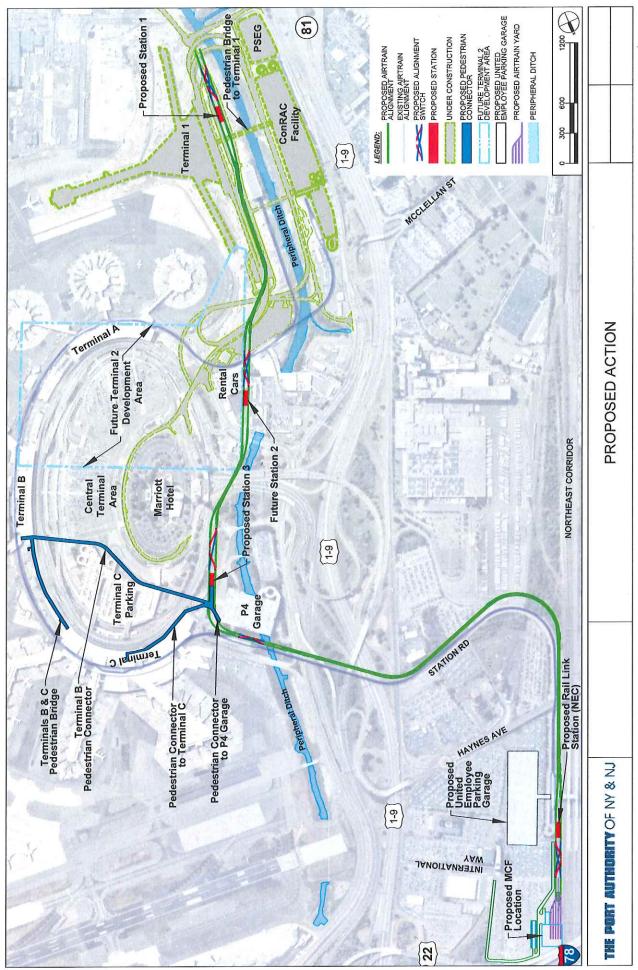
Ruth W. Foster, PhD., P. , Director

Permit Coordination and Environmental Review

Enclosures







# Newark AirTrain Replacement Properties within the Project Area

Block	Lot	Owner	Acquisition Proposed?
Essex Cou	nty, City o	f Newark	×
5088	169	International Way, LLC, 400 Plaza Drive, Secaucus, NJ 07094	Υ
5088	126.01	Hartz Mountain Waver, 400 Plaza Drive, Suite 400, Secaucus, NJ 07094	Υ
5088	126.02	Conrail, 3 Commercial Place, Box 209, Norfolk, VA 23510	N
5088	126.03	PANYNJ, One World Trade Center, New York, NY 10007	N
5090	1.01	Hartz Mountain Waver, 400 Plaza Drive, Suite 400, Secaucus, NJ 07094	Υ
5090	1.05	Hartz Mountain Waver, 400 Plaza Drive, Suite 400, Secaucus, NJ 07094	Υ
5090	8.02	PANYNJ, One World Trade Center, New York, NY 10007	N ·
5090	26	PANYNJ, One World Trade Center, New York, NY 10007	N
5090	28	BK Ventures, LLC (Holiday Inn), 400 Venture Drive, Lewis Center, OH 43035	Y
5090	44.01	Anheuser-Busch Inc., 1 Busch Place, Saint Louis, MO 63118	Y
5090	44.02	PANYNJ, One World Trade Center, New York, NY 10007	N
5094	1	City of Newark (Airport Grounds), 920 Broad Street, Newark, NJ 07102	N
Jnion Cou	ınty, City o	f Elizabeth	•
1	2104	PANYNJ (Newark Airport), One World Trade Center, New York, NY 10007	N

Source: www.njparcels.com

From: Orielan Harrington
To: Natlands@dep.nj.gov

Cc: <u>D"Apuzzo, Ralph; Laventhal, William; Chitra Radin; Tollner, Lynda</u>

Subject: NHP Data Request - EWR AirTrain Replacement Project

**Date:** Thursday, February 27, 2020 12:28:27 PM

Attachments: <a href="mage001.jpg">image001.jpg</a>

NHP attachments 2-27-2020.pdf

**CAUTION:** This email originated from outside the Port Authority. Do not open attachments or click on links from unknown senders or unexpected emails.

### Dear Sir/Madam:

The Port Authority of New York and New Jersey (PANYNJ), as owners and operators of Newark Liberty International Airport, in conjunction with the Federal Aviation Administration (FAA), would like to formally request coordination with your office to determine the potential for impacts to protected species that may be associated with their proposed AirTrain Newark Replacement Project (Project).

The Project includes replacing the existing AirTrain with a new automated people mover system. The proposed replacement system would enhance capacity, provide service between on-airport facilities, and maintain the connection to the NJ TRANSIT and Amtrak rail lines via an improved and expanded Rail Link Station. The proposed replacement system would serve Terminals B, C, and new Terminal 1, as well as parking areas (with hotel shuttle transportation), the Consolidated Rent-A-Car Facility, and the Rail Link Station. Once the new AirTrain system is constructed, the existing system will be demolished and removed.

The information received from you will be used to determine the potential for impacts to species of concern and their habitats resulting from the AirTrain Replacement Project. It will be included in an environmental assessment being prepared in compliance with NEPA on behalf of the FAA.

We have attached documentation for your use, including the Natural Heritage Data Request Form, site location maps (USGS quad and street map), and an aerial photo showing the limits of the proposed action. If you require any further information to process this request, please contact me at 973-732-1246.

# Sincerely,

# **Orielan C. Harrington**

**Senior Planner** 



oharrington@radinconsulting.com | www.radinconsulting.com Facebook | | Twitter

# State of New Jersey

# Department of Environmental Protection



Natural Heritage Data Request Form

The New Jersey Natural Heritage Program Office of Natural Lands Management Mail Code 501-04, P.O. Box 420, Trenton, New Jersey 08625-0420 (609) 984-1339



Fax No.: (609) 984-1427

	Please print clearly	. All sections are required.		
1.	Mr. / Ms. Orie	elan Harrington	Agency/Company: Radin Cons	ulting, Inc.
	Address: One	e Gateway Center	City, State, Zip: Newark, NJ 0	
	1 11011C.	-732-1246 Ext:	E-mail: oharrington@radincon	
2.	Project Name: Air	rain Replacement		
		Newark City, Elizabeth City	County(ies): Essex, Union	
		attached list	Lot(s):	
	E(x) / Longitude:	1983 State Plane feet [6 digits] or L 578,442.71	N(y) / Latitude: 679,219.62	
3.	Project Description:	Replacement of existing	AirTrain with a new automa	ated people
		mover system.		
		21		
4.	Site Location Map	and lot). Responses will be delayed if s	.g., aerial imagery, street map, tax or parcel ite locations are not clearly delineated. Alterr tabase, *.kml/kmz) by attaching it to your em	natively, you may
		GIS data is attached: Yes No	<u></u>	
5.	Riparian Zone	Is this request submitted as part of a	Riparian Zone width determination? Yes	No
6.	Acknowledgement & Signature	crediting the Natural Heritage Database be a charge of \$70.00 per hour for the response. Please pay by check or mo "DEP – Office of Natural Lands Mana	latural Lands Management will not be publise as the source of the material. It is understooservices requested. An invoice will be sent woney order (no credit card) payable to: agement" (please do not reference "NJ St	od that there will with the request ate Treasury").
Time	Frame for Response	y:		
			; PLEASE ALLOW AT LEAST 30 DAYS FOR other arrangements are specifically request	
Subn reque	nit Completed Form Winest to: (609) 984-1427. If	th Attachments To The Following Email Ad you would like to send in your data request	ddress: NATLANDS@DEP.NJ.GOV. You regular mail, please use the following address	ou may also fax your data ess:
Mail PO B	EP Office of Natural La Code 501-04 ox 420 ton, NJ 08625-0420	nds Management		
<u>F01</u>	R OFFICE USE ONLY			
DA <sup>-</sup>	TE RECEIVED			
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Pro	ject Code:		. Inv.#:	Revised August 2019

The Port Authority of New York and New Jersey (PANYNJ), as owners and operators of Newark Liberty International Airport, in conjunction with the Federal Aviation Administration (FAA), would like to formally request coordination with your office to determine the potential for impacts to protected species that may be associated with their proposed AirTrain Newark Replacement Project (Project).

The Project includes replacing the existing AirTrain with a new automated people mover system. The proposed replacement system would enhance capacity, provide service between on-airport facilities, and maintain the connection to the NJ TRANSIT and Amtrak rail lines via an improved and expanded Rail Link Station. The proposed replacement system would serve Terminals B, C, and new Terminal 1, as well as parking areas (with hotel shuttle transportation), the Consolidated Rent-A-Car Facility, and the Rail Link Station. Once the new AirTrain system is constructed, the existing system will be demolished and removed.

The information received from you will be used to determine the potential for impacts to species of concern and their habitats resulting from the AirTrain Replacement Project. It will be included in an environmental assessment being prepared in compliance with NEPA on behalf of the FAA.

We have attached documentation for your use, including the Natural Heritage Data Request Form, site location maps (USGS quad and street map), and an aerial photo showing the limits of the proposed action. If you require any further information to process this request, please contact me at 973-732-1246.

Sincerely,

# **Orielan C. Harrington**

**Senior Planner** 



oharrington@radinconsulting.com | www.radinconsulting.com Facebook | | Twitter

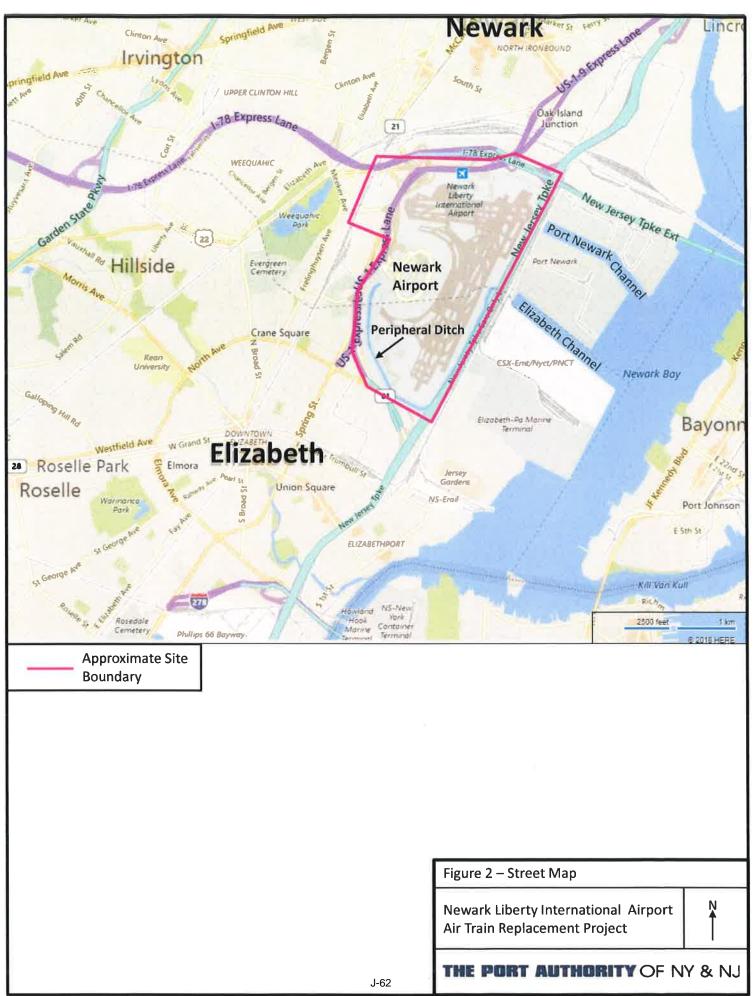
# Newark AirTrain Replacement Properties within the Project Area

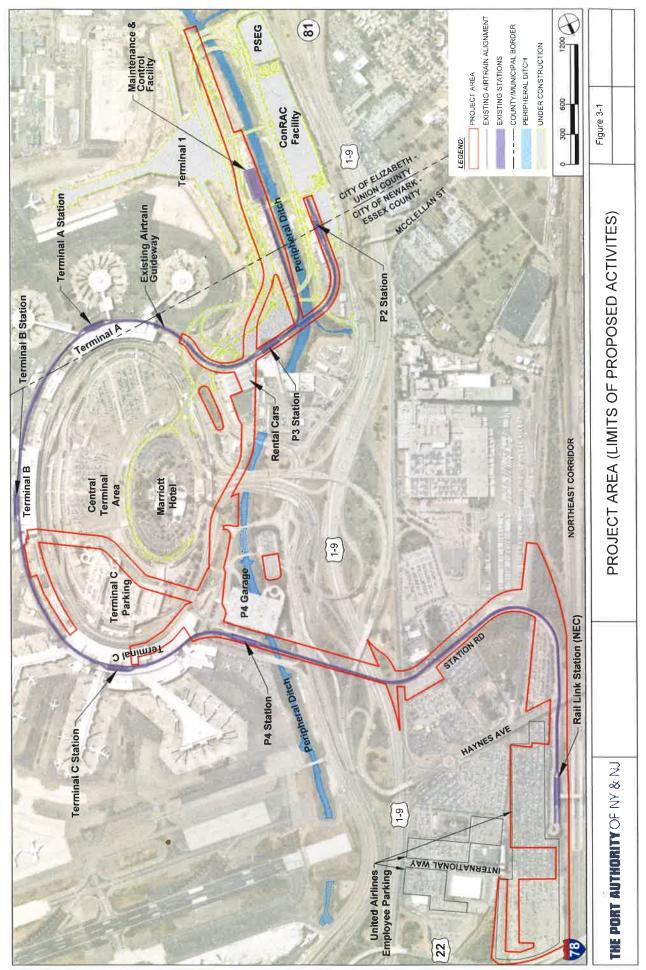
Block	Lot	Owner					
Essex Cou	nty, City of	f Newark					
5088	169	International Way, LLC, 400 Plaza Drive, Secaucus, NJ 07094					
5088	126.01	Hartz Mountain Waver, 400 Plaza Drive, Suite 400, Secaucus, NJ 07094					
5088	126.02	Conrail, 3 Commercial Place, Box 209, Norfolk, VA 23510	N N				
5088	126.03	PANYNJ, One World Trade Center, New York, NY 10007					
5090	1.01	Hartz Mountain Waver, 400 Plaza Drive, Suite 400, Secaucus, NJ 07094	8				
5090	1.05	Hartz Mountain Waver, 400 Plaza Drive, Suite 400, Secaucus, NJ 07094					
5090	8.02	PANYNJ, One World Trade Center, New York, NY 10007					
5090	26	PANYNJ, One World Trade Center, New York, NY 10007	_ N				
5090	28	BK Ventures, LLC (Holiday Inn), 400 Venture Drive, Lewis Center, OH 43035					
5090	44.01	Anheuser-Busch Inc., 1 Busch Place, Saint Louis, MO 63118	1				
5090	44.02	PANYNJ, One World Trade Center, New York, NY 10007					
5094	1	City of Newark (Airport Grounds), 920 Broad Street, Newark, NJ 07102	N.				
Union County, City of Elizabeth							
1	2104	PANYNJ (Newark Airport), One World Trade Center, New York, NY 10007	8				

Source: www.njparcels.com

Port NEWARK INTERNATIONAL APPROXIMATE PROJECT AREA

AirTrain Replacement Project Newark Liberty International Airport





From: <u>DEP NATLANDS</u>
To: <u>Orielan Harrington</u>

Cc: D"Apuzzo, Ralph; Laventhal, William: Chitra Radin; Tollner, Lynda

Subject: RE: NHP Data Request - EWR AirTrain Replacement Project

**Date:** Thursday, February 27, 2020 12:53:38 PM

Attachments: <a href="mage001.jpg">image001.jpg</a>

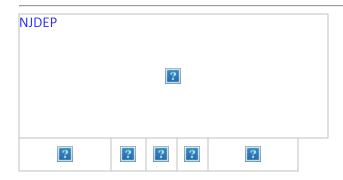
**CAUTION:** This email originated from outside the Port Authority. Do not open attachments or click on links from unknown senders or unexpected emails.

Request rec'd.

### Time Frame for Response:

Data requests are processed in the order in which they are received; **please allow 30 days for response**. Your response will be emailed to the email address that's provided on the NHP Data Request Form.

Thank you
Darin Oliver
The Natural Heritage Program
609-984-1339
Natlands@dep.ni.gov



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From: Orielan Harrington <oharrington@radinconsulting.com>

**Sent:** Thursday, February 27, 2020 12:28 PM **To:** DEP NATLANDS <NATLANDS@dep.nj.gov>

Cc: D'Apuzzo, Ralph <rdapuzzo@panynj.gov>; Laventhal, William <wlaventhal@panynj.gov>; Chitra

Radin <cradin@radinconsulting.com>; Tollner, Lynda <ltollner@LeaElliott.com>

Subject: [EXTERNAL] NHP Data Request - EWR AirTrain Replacement Project

Dear Sir/Madam:



# State of New Jersey

MAIL CODE 501-04
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF PARKS & FORESTRY
NEW JERSEY FOREST SERVICE
OFFICE OF NATURAL LANDS MANAGEMENT

P.O. BOX 420

TRENTON NI 08625 0420

TRENTON, NJ 08625-0420 Tel. (609) 984-1339 Fax (609) 984-0427 CATHERINE R. McCABE

Commissioner

SHEILA Y. OLIVER *Lt. Governor* 

Governor

PHILIP D. MURPHY

March 6, 2020

Orielan Harrington Radin Consulting, Inc. One Gateway Center, Suite 960 Newark, NJ 07102

Re: AirTrain Replacement

Newark City, Essex County and Elizabeth City, Union County

### Dear Orielan Harrington:

Thank you for your data request regarding rare species information for the above referenced project site.

Searches of the Natural Heritage Database and the Landscape Project (Version 3.3) are based on a representation of the boundaries of your project site in our Geographic Information System (GIS). We make every effort to accurately transfer your project bounds from the topographic map(s) submitted with the Natural Heritage Data Request Form into our Geographic Information System. We do not typically verify that your project bounds are accurate, or check them against other sources.

We have checked the Landscape Project habitat mapping and the Biotics Database for occurrences of any rare wildlife species or wildlife habitat on the referenced site. The Natural Heritage Database was searched for occurrences of rare plant species or ecological communities that may be on the project site. Please refer to Table 1 (attached) to determine if any rare plant species, ecological communities, or rare wildlife species or wildlife habitat are documented on site. A detailed report is provided for each category coded as 'Yes' in Table 1.

We have also checked the Landscape Project habitat mapping and Biotics Database for occurrences of rare wildlife species or wildlife habitat in the immediate vicinity (within ¼ mile) of the referenced site. Additionally, the Natural Heritage Database was checked for occurrences of rare plant species or ecological communities within ¼ mile of the site. Please refer to Table 2 (attached) to determine if any rare plant species, ecological communities, or rare wildlife species or wildlife habitat are documented within the immediate vicinity of the site. Detailed reports are provided for all categories coded as 'Yes' in Table 2. These reports may include species that have also been documented on the project site.

The Natural Heritage Program reviews its data periodically to identify priority sites for natural diversity in the State. Included as priority sites are some of the State's best habitats for rare and endangered species and ecological communities. Please refer to Tables 1 and 2 (attached) to determine if any priority sites are located on or in the immediate vicinity of the site

A list of rare plant species and ecological communities that have been documented from the county (or counties), referenced above, can be downloaded from http://www.state.nj.us/dep/parksandforests/natural/heritage/countylist.html. If suitable habitat is present at the project site, the species in that list have potential to be present.

Status and rank codes used in the tables and lists are defined in EXPLANATION OF CODES USED IN NATURAL HERITAGE REPORTS, which can be downloaded from http://www.state.nj.us/dep/parksandforests/natural/heritage/nhpcodes\_2010.pdf.

Beginning May 9, 2017, the Natural Heritage Program reports for wildlife species will utilize data from Landscape Project Version 3.3. If you have questions concerning the wildlife records or wildlife species mentioned in this response, we recommend that you visit the interactive web application at the following URL,

https://njdep.maps.arcgis.com/apps/webappviewer/index.html?id=0e6a44098c524ed99bf739953cb4d4c7, or contact the Division of Fish and Wildlife, Endangered and Nongame Species Program at (609) 292-9400.

For additional information regarding any Federally listed plant or animal species, please contact the U.S. Fish & Wildlife Service, New Jersey Field Office at http://www.fws.gov/northeast/njfieldoffice/endangered/consultation.html.

PLEASE SEE 'CAUTIONS AND RESTRICTIONS ON NHP DATA', which can be downloaded from http://www.state.nj.us/dep/parksandforests/natural/heritage/newcaution2008.pdf.

Thank you for consulting the Natural Heritage Program. The attached invoice details the payment due for processing this data request. Feel free to contact us again regarding any future data requests.

Sincerely,

Robert J. Cartica Administrator

c: NHP File No. 20-4007462-18872

# Mail Code 501-04 Department of Environmental Protection New Jersey Forest Service Office of Natural Lands Management P.O. Box 420 Trenton, New Jersey 08625-0420 Tel. (609) 984-1339 Fax. (609) 984-1427

# **Invoice**

		Date		Invoice #	
		3/6/2020		18872	
Bill to: Radin Consulting One Gateway Co Newark, NJ 071	enter, Suite 960	Make check payable to:  DEP - Office of Natural Lands Management  Forward with a copy of this statement to:  Mail Code 501-04  Office of Natural Lands Management  P.O. Box 420 Trenton, New Jersey 08625-0420			
Quantity (hrs.)	Description	•	Rate (per hr.)	Amount	
Quantity (hrs.)  1 Natural Heritage Database search for loginformation of rare species and ecologic communities. Project: 20-4007462-18872			\$ 70.00	\$ 70.00	
Orielan Harringt Project Name: A	on ıirTrain Replacement		Total	\$ 70.00	

Table 1: On Site Data Request Search Results (6 Possible Reports)

Report Name	<u>Included</u>	Number of Pages
1. Possibly on Project Site Based on Search of Natural Heritage Database: Rare Plant Species and Ecological Communities Currently Recorded in the New Jersey Natural Heritage Database	No	0 pages included
2. Natural Heritage Priority Sites On Site	No	0 pages included
3. Rare Wildlife Species or Wildlife Habitat on the Project Site Based on Search of Landscape Project 3.3 Species Based Patches	Yes	1 page(s) included
4. Vernal Pool Habitat on the Project Site Based on Search of Landscape Project 3.3	No	0 pages included
5. Rare Wildlife Species or Wildlife Habitat on the Project Site Based on Search of Landscape Project 3.3 Stream Habitat File	No	0 pages included
6. Other Animal Species On the Project Site Based on Additional Species Tracked by Endangered and Nongame Species Program	No	0 pages included

Page 1 of 1

NHP File No.: 20-4007462-18872

# Rare Wildlife Species or Wildlife Habitat on the **Project Site Based on Search of Landscape Project 3.3 Species Based Patches**

Class	Common Name	Scientific Name	Feature Type	Rank	Federal Protection Status	State Protection Status	Grank	Srank
Aves								
	Black-crowned Night- heron	Nycticorax nycticorax	Foraging	3	NA	State Threatened	G5	S2B,S3N
	Cattle Egret	Bubulcus ibis	Foraging	3	NA	State Threatened	G5	S2B,S3N
	Glossy Ibis	Plegadis falcinellus	Foraging	2	NA	Special Concern	G5	S3B,S4N
	Least Tern	Sternula antillarum	Foraging	4	NA	State Endangered	G4	S1B,S1N
	Least Tern	Sternula antillarum	Nesting Colony	4	NA	State Endangered	G4	S1B,S1N
	Little Blue Heron	Egretta caerulea	Foraging	2	NA	Special Concern	G5	S3B,S3N
	Savannah Sparrow	Passerculus sandwichensis	Breeding Sighting	3	NA	State Threatened	G5	S2B,S4N
	Snowy Egret	Egretta thula	Foraging	2	NA	Special Concern	G5	S3B,S4N
	Upland Sandpiper	Bartramia longicauda	Breeding Sighting	4	NA	State Endangered	G5	S1B,S1N
Insecta								
	Checkered White	Pontia protodice	Breeding/Courtship	3	NA	State Threatened	G5	S2

Page 1 of 1

NHP File No.:20-4007462-18872

Table 2: Vicinity Data Request Search Results (6 possible reports)

Report Name	<u>Included</u>	Number of Pages
1. Immediate Vicinity of the Project Site Based on Search of Natural Heritage Database: Rare Plant Species and Ecological Communities Currently Recorded in the New Jersey Natural Heritage Database	No	0 pages included
2. Natural Heritage Priority Sites within the Immediate Vicinity	No	0 pages included
3. Rare Wildlife Species or Wildlife Habitat Within the Immediate Vicinity of the Project Site Based on Search of Landscape Project 3.3 Species Based Patches	Yes	1 page(s) included
4. Vernal Pool Habitat In the Immediate Vicinity of Project Site Based on Search of Landscape Project 3.3	No	0 pages included
5. Rare Wildlife Species or Wildlife Habitat In the Immediate Vicinity of the Project Site Based on Search of Landscape Project 3.3 Stream Habitat File	No	0 pages included
6. Other Animal Species In the Immediate Vicinity of the Project Site Based on Additional Species Tracked by Endangered and Nongame Species Program	No	0 pages included

Page 1 of 1

NHP File No.: 20-4007462-18872

# **Rare Wildlife Species or Wildlife Habitat Within the** Immediate Vicinity of the Project Site Based on Search of **Landscape Project 3.3 Species Based Patches**

Class	Common Name	Scientific Name	Feature Type	Rank	Federal Protection Status	State Protection Status	Grank	Srank
Aves								
	Black-crowned Night- heron	- Nycticorax nycticorax	Foraging	3	NA	State Threatened	G5	S2B,S3N
	Cattle Egret	Bubulcus ibis	Foraging	3	NA	State Threatened	G5	S2B,S3N
	Glossy Ibis	Plegadis falcinellus	Foraging	2	NA	Special Concern	G5	S3B,S4N
	Least Tern	Sternula antillarum	Foraging	4	NA	State Endangered	G4	S1B,S1N
	Least Tern	Sternula antillarum	Nesting Colony	4	NA	State Endangered	G4	S1B,S1N
	Little Blue Heron	Egretta caerulea	Foraging	2	NA	Special Concern	G5	S3B,S3N
	Savannah Sparrow	Passerculus sandwichensis	Breeding Sighting	3	NA	State Threatened	G5	S2B,S4N
	Snowy Egret	Egretta thula	Foraging	2	NA	Special Concern	G5	S3B,S4N
	Upland Sandpiper	Bartramia longicauda	Breeding Sighting	4	NA	State Endangered	G5	S1B,S1N
Insecta								
	Checkered White	Pontia protodice	Breeding/Courtship	3	NA	State Threatened	G5	S2

Page 1 of 1

From: Bearce, Randy < Randy.Bearce@dep.nj.gov > Sent: Wednesday, March 11, 2020 3:12 PM
To: Patrick McHugh < Patrick.Mchugh@nv5.com >

Cc: 'Chitra radin (cradin@radinconsulting.com)' < cradin@radinconsulting.com>

Subject: RE: Tidelands Figure showing PANYNJ Airtrain Project Alignment and current claimed tidelands overlay

Pat,

Still checking records

I didn't see any record for the existing airtrain in general, however, it appears that much of Newark Airport and / or the airtrain ROW may be included within the grants highlighted in yellow below.

I provided a copy of the 2 conveyance maps that cover the area. Working on getting you copies of the grants.

Basically anything that crosses a current or former tidal creek that is not covered by an existing Tidelands instrument would need to obtain the appropriate Tidelands approval.

Will follow-up with the grants.

Conveyance maps 672-2130 & 679-2130

Grant to New York Port Authority 4/13/53 Liber P-3 page 25

Grant to City of Newark, 6/10/46 Liber W-2 page 117 (Granted with noted exceptions)

Grant to Hartz Mountain Industries 9/22/92 Liber J-8 page 177 File 90-0309-T

These are the other files referenced on the conveyance map without name. It doesn't appear any would be related to the airtrain.

0714-06-0005.1 TDG110001 pending grant to NJDOT for Rt 1 & 9

0714-13-0011.1 TDG130001 grant to Toler Place B 3520 L 46, Newark

0714-13-0009.1 TDG130001 grant to Frelinghuysen Avenue Associates, LLC B 3520 L 14, 16, Newark

0714-11-0001.1 TDG110001 grant to Zygal B 3520 Ls 18, 19, 20 & 66

Randy Bearce, Manager

Division of Land Use Regulation Bureau of Tidelands Management P.O. Box 420 Code 501-02B Trenton, NJ 08625-0420 Office Tel. # 609-292-2573 Work Cell # 609-422-7011 Fax # 609-777-3656 Randy.bearce@dep.nj.gov



### Connect with us:



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From: Patrick McHugh <Patrick.Mchugh@nv5.com>

Sent: Tuesday, March 10, 2020 5:29 PM

To: Bearce, Randy < <a href="mailto:Randy.Bearce@dep.nj.gov">Randy <a href="mailto:Randy.Bearce@dep.nj.gov">Randy.Bearce@dep.nj.gov</a>>

Cc: 'Chitra radin (cradin@radinconsulting.com)' < cradin@radinconsulting.com>

Subject: [EXTERNAL] FW: Tidelands Figure showing PANYNJ Airtrain Project Alignment and current claimed

tidelands overlay

### Hi Randy,

I just wanted to check with you to see if you and your staff had a chance to go over the mapping we sent over regarding potential tidelands conveyance issues with the Newark Liberty International Airport AirTrain project. We were hoping to meet with your office as soon as possible as the PANYNJ is trying to finalize a draft NEPA document for their internal review before advancing it. Assuming there are Tidelands issues that need to be addressed, would you have a possible date this week or early next week to meet and go over what the issues are and how they would have to be addressed? If you could let me know as soon as you can, that would be a huge help and we'd greatly appreciate it.

Pat McHugh

NV5, Inc.

973-946-5666

Patrick.McHugh@nv5.com

From: Patrick McHugh

Sent: Monday, March 2, 2020 2:57 PM

To: 'Bearce, Randy' < <a href="mailto:Randy.Bearce@dep.nj.gov">Randy.Bearce@dep.nj.gov</a>>

**Cc:** 'Chitra radin (<a href="mailto:cradin@radinconsulting.com">cradin@radinconsulting.com</a>)' <a href="mailto:cradin@radinconsulting.com">cradin@radinconsulting.com</a>); Orielan Harrington (<a href="mailto:charrington@radinconsulting.com">charrington@radinconsulting.com</a>)

Subject: RE: Tidelands Figure showing PANYNJ Airtrain Project Alignment and current claimed tidelands overlay

Thanks Randy, I appreciate it. Will wait to hear from you, thanks!

Pat McHugh

NV5 Inc.

From: Bearce, Randy <Randy.Bearce@dep.nj.gov>

Sent: Monday, March 2, 2020 2:43 PM

To: Patrick McHugh < <a href="mailto:Patrick.Mchugh@nv5.com">Patrick McHugh@nv5.com</a>>

**Cc:** 'Chitra radin (<a href="mailto:cradin@radinconsulting.com">cradin@radinconsulting.com</a>; Orielan Harrington

(oharrington@radinconsulting.com) < oharrington@radinconsulting.com>; Bearce, Randy

<Randy.Bearce@dep.nj.gov>

Subject: RE: Tidelands Figure showing PANYNJ Airtrain Project Alignment and current claimed tidelands overlay

I received the information and am having staff review the information and we will get back to you next week.

Randy Bearce, Manager
Division of Land Use Regulation
Bureau of Tidelands Management
P.O. Box 420 Code 501-02B
Trenton, NJ 08625-0420
Office Tel. # 609-292-2573
Work Cell # 609-422-7011
Fax # 609-777-3656
Randy.bearce@dep.nj.gov



## Connect with us:



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From: Patrick McHugh <Patrick.Mchugh@nv5.com>

Sent: Monday, March 2, 2020 2:46 PM

**To:** Bearce, Randy < <u>Randy.Bearce@dep.nj.gov</u>>

**Cc:** 'Chitra radin (<u>cradin@radinconsulting.com</u>)' < <u>cradin@radinconsulting.com</u>>; Orielan Harrington (oharrington@radinconsulting.com) < oharrington@radinconsulting.com>

**Subject:** [EXTERNAL] Tidelands Figure showing PANYNJ Airtrain Project Alignment and current claimed tidelands overlay

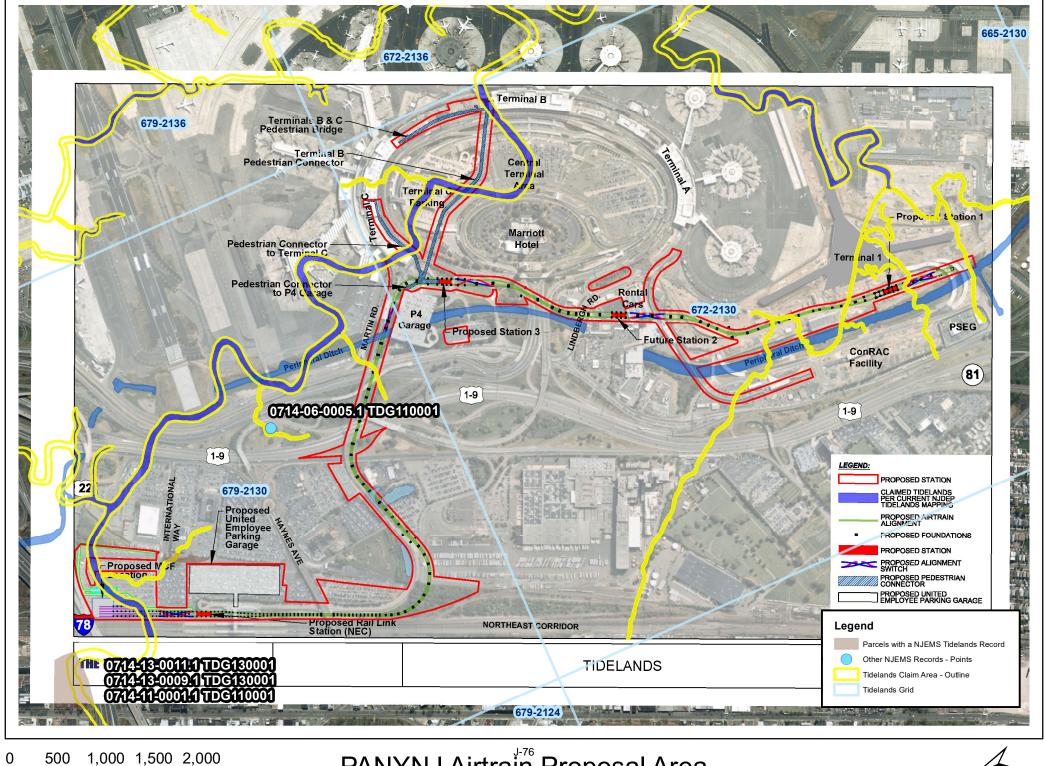
#### Hi Randy,

I just wanted to follow up with you regarding our phone conversation this past Friday concerning potential Tidelands Conveyance issues at Newark Liberty International Airport. These potential Tidelands Conveyance issues are associated with the PANYNJ's proposed Airtrain Replacement Project. I have attached a figure showing the (NJ) Tidelands Claimed Areas overlay over the proposed project alignment/limits to this email. While it is clear that the Peripheral Ditch within the Airport property is not tidal due to tide gates down near Elizabeth Channel (which we have verified visually), it is currently unknown if the depicted Claimed Tidelands limits shown on the attached figure are now covered by subsequent Tidelands Conveyances to other entities or have been legalized in the past but were not updated on NJDEP's Geoweb. We would like to meet with you and/or your staff after you've reviewed this information in order to go over what Tidelands Conveyances issues the Bureau of Tidelands feels needs to be addressed and to confirm the procedures for doing so. Should you need any additional information and clarification on what is attached, please feel free to contact me at any time (contact info below). Thanks,

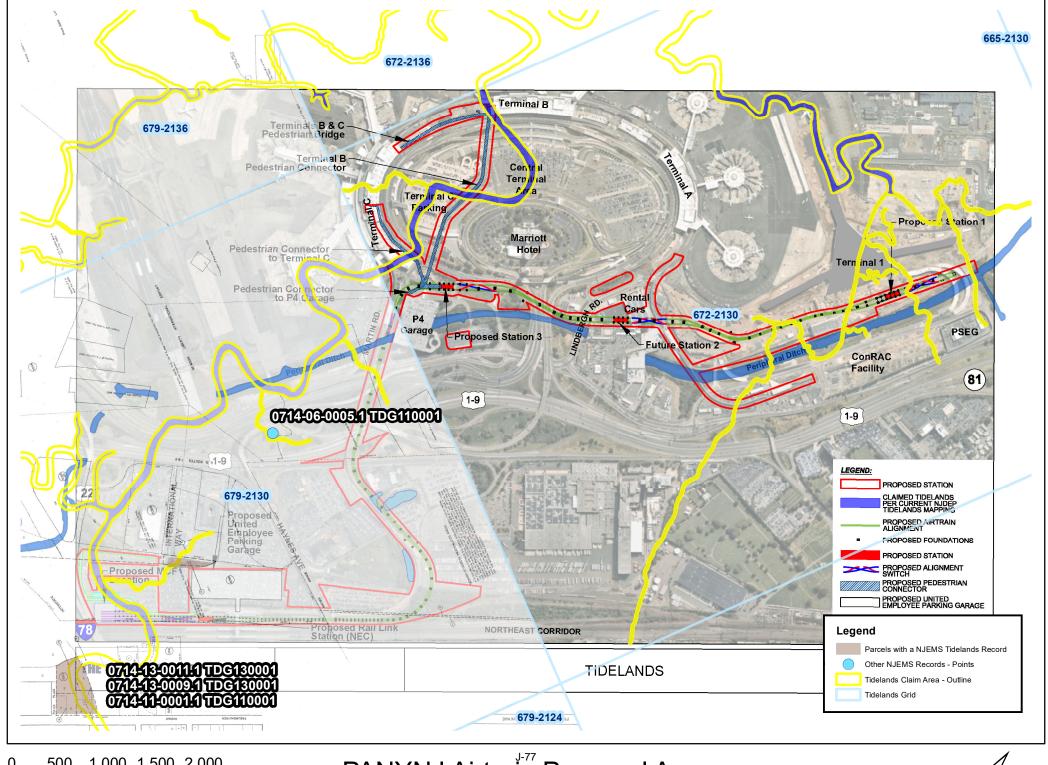
Patrick McHugh Supervising Environmental Specialist NV5, Inc.

(D): 973-946-5666 (C): 201-396-1491

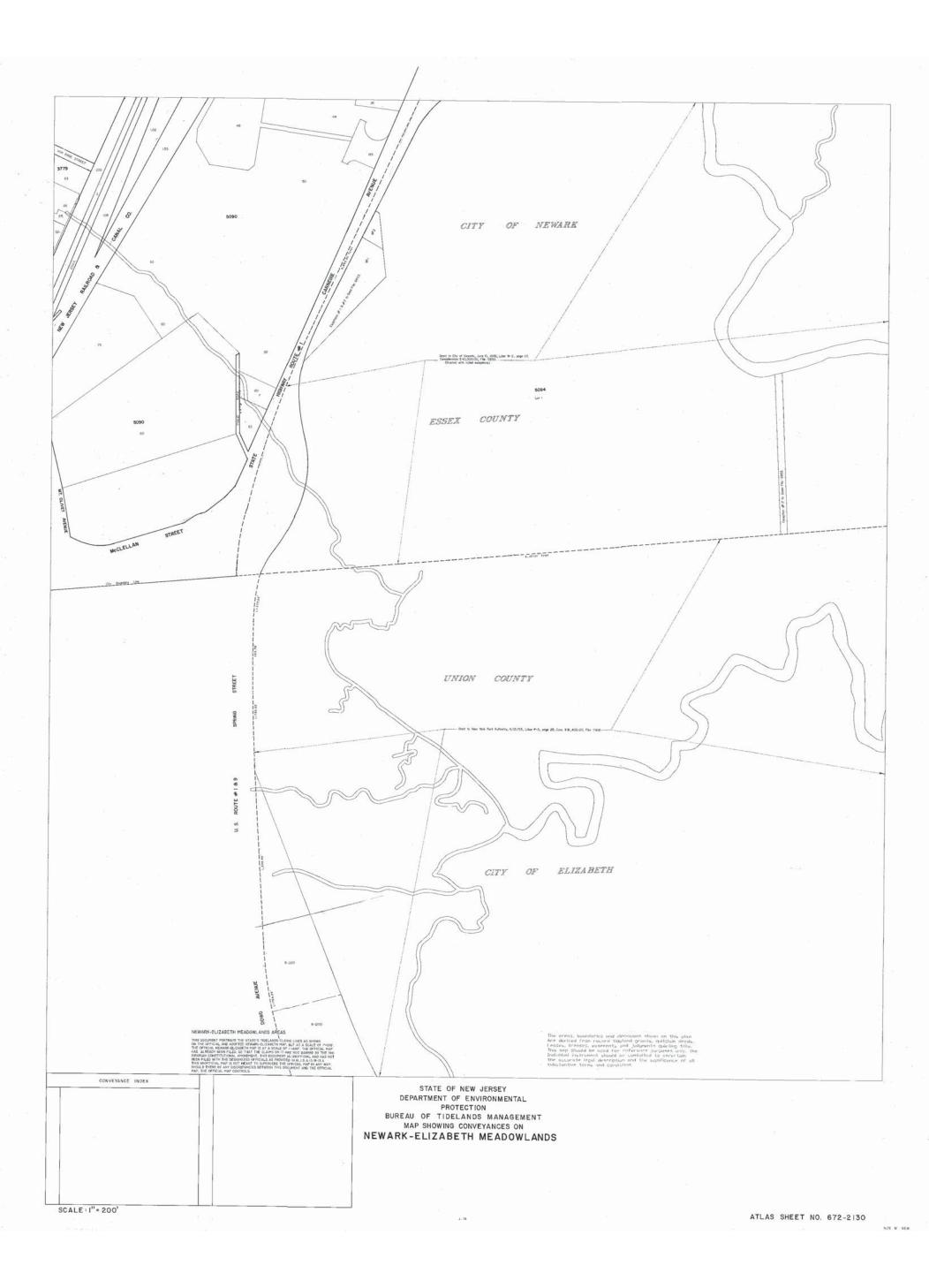
Email: Patrick.McHugh@nv5.com

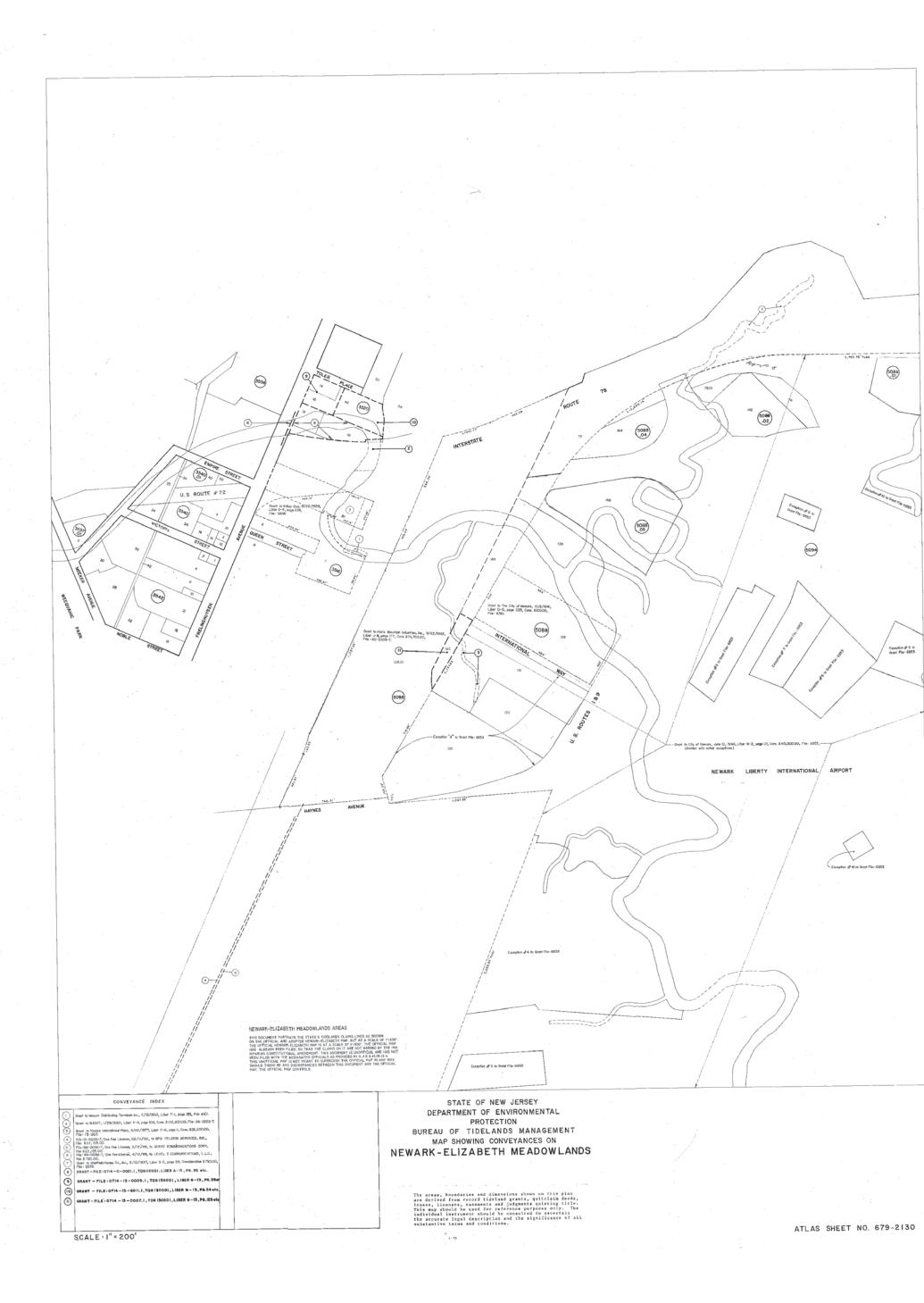












January 30, 2020

RJ Palladino, AICP/PP Senior Program Manager NJ TRANSIT Planning One Penn Plaza East - 8th Floor Newark, NJ 07105-2246

Re: AirTrain Newark Replacement Project
Elizabeth City, Union County and City of Newark, Essex County, New Jersey

Dear Mr. Palladino:

The Port Authority of New York and New Jersey (PANYNJ) is in the planning and National Environmental Policy Act (NEPA) documentation stages of AirTrain Newark Replacement Project (Project). The main hub for the airport is located at Block 1, Lot 2104 in Elizabeth City, Union County, New Jersey and Block 5094, Lot 1 in Newark City, Essex County, New Jersey. The existing AirTrain extends off the main hub and crosses Block 5088, Lot 126.03; Block 5090, Lots 1.06, 44.02, 8.02, and 26; and Block and Lots lacking parcel data information in Essex County, New Jersey and Block 1, Lot 2104 in Union County, New Jersey. The project area is shown in the attached figures.

### **Project Description**

The Project includes replacing the existing AirTrain with a new automated people mover system. The proposed replacement system would enhance capacity, provide service between on-airport facilities, and maintain the connection to the NJ TRANSIT and Amtrak rail lines via an improved and expanded Rail Link Station. The proposed replacement system would serve Terminals B, C, and new Terminal 1, as well as parking areas (with hotel shuttle transportation), the Consolidated Rent-A-Car Facility, and the Rail Link Station.

The proposed replacement system would be a 2.4-mile dual guideway system located primarily on airport property. The distance between the two guideways is expected to be approximately 50 feet at the stations and approximately 16 feet in stretches between stations. As part of the Project, PANYNJ anticipates acquiring land (lease or title) near the Rail Link Station to accommodate permanent structures to support the proposed replacement system (e.g., a Maintenance and Control Facility [MCF]). The general areas considered for acquisition by PANYNJ are either vacant or used for airport employee parking. In addition, PANYNJ would have to obtain temporary easements for construction of the replacement system.

The Project involves the construction of all facilities and infrastructure for the replacement system including elevated guideway infrastructure, rider stations, elevated pedestrian connectors, utilities, substations, MCF, vehicles, train control, and a power distribution system. A parking deck for airport employees is also included.

As part of our NEPA scoping process, we respectfully request any comments that NJ TRANSIT would like to provide on this project. A formal 30-day public comment period will be held later this year. In order to maintain the schedule for environmental planning for this project, we would appreciate your response to this inquiry by **February 28, 2020**. If you have any questions or require any additional information, please contact me at 973-565-5529 or by email at wlaventhal@panynj.gov. Thank you for your assistance.

Sincerely,

William Laventhal

Program Manager

Newark Redevelopment – AirTrain

**PANYNJ** 

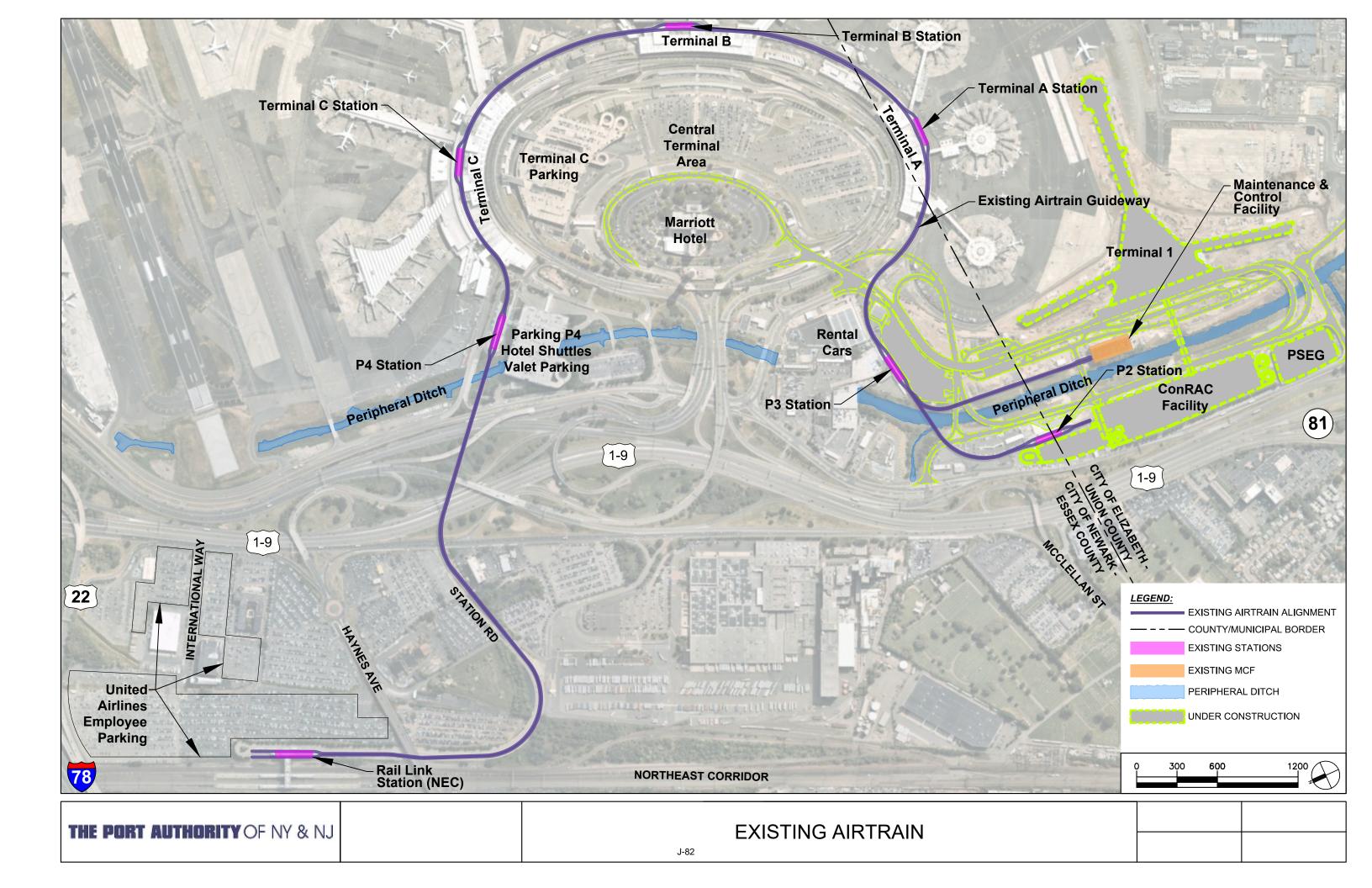
cc: Edward Knoesel, Environmental Specialist, Eastern Region, FAA

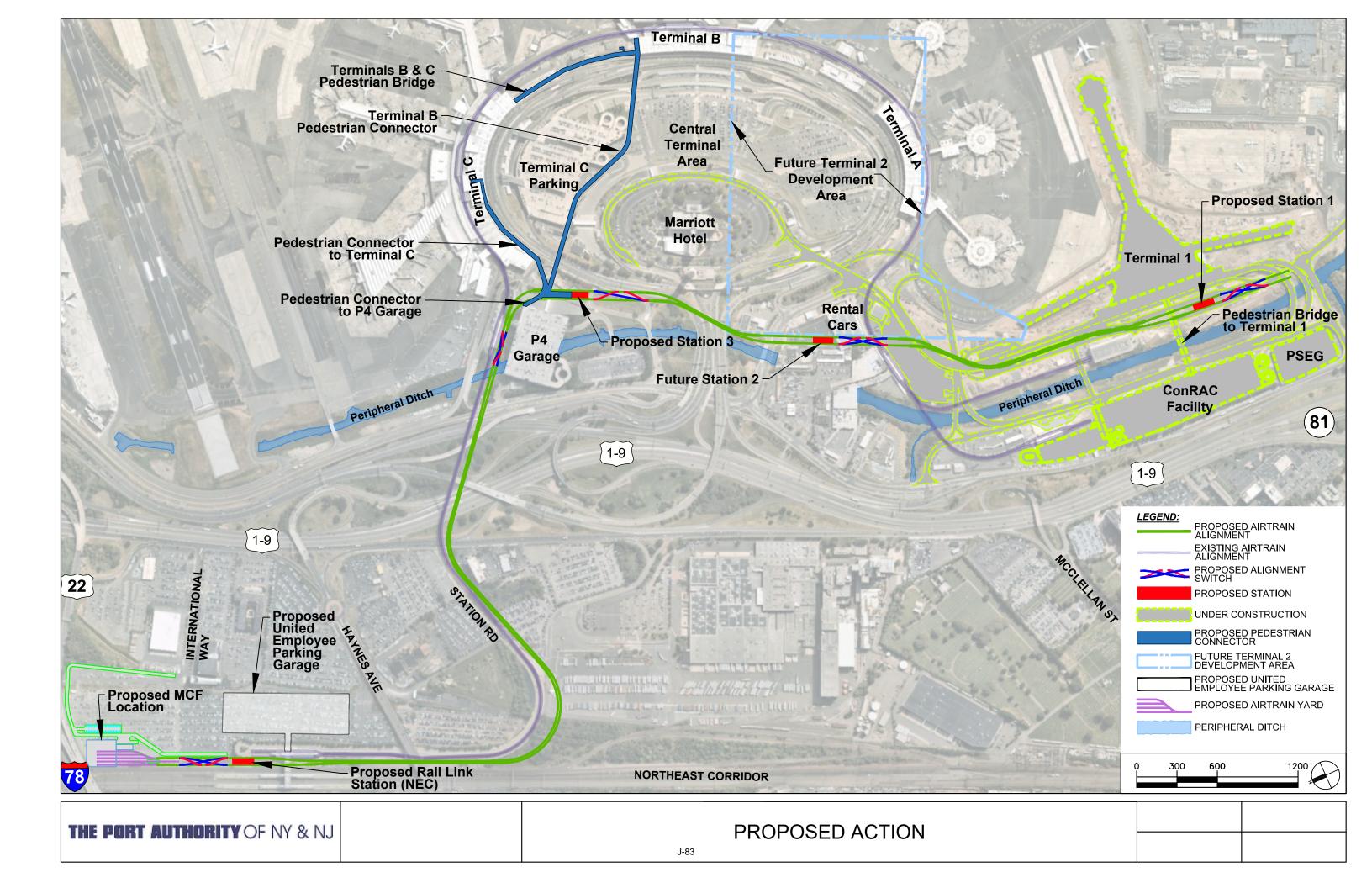
Ralph D'Apuzzo, Program Director, Newark Redevelopment – AirTrain, PANYNJ

Catherine Cronin, Project Executive, Redevelopment Programs, PANYNJ

**Enclosures:** 

Existing Conditions Figure Proposed Action Figure Regional Location Map







January 31, 2020

Byron Comati Vice President - Corporate Planning Amtrak 30th Street Station 2955 Market Street, 3N-207 Philadelphia, PA 19104

Re: AirTrain Newark Replacement Project
Elizabeth City, Union County and City of Newark, Essex County, New Jersey

Dear Mr. Comati:

The Port Authority of New York and New Jersey (PANYNJ) is in the planning and National Environmental Policy Act (NEPA) documentation stages of AirTrain Newark Replacement Project (Project). The main hub for the airport is located at Block 1, Lot 2104 in Elizabeth City, Union County, New Jersey and Block 5094, Lot 1 in Newark City, Essex County, New Jersey. The existing AirTrain extends off the main hub and crosses Block 5088, Lot 126.03; Block 5090, Lots 1.06, 44.02, 8.02, and 26; and Block and Lots lacking parcel data information in Essex County, New Jersey and Block 1, Lot 2104 in Union County, New Jersey. The project area is shown in the attached figures.

## **Project Description**

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The proposed replacement system would be a 2.4-mile dual guideway system located primarily on airport property. The distance between the two guideways is expected to be approximately 50 feet at the stations and approximately 16 feet in stretches between stations. As part of the Project, PANYNJ anticipates acquiring land (lease or title) near the Rail Link Station to accommodate permanent structures to support the proposed replacement system (e.g., a Maintenance and Control Facility [MCF]). The general areas considered for acquisition by PANYNJ are either vacant or used for airport employee parking. In addition, PANYNJ would have to obtain temporary easements for construction of the replacement system.

The Project involves the construction of all facilities and infrastructure for the replacement system including elevated guideway infrastructure, rider stations, elevated pedestrian connectors, utilities, substations, MCF, vehicles, train control, and a power distribution system. A parking deck for airport employees is also included.

As part of our NEPA scoping process, we respectfully request any comments that Amtrak would like to provide on this project. A formal 30-day public comment period will be held later this year. In order to maintain the schedule for environmental planning for this project, we would appreciate your response to this inquiry by **February 28, 2020**. If you have any questions or require any additional information, please contact me at 973-565-5529 or by email at wlaventhal@panynj.gov. Thank you for your assistance.

Sincerely,

William Laventhal

Program Manager

Newark Redevelopment - AirTrain

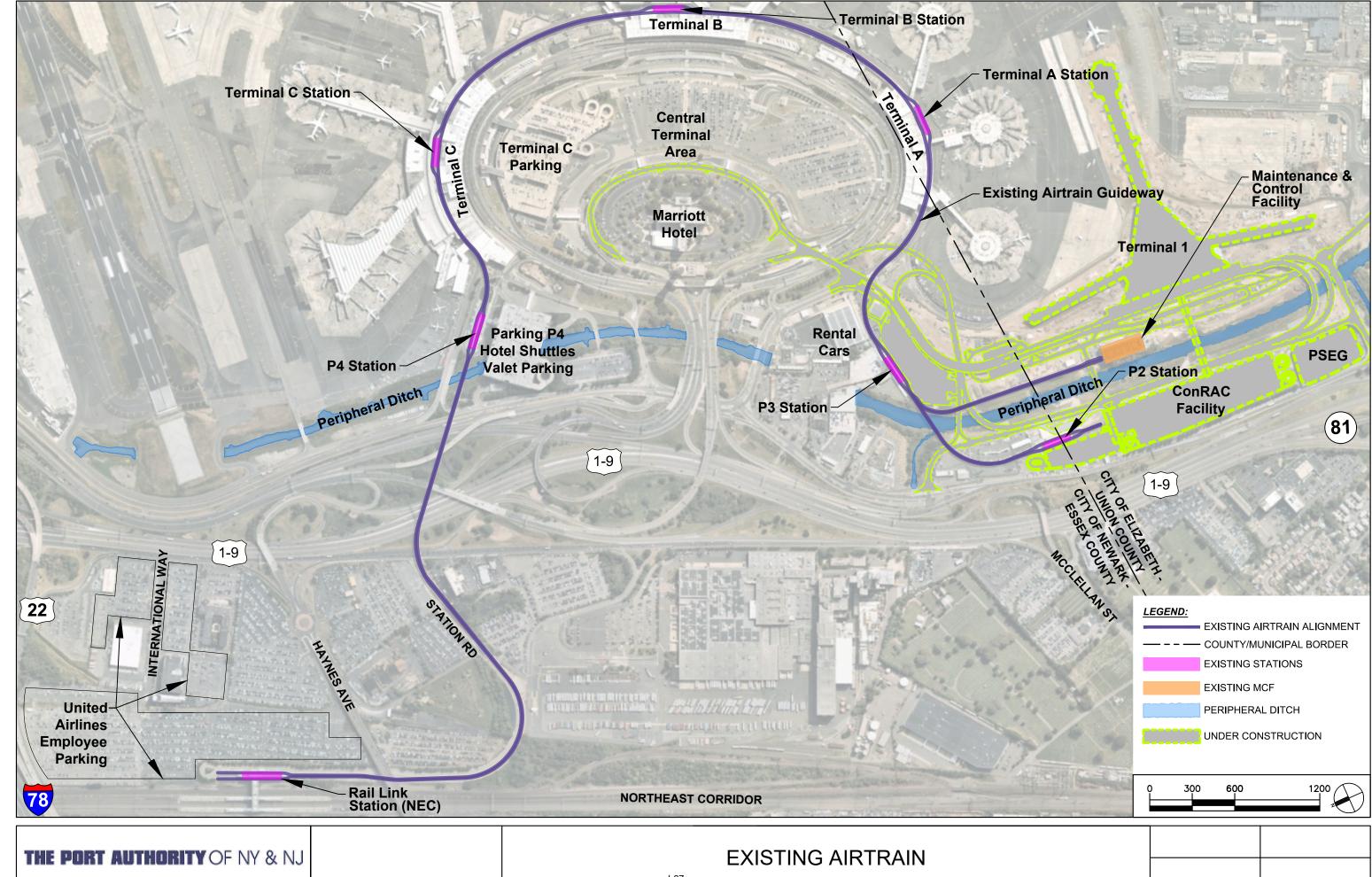
**PANYNJ** 

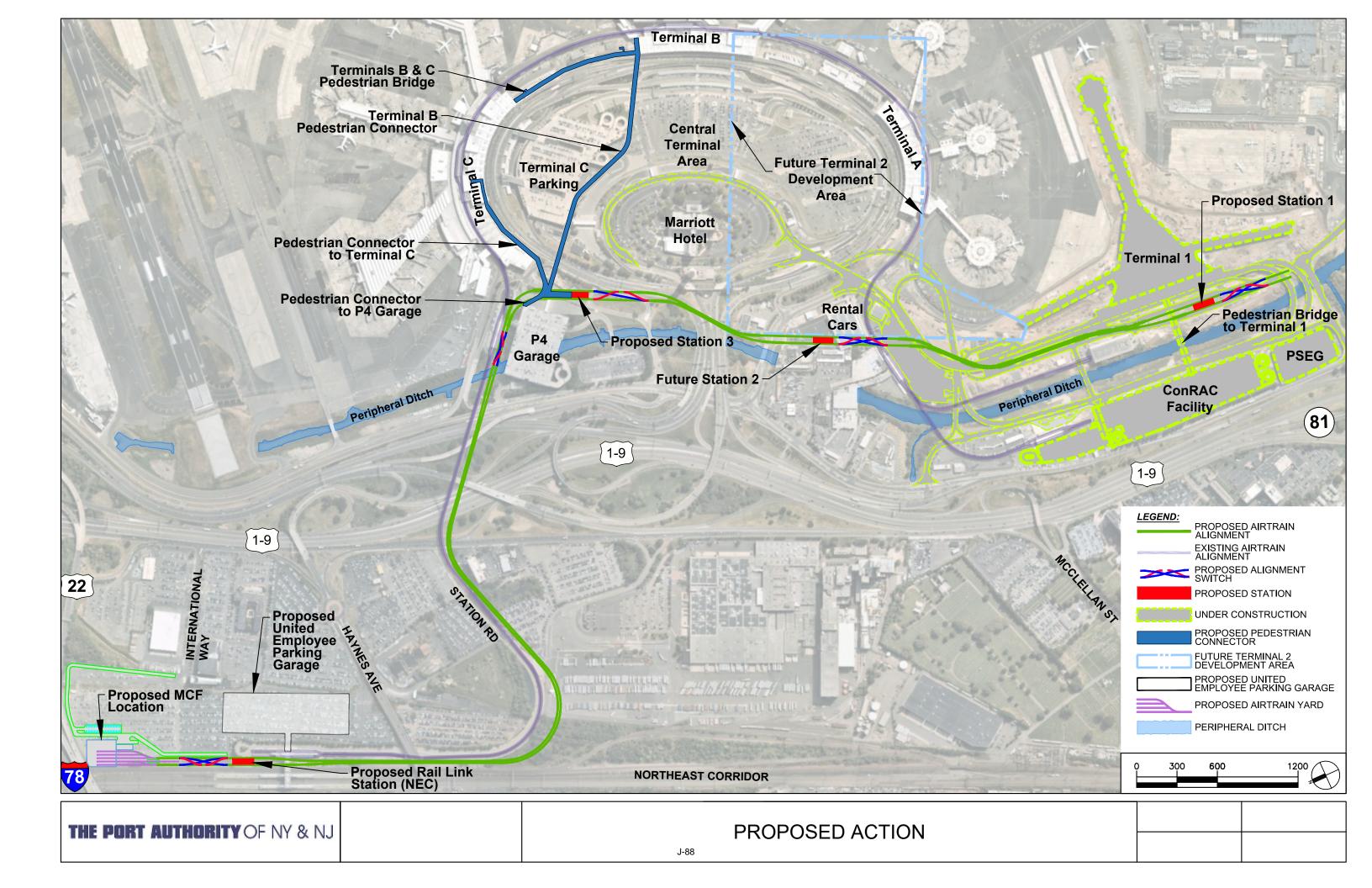
cc: Catherine Cronin, Project Executive, Redevelopment Programs, PANYNJ

Ralph D'Apuzzo, Program Director, Newark Redevelopment – AirTrain, PANYNJ

Edward Knoesel, Environmental Specialist, Eastern Region, FAA

Enclosures: Existing Conditions Figure Proposed Action Figure Regional Location Map







February 3, 2020

Ryan M. Hill, PE Director – Design & Construction Consolidated Rail Corporation 1000 Howard Blvd. Mt. Laurel, NJ 08054

Re: AirTrain Newark Replacement Project
Elizabeth City, Union County and City of Newark, Essex County, New Jersey

Dear Mr. Hill:

The Port Authority of New York and New Jersey (PANYNJ) is in the planning and National Environmental Policy Act (NEPA) documentation stages of AirTrain Newark Replacement Project (Project). The main hub for the airport is located at Block 1, Lot 2104 in Elizabeth City, Union County, New Jersey and Block 5094, Lot 1 in Newark City, Essex County, New Jersey. The existing AirTrain extends off the main hub and crosses Block 5088, Lot 126.03; Block 5090, Lots 1.06, 44.02, 8.02, and 26; and Block and Lots lacking parcel data information in Essex County, New Jersey and Block 1, Lot 2104 in Union County, New Jersey. The project area is shown in the attached figures.

#### **Project Description**

The Project includes replacing the existing AirTrain with a new automated people mover system. The proposed replacement system would enhance capacity, provide service between on-airport facilities, and maintain the connection to the NJ TRANSIT and Amtrak rail lines via an improved and expanded Rail Link Station. The proposed replacement system would serve Terminals B, C, and new Terminal 1, as well as parking areas (with hotel shuttle transportation), the Consolidated Rent-A-Car Facility, and the Rail Link Station.

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As part of our NEPA scoping process, we respectfully request any comments that Conrail would like to provide on the Project. A formal 30-day public comment period will be held later this year. In order to maintain the schedule for environmental planning for the Project, we would appreciate your response to this inquiry by February 28, 2020. If you have any questions or require any additional information, please contact me at 973-565-5529 or by email at wlaventhal@panynj.gov. Thank you for your assistance.

Sincerely,

William Laventhal

Program Manager

Newark Redevelopment - AirTrain

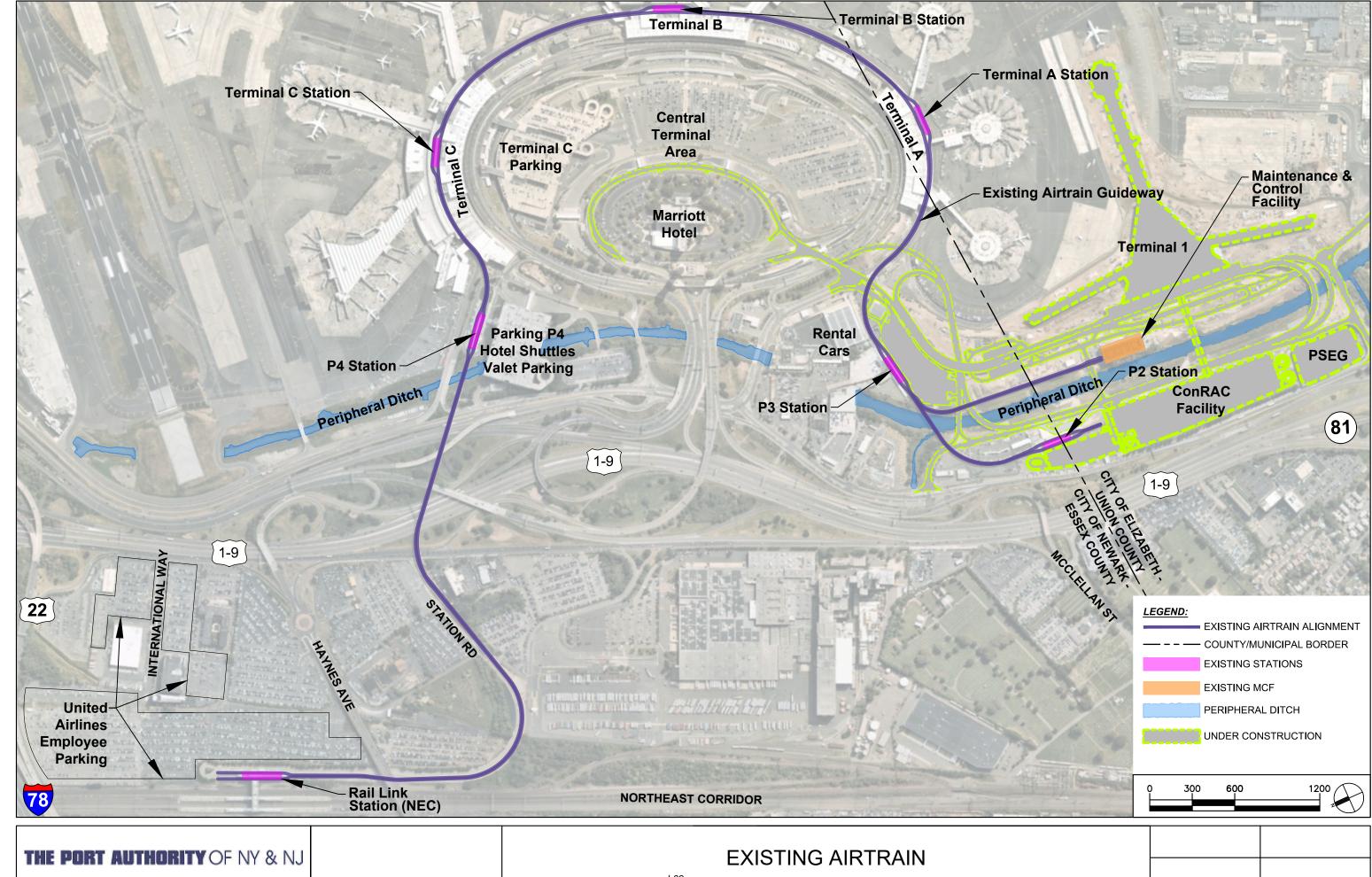
**PANYNJ** 

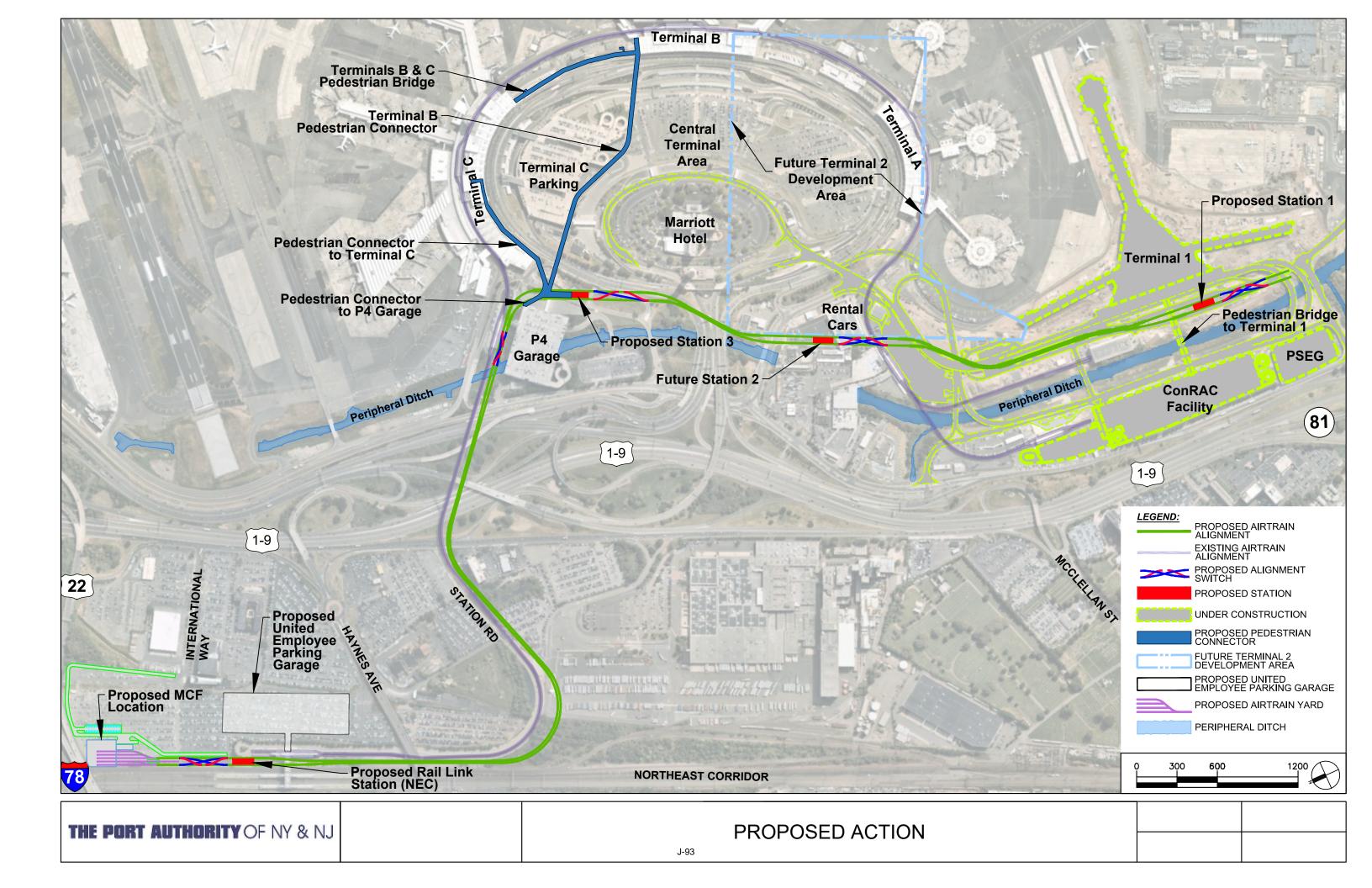
Catherine Cronin, Project Executive, Redevelopment Programs, PANYNJ cc:

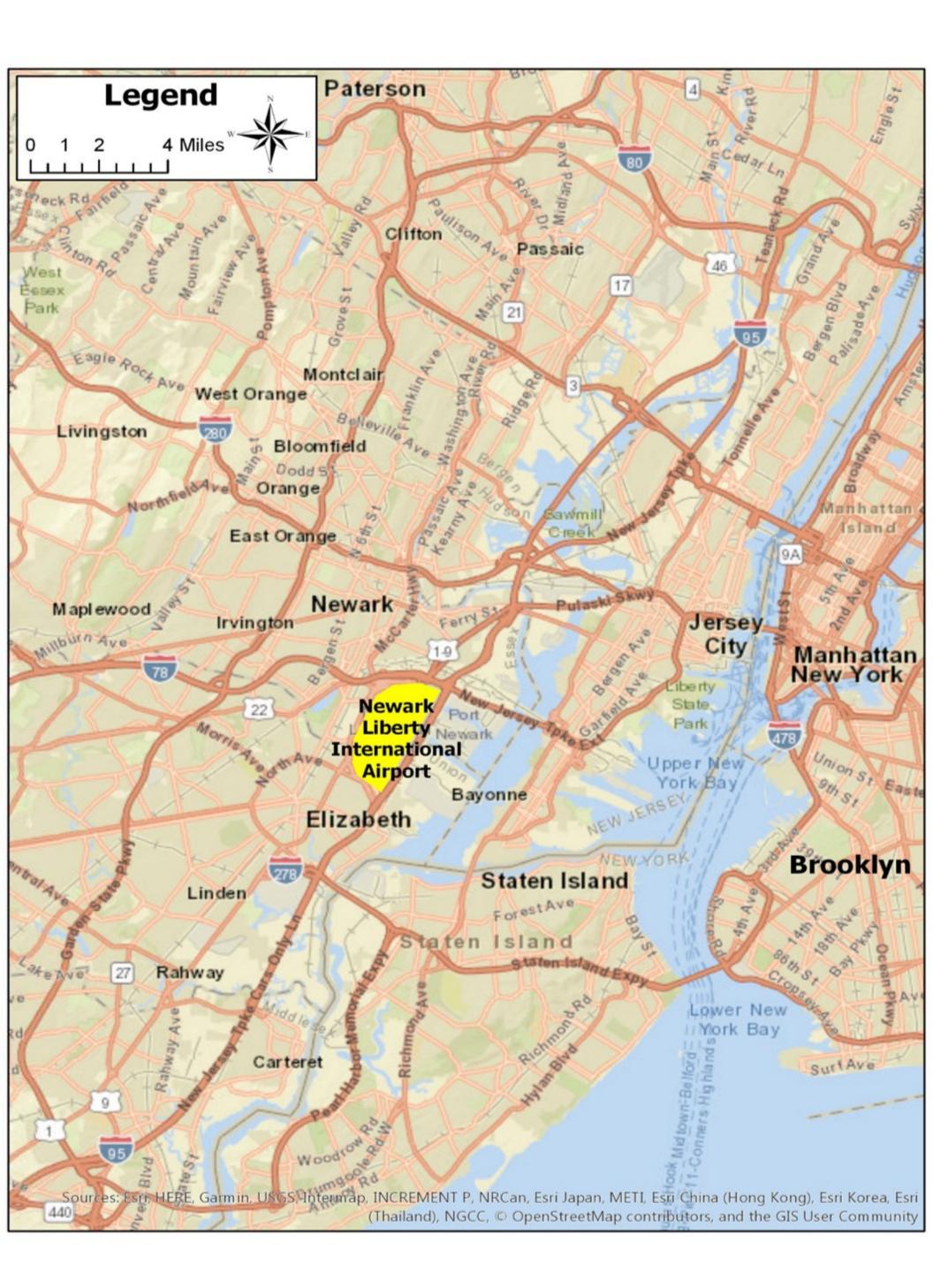
Ralph D'Apuzzo, Program Director, Newark Redevelopment – AirTrain, PANYNJ

Edward Knoesel, Environmental Specialist, Eastern Region, FAA

**Enclosures:** 







Ms. Mary. D. Ameen Executive Director North Jersey Transportation Planning Authority 1 Newark Center, Suite 17 Newark, NJ 07102

Re: AirTrain Newark Replacement Project
Elizabeth City, Union County and City of Newark, Essex County, New Jersey

Dear Ms. Ameen:

The Port Authority of New York and New Jersey (PANYNJ) is in the planning and National Environmental Policy Act (NEPA) documentation stages of AirTrain Newark Replacement Project (Project). The main hub for the airport is located at Block 1, Lot 2104 in Elizabeth City, Union County, New Jersey and Block 5094, Lot 1 in Newark City, Essex County, New Jersey. The existing AirTrain extends off the main hub and crosses Block 5088, Lot 126.03; Block 5090, Lots 1.06, 44.02, 8.02, and 26; and Block and Lots lacking parcel data information in Essex County, New Jersey and Block 1, Lot 2104 in Union County, New Jersey. The project area is shown in the attached figures.

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As part of our NEPA scoping process, respectfully request any comments that you would like to provide on this project. The Port Authority will be providing project briefings for members of the public and a formal 30-day public comment period to be held later this year.

In order to maintain the schedule for environmental planning for this project, we would appreciate your response to this inquiry by February 28, 2020. Additionally, if you could identify the preferred point of contact for your office, Port Authority staff will coordinate any future communications with them. If you have any questions or require any additional information, please contact me at 973-565-5529 or by email at wlaventhal@panynj.gov. Thank you for your assistance and we look forward to working with you throughout the AirTrain Newark Replacement Project.

Sincerely,

William Laventhal

Program Manager

Newark Redevelopment - AirTrain

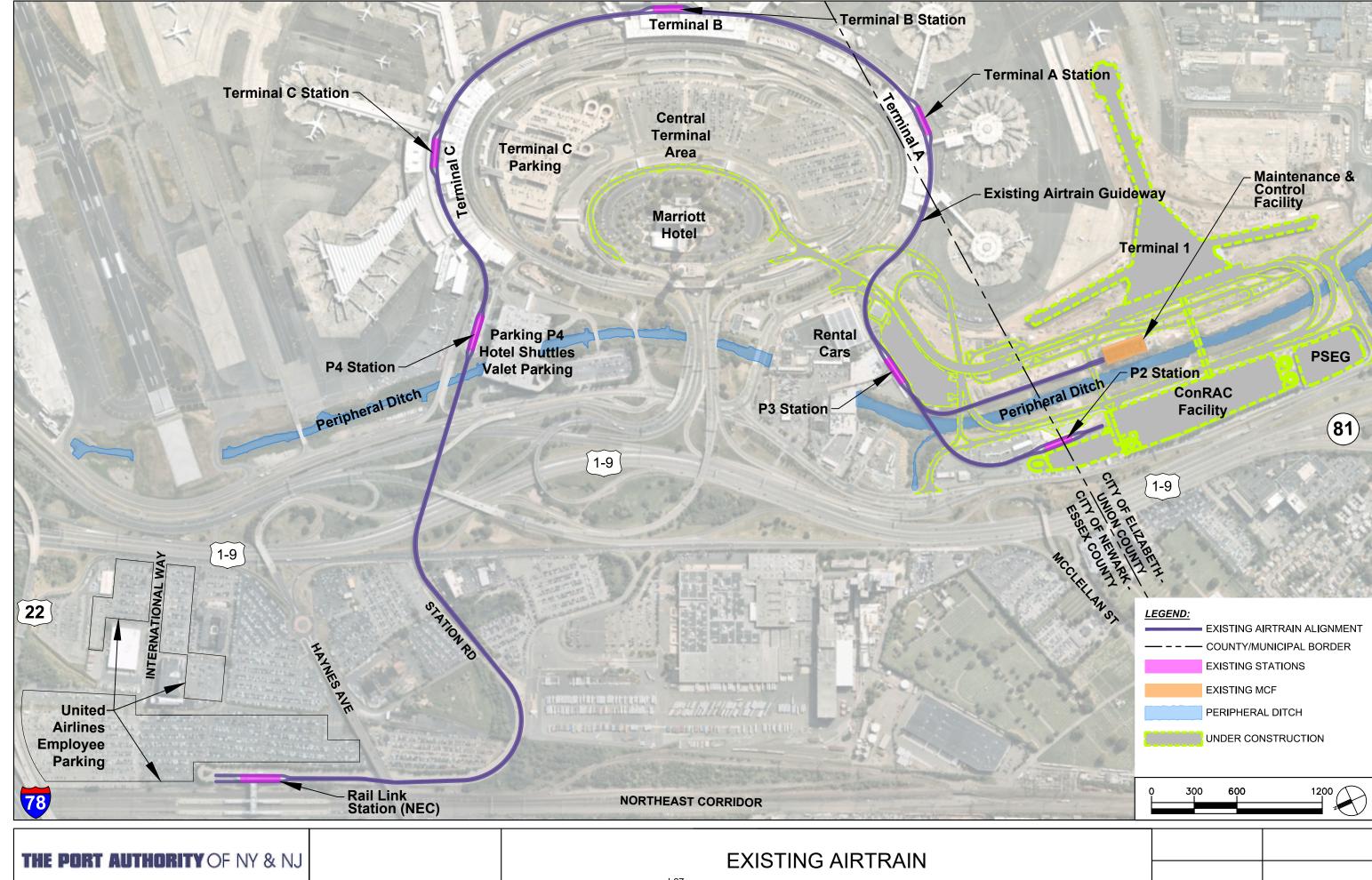
**PANYNJ** 

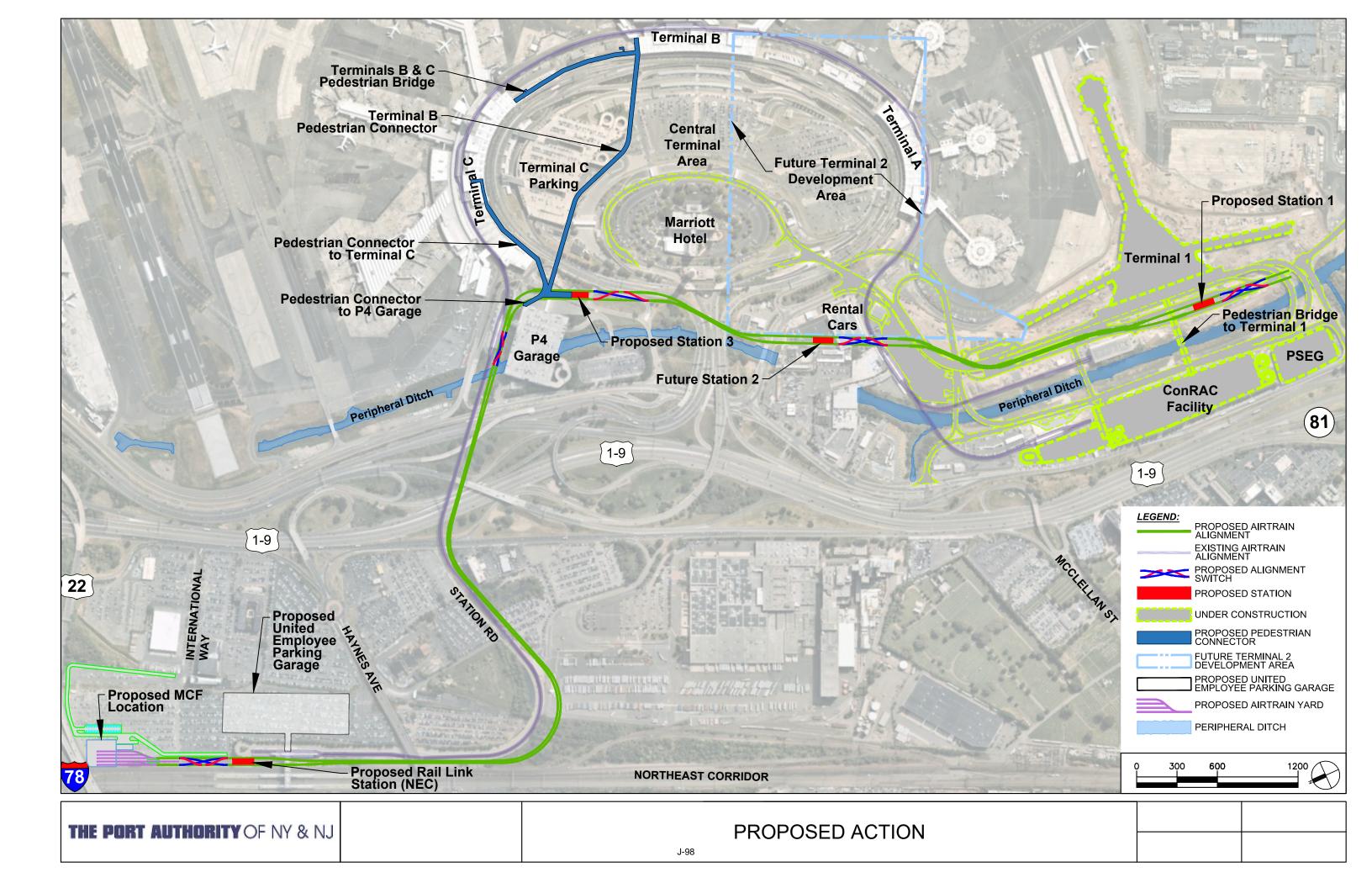
cc: David Behrend, Deputy Executive Director, NJTPA

Catherine Cronin, Project Executive, Redevelopment Programs, PANYNJ Ralph D'Apuzzo, Program Director, Newark Redevelopment – AirTrain, PANYNJ

Edward Knoesel, Environmental Specialist, Eastern Region, FAA

**Enclosures:** 







Diane Gutierrez-Scaccetti, Commissioner New Jersey Department of Transportation David J. Goldberg Transportation Complex 1035 Parkway Avenue Trenton, New Jersey 08625

Re: AirTrain Newark Replacement Project
Elizabeth City, Union County and City of Newark, Essex County, New Jersey

Dear Commissioner Gutierrez-Scaccetti:

The Port Authority of New York and New Jersey (PANYNJ) is in the planning and National Environmental Policy Act (NEPA) documentation stages of AirTrain Newark Replacement Project (Project). The main hub for the airport is located at Block 1, Lot 2104 in Elizabeth City, Union County, New Jersey and Block 5094, Lot 1 in Newark City, Essex County, New Jersey. The existing AirTrain extends off the main hub and crosses Block 5088, Lot 126.03; Block 5090, Lots 1.06, 44.02, 8.02, and 26; and Block and Lots lacking parcel data information in Essex County, New Jersey and Block 1, Lot 2104 in Union County, New Jersey. The project area is shown in the attached figures.

### **Project Description**

The Project includes replacing the existing AirTrain with a new automated people mover system. The proposed replacement system would enhance capacity, provide service between on-airport facilities, and maintain the connection to the NJ TRANSIT and Amtrak rail lines via an improved and expanded Rail Link Station. The proposed replacement system would serve Terminals B, C, and new Terminal 1, as well as parking areas (with hotel shuttle transportation), the Consolidated Rent-A-Car Facility, and the Rail Link Station.

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Sincerely

Ralph J. D'Apuzzo, P.E.

**Program Director** 

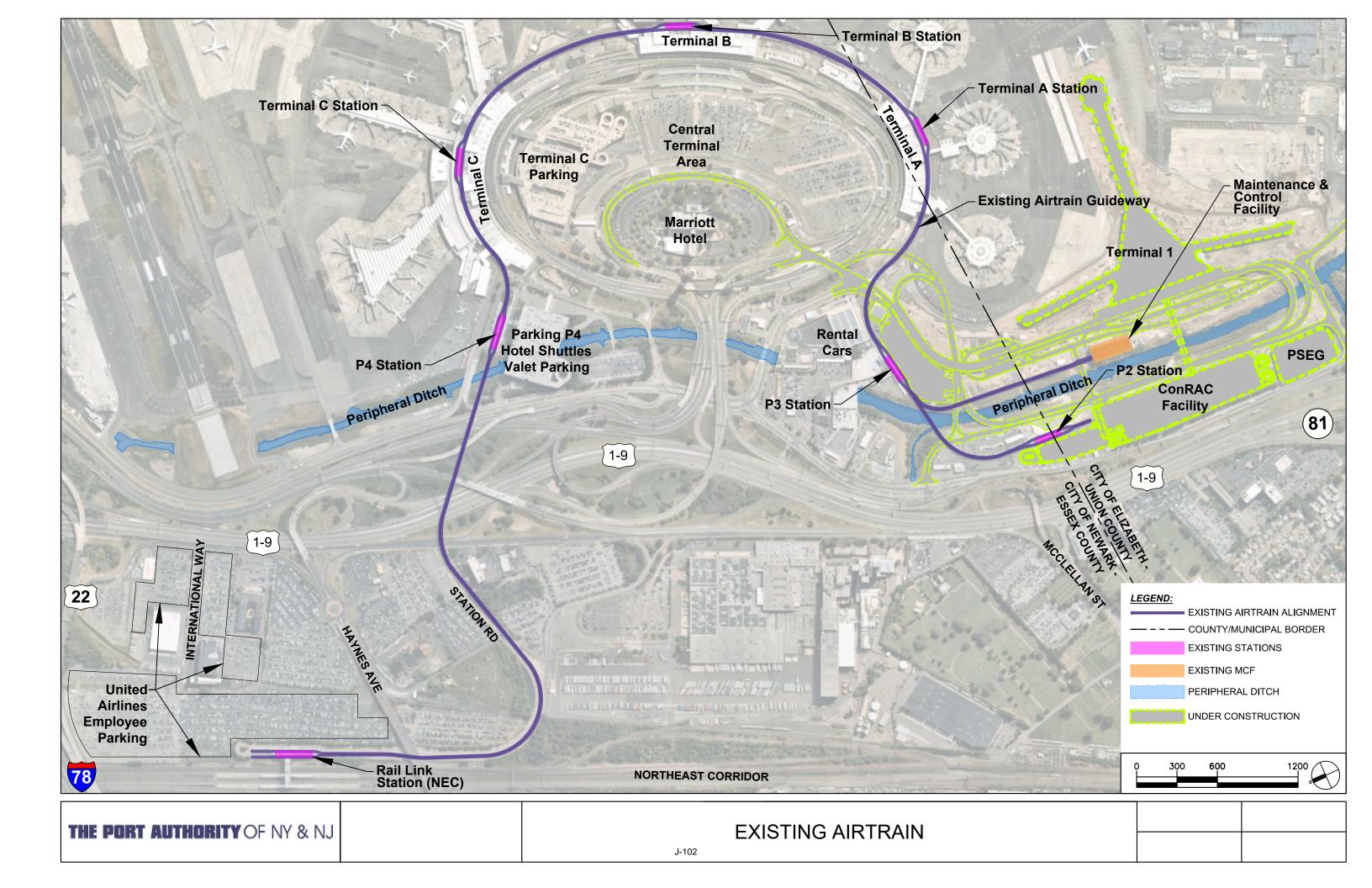
Newark Redevelopment – AirTrain

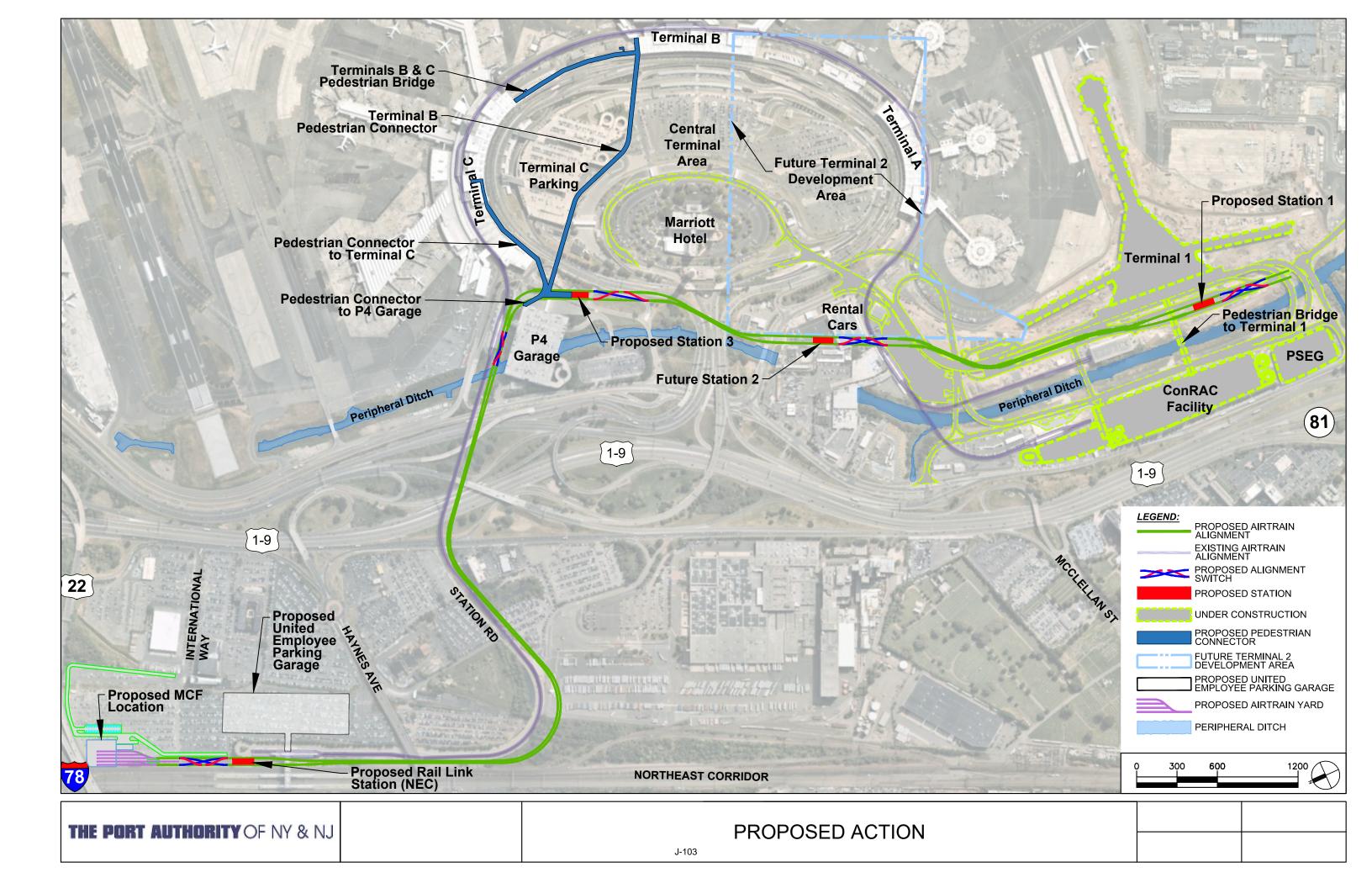
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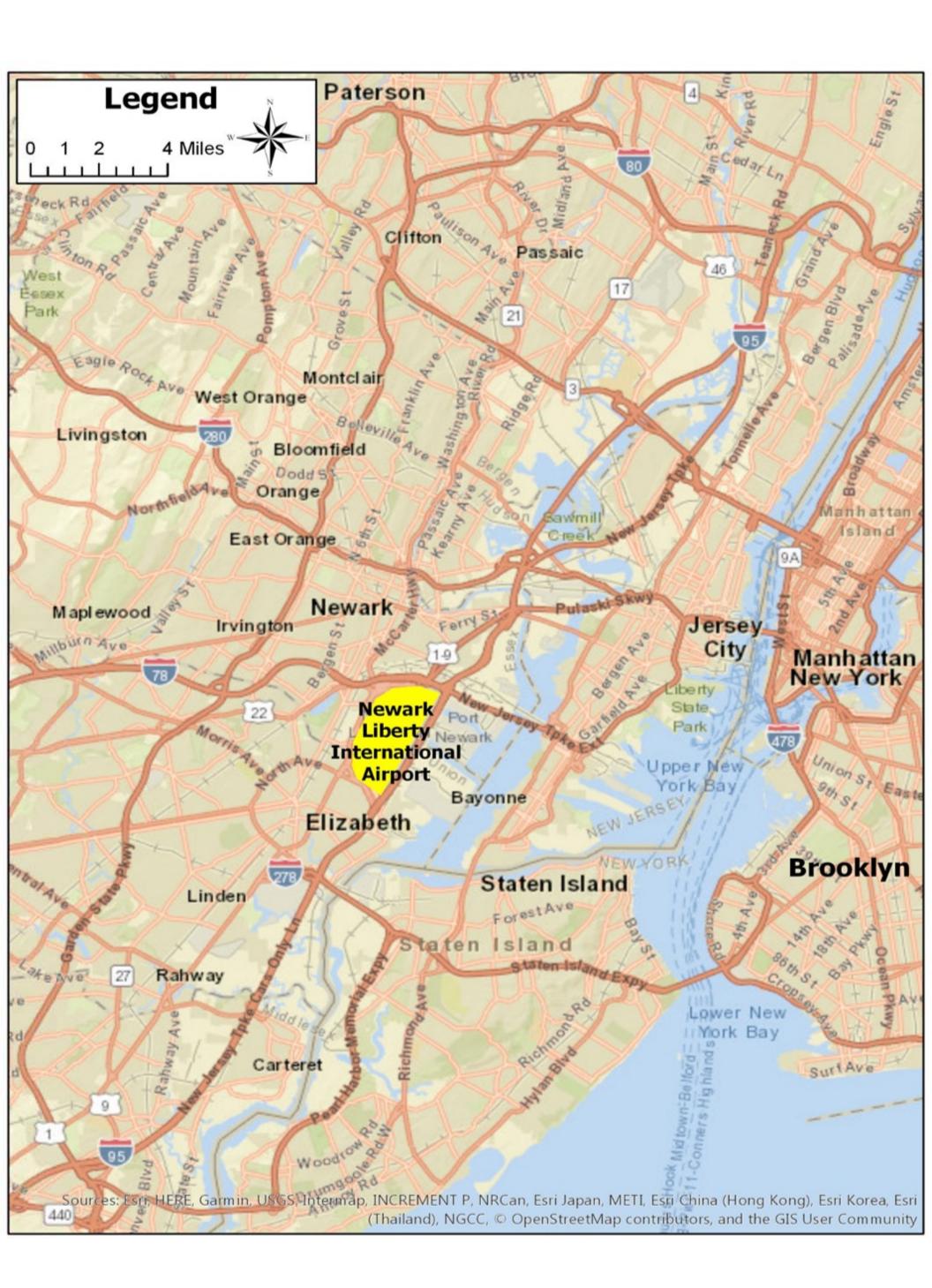
cc: Catherine Cronin, Project Executive, Redevelopment Programs, PANYNJ

Edward Knoesel, Environmental Specialist, Eastern Region, FAA

William Laventhal, Program Manager, Newark Redevelopment - AirTrain, PANYNJ







# State of New Jersey

DEPARTMENT OF TRANSPORTATION P.O. Box 600 Trenton, New Jersey 08625-0600

PHILIP D. MURPHY
Governor

DIANE GUTIERREZ-SCACCETTI

Commissioner

SHEILA Y. OLIVER Lt. Governor

March 31, 2020

Ralph J. D'Apuzzo, P.E. Program Director Newark Redevelopment – AirTrain The Port Authority of NY & NJ

Re: AirTrain Newark Replacement Project Elizabeth City, Union County, City of Newark, Essex County, New Jersey

Dear Mr. D'Appuzzo:

Thank you for your letter regarding the AirTrain Newark Replacement Project. I appreciate the opportunity to be of assistance to you.

On behalf of Commissioner Gutierrez-Scaccetti, the New Jersey Department of Transportation (NJDOT) wishes to thank you for the opportunity to offer comments on the proposed AirTrain replacement project. We understand that you are in the early stages of the National Environmental Policy Act (NEPA) scoping process and therefore have no specific comments at this time. However, we look forward to future opportunities as the NEPA process unfolds. To that affect I would like to identify Elkins Green, Director of the Division of Environmental Resources here at NJDOT as our primary contact for NEPA collaboration. He can be reached at Elkins.green@dot.nj.gov or at (609) 963-2065.

We again thank you for the opportunity.

Sincerely,

Jay Jimenez Chief of Staff

The Honorable Ras J. Baraka Mayor, City of Newark Newark City Hall 920 Broad St Newark, New Jersey 07102

Re: AirTrain Newark Replacement Project
Elizabeth City, Union County and City of Newark, Essex County, New Jersey

## Dear Mayor Baraka:

The Port Authority of New York and New Jersey (PANYNJ) is in the planning and National Environmental Policy Act (NEPA) documentation stages of AirTrain Newark Replacement Project (Project). The main hub for the airport is located at Block 1, Lot 2104 in Elizabeth City, Union County, New Jersey and Block 5094, Lot 1 in Newark City, Essex County, New Jersey. The existing AirTrain extends off the main hub and crosses Block 5088, Lot 126.03; Block 5090, Lots 1.06, 44.02, 8.02, and 26; and Block and Lots lacking parcel data information in Essex County, New Jersey and Block 1, Lot 2104 in Union County, New Jersey. The project area is shown in the attached figures.

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Sincerely,

Ralph J. D'Apuzzo, P.E.

**Program Director** 

Newark Redevelopment - AirTrain

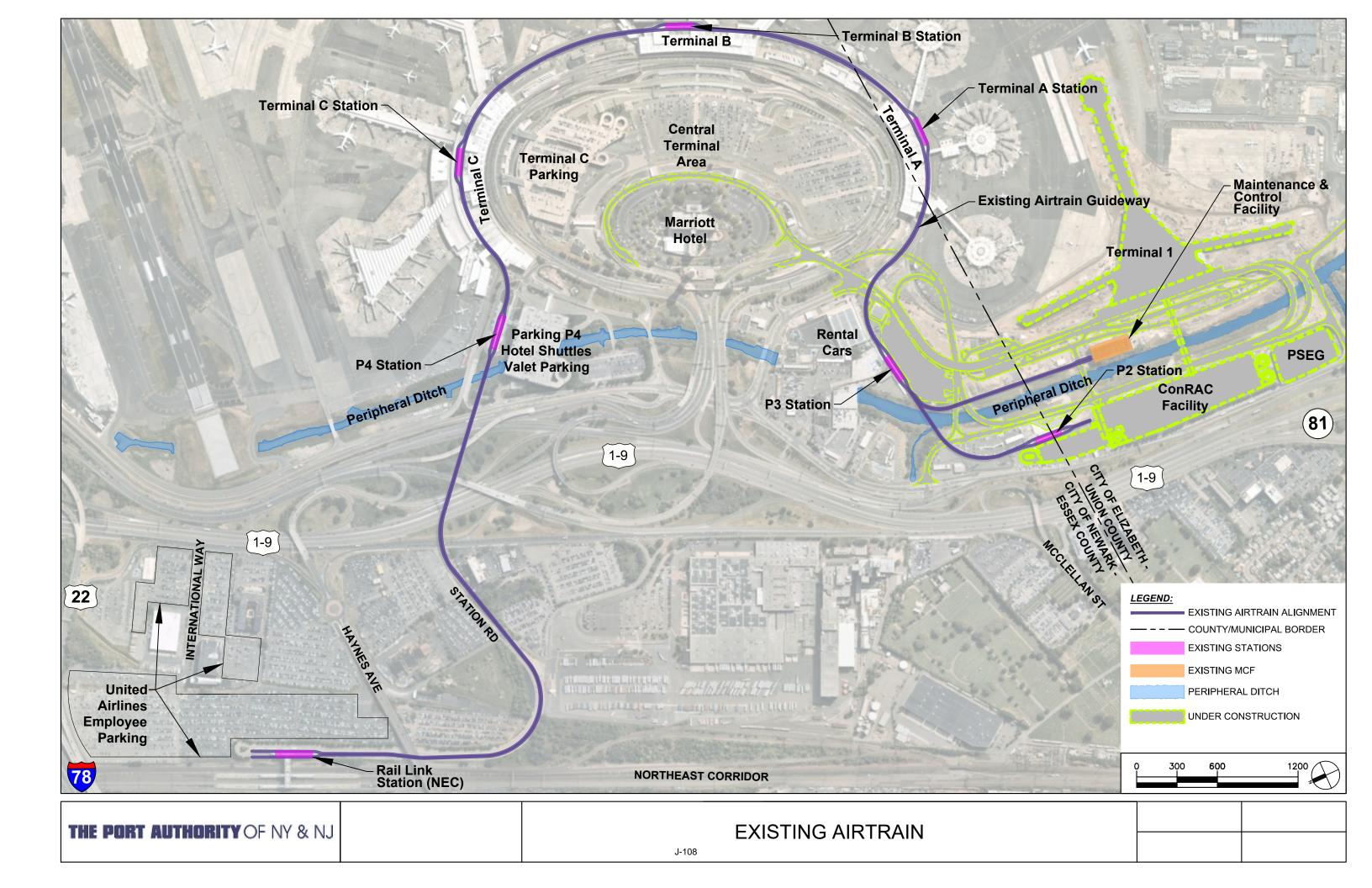
**PANYNJ** 

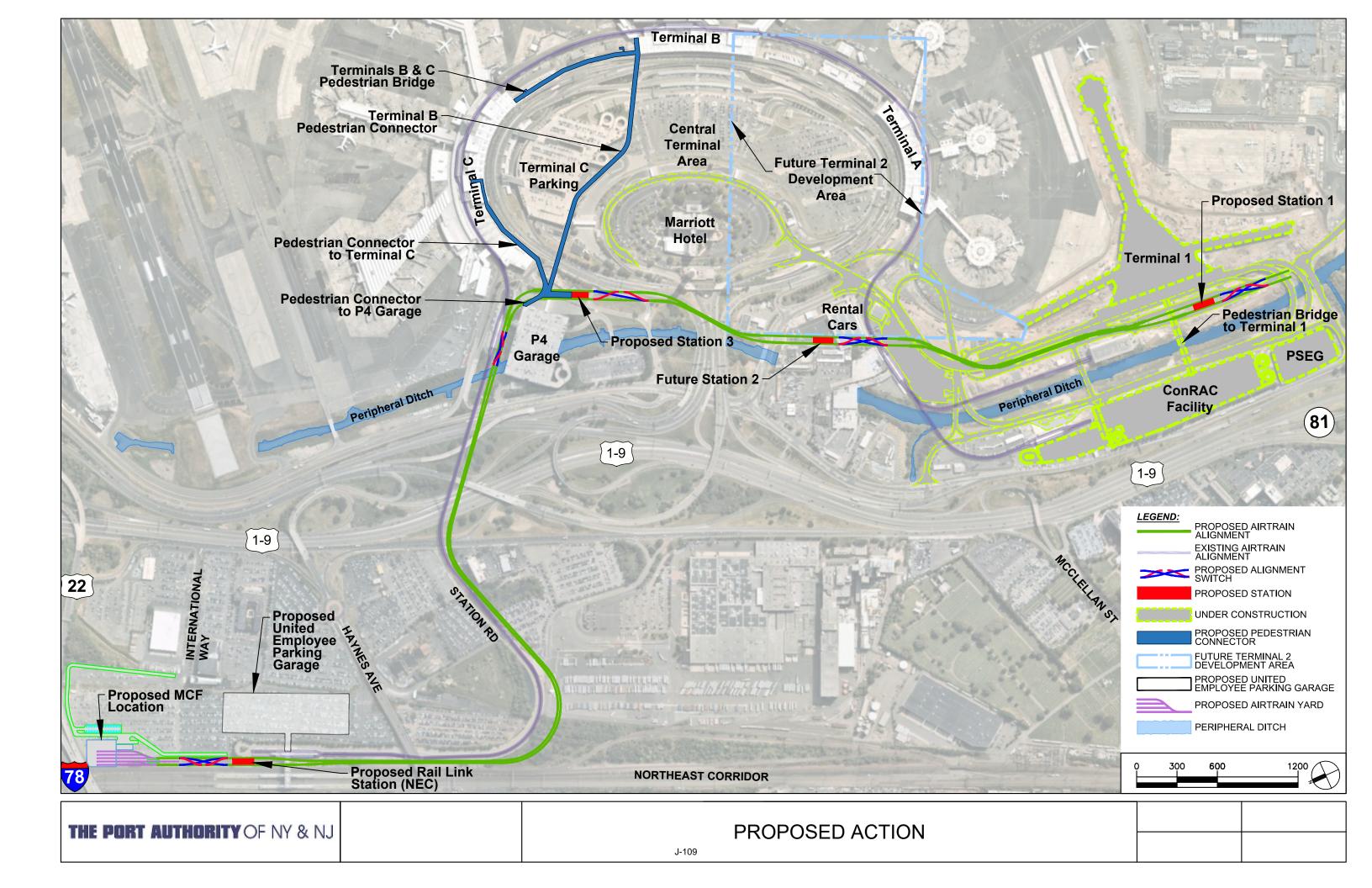
cc: Catherine Cronin, Project Executive, Redevelopment Programs, PANYNJ

Edward Knoesel, Environmental Specialist, Eastern Region, FAA

William Laventhal, Program Manager, Newark Redevelopment - AirTrain, PANYNJ

**Enclosures:** 







Eric S. Pennington, Business Administrator City of Newark Newark City Hall 920 Broad Street, Room 205 Newark, NJ 07102

Re: AirTrain Newark Replacement Project
Elizabeth City, Union County and City of Newark, Essex County, New Jersey

Dear Business Administrator Pennington:

The Port Authority of New York and New Jersey (PANYNJ) is in the planning and National Environmental Policy Act (NEPA) documentation stages of AirTrain Newark Replacement Project (Project). The main hub for the airport is located at Block 1, Lot 2104 in Elizabeth City, Union County, New Jersey and Block 5094, Lot 1 in Newark City, Essex County, New Jersey. The existing AirTrain extends off the main hub and crosses Block 5088, Lot 126.03; Block 5090, Lots 1.06, 44.02, 8.02, and 26; and Block and Lots lacking parcel data information in Essex County, New Jersey and Block 1, Lot 2104 in Union County, New Jersey. The project area is shown in the attached figures.

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Ralph J. D'Apuzzo, P.E.

**Program Director** 

Newark Redevelopment – AirTrain

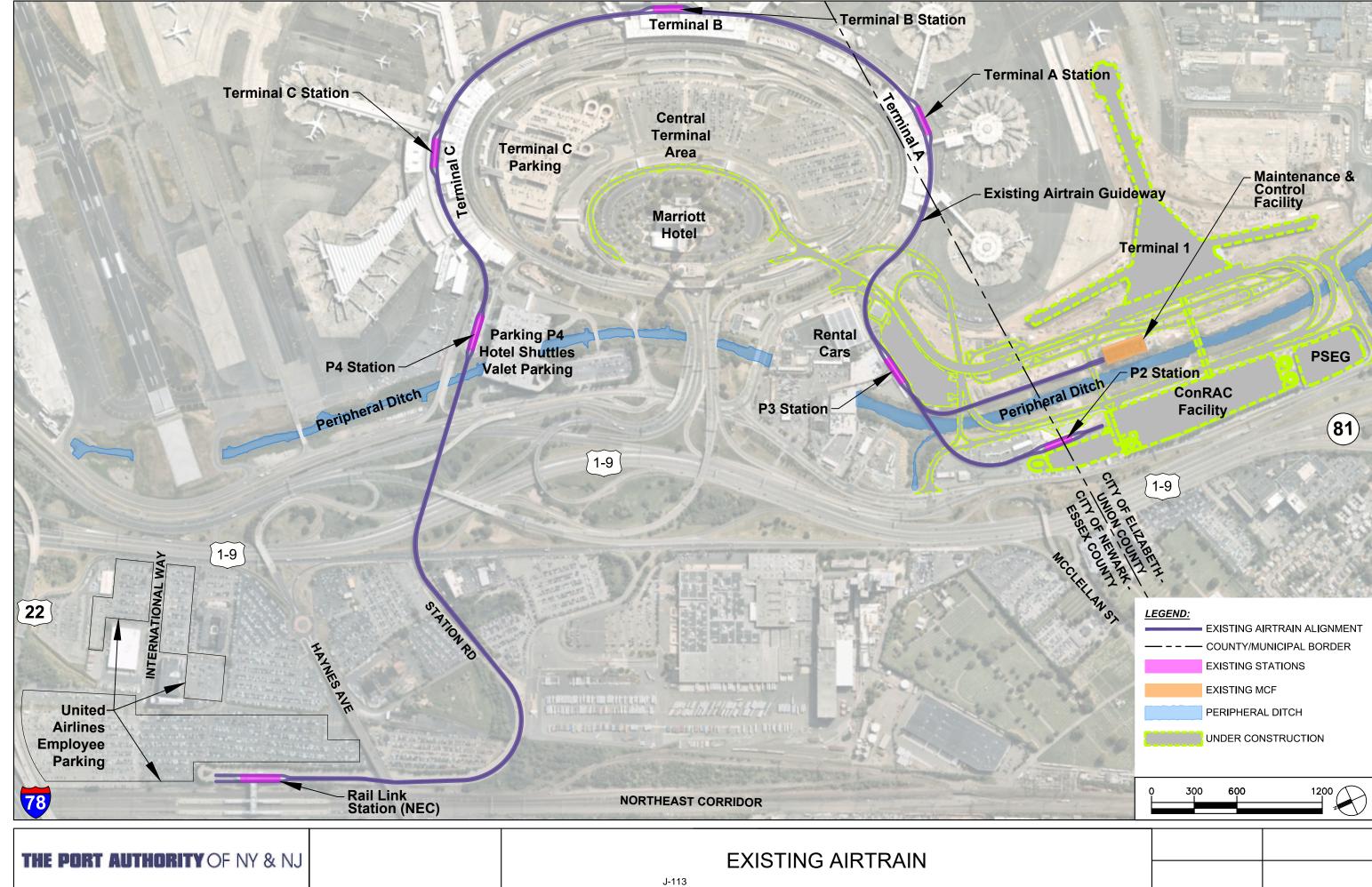
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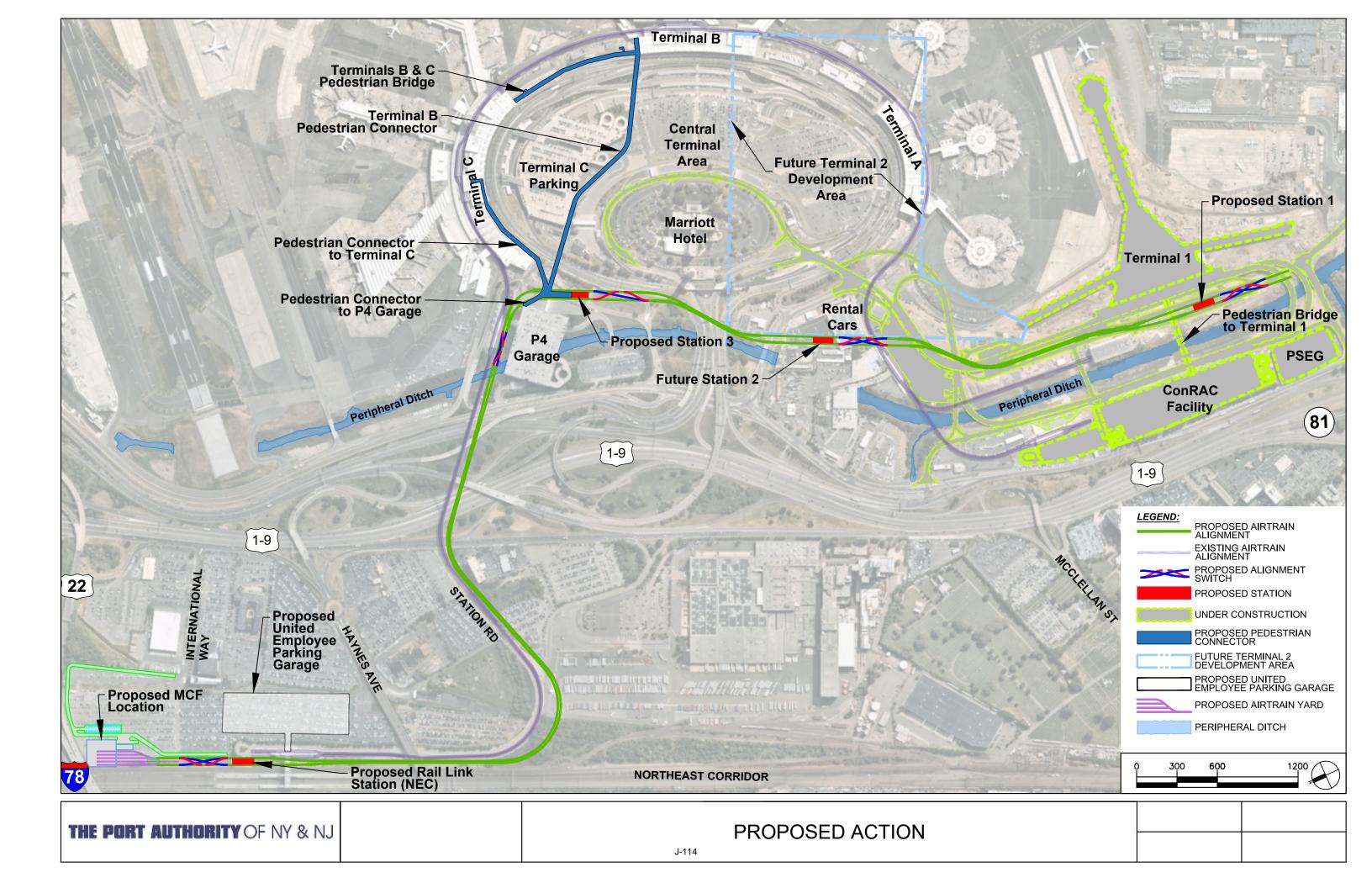
cc: Catherine Cronin, Project Executive, Redevelopment Programs, PANYNJ

Edward Knoesel, Environmental Specialist, Eastern Region, FAA

William Laventhal, Program Manager, Newark Redevelopment - AirTrain, PANYNJ

**Enclosures:** 







The Honorable J. Christian Bollwage Mayor, City of Elizabeth Elizabeth City Hall 50 Winfield Scott Plaza Room 204 Elizabeth, New Jersey 07201

Re: AirTrain Newark Replacement Project
Elizabeth City, Union County and City of Newark, Essex County, New Jersey

Dear Mayor Bollwage:

The Port Authority of New York and New Jersey (PANYNJ) is in the planning and National Environmental Policy Act (NEPA) documentation stages of AirTrain Newark Replacement Project (Project). The main hub for the airport is located at Block 1, Lot 2104 in Elizabeth City, Union County, New Jersey and Block 5094, Lot 1 in Newark City, Essex County, New Jersey. The existing AirTrain extends off the main hub and crosses Block 5088, Lot 126.03; Block 5090, Lots 1.06, 44.02, 8.02, and 26; and Block and Lots lacking parcel data information in Essex County, New Jersey and Block 1, Lot 2104 in Union County, New Jersey. The project area is shown in the attached figures.

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Ralph J. D'Apuzzo, P.E.

**Program Director** 

Newark Redevelopment - AirTrain

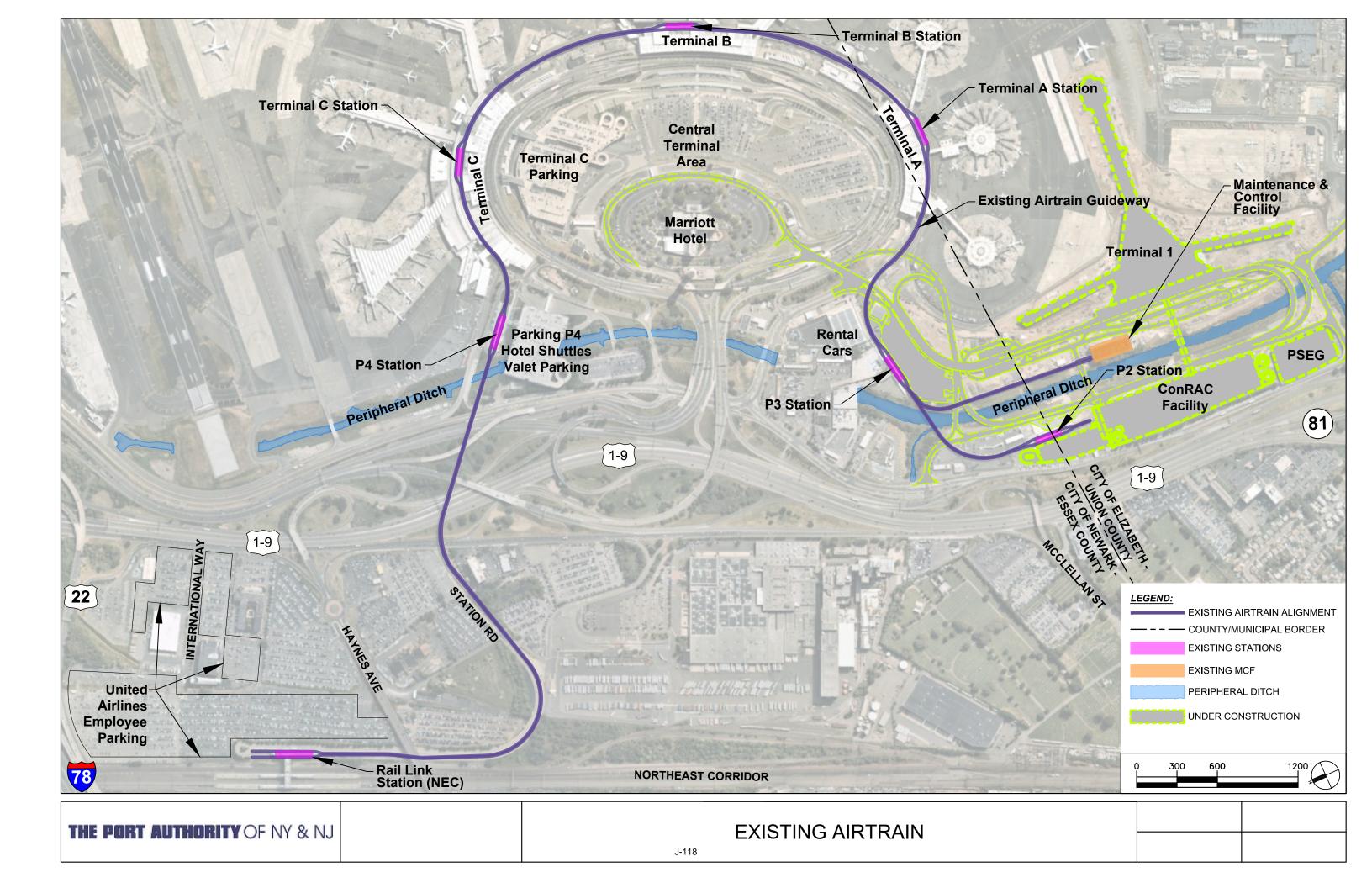
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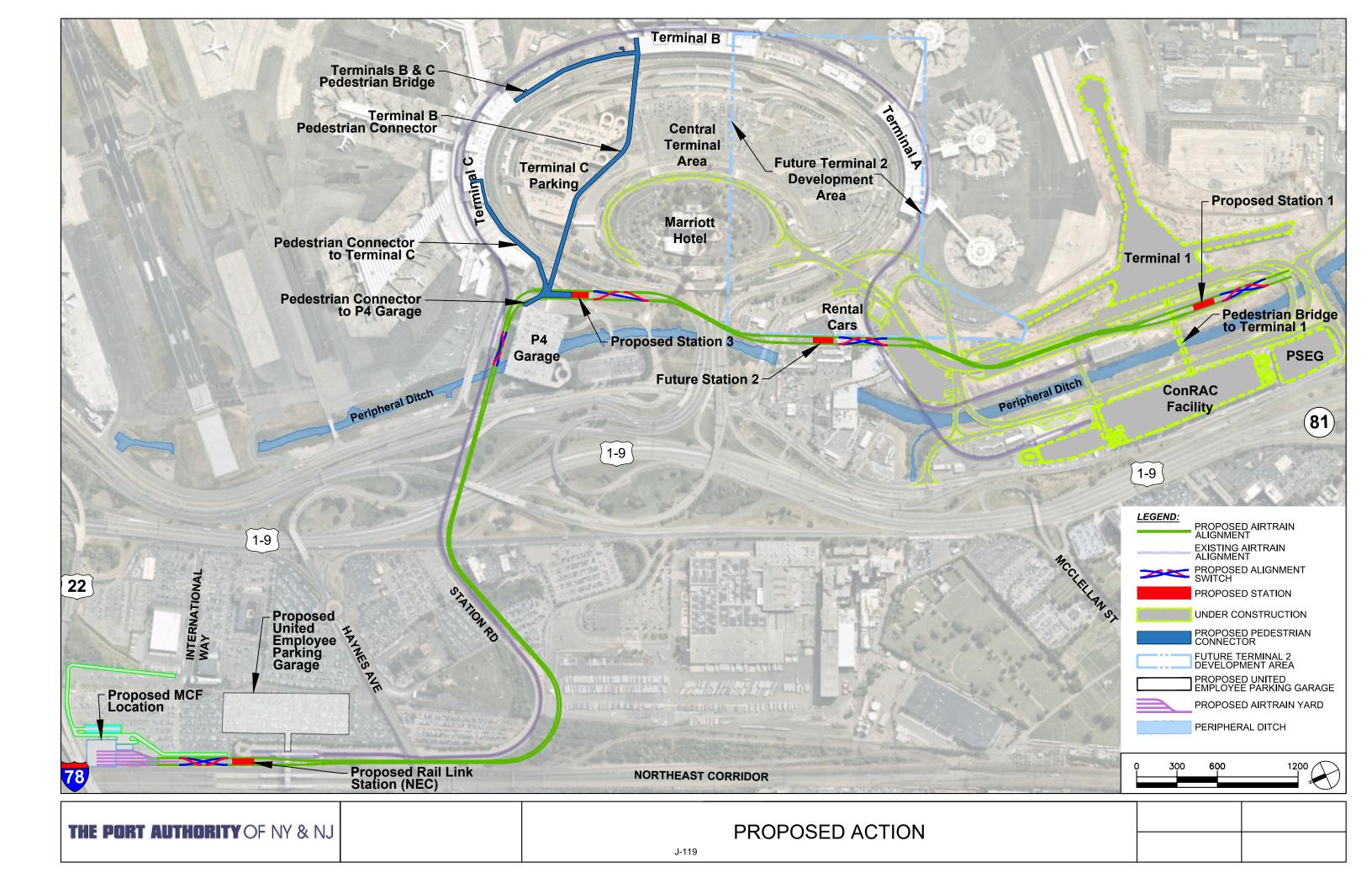
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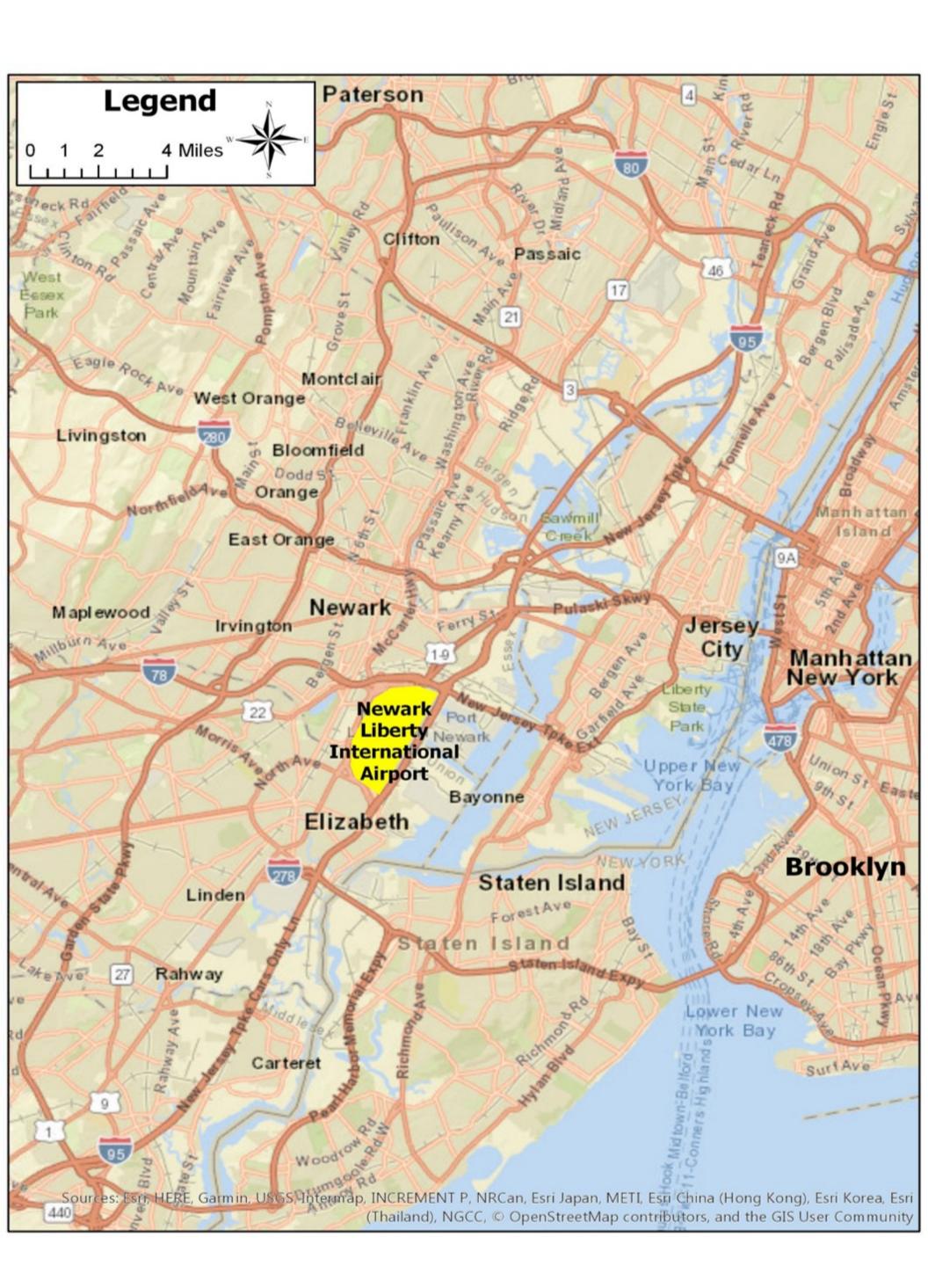
Edward Knoesel, Environmental Specialist, Eastern Region, FAA

William Laventhal, Program Manager, Newark Redevelopment – AirTrain, PANYNJ

**Enclosures:** 







The Honorable Joseph N. DiVincenzo Jr. Office of the County Executive 465 Dr. Martin Luther King Jr. Boulevard Hall of Records – Room 405 Newark, New Jersey 07102

Re: AirTrain Newark Replacement Project
Elizabeth City, Union County and City of Newark, Essex County, New Jersey

Dear County Executive DiVincenzo:

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Ralph J./D'Apuzzo, P.E.

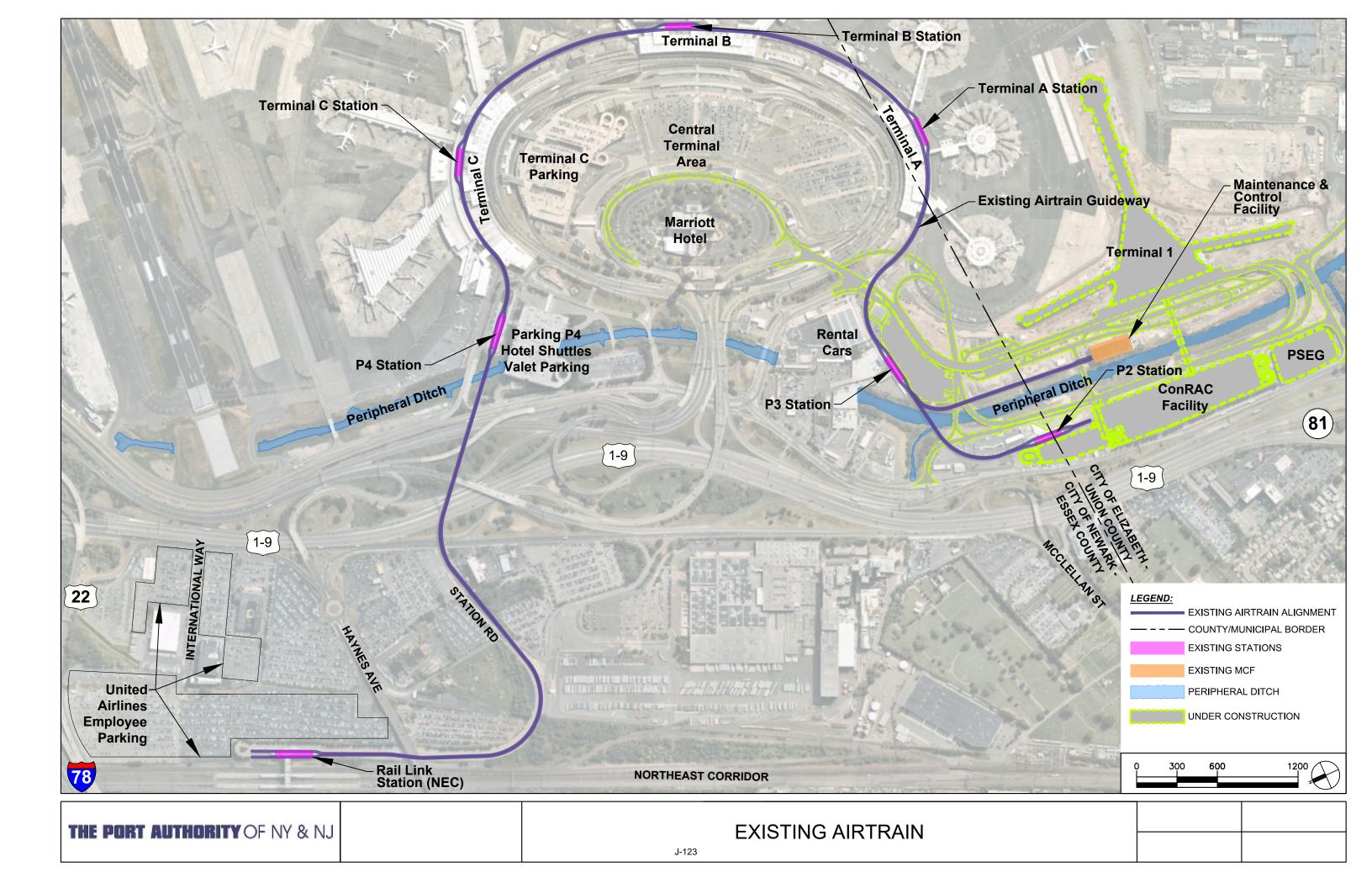
**Program Director** 

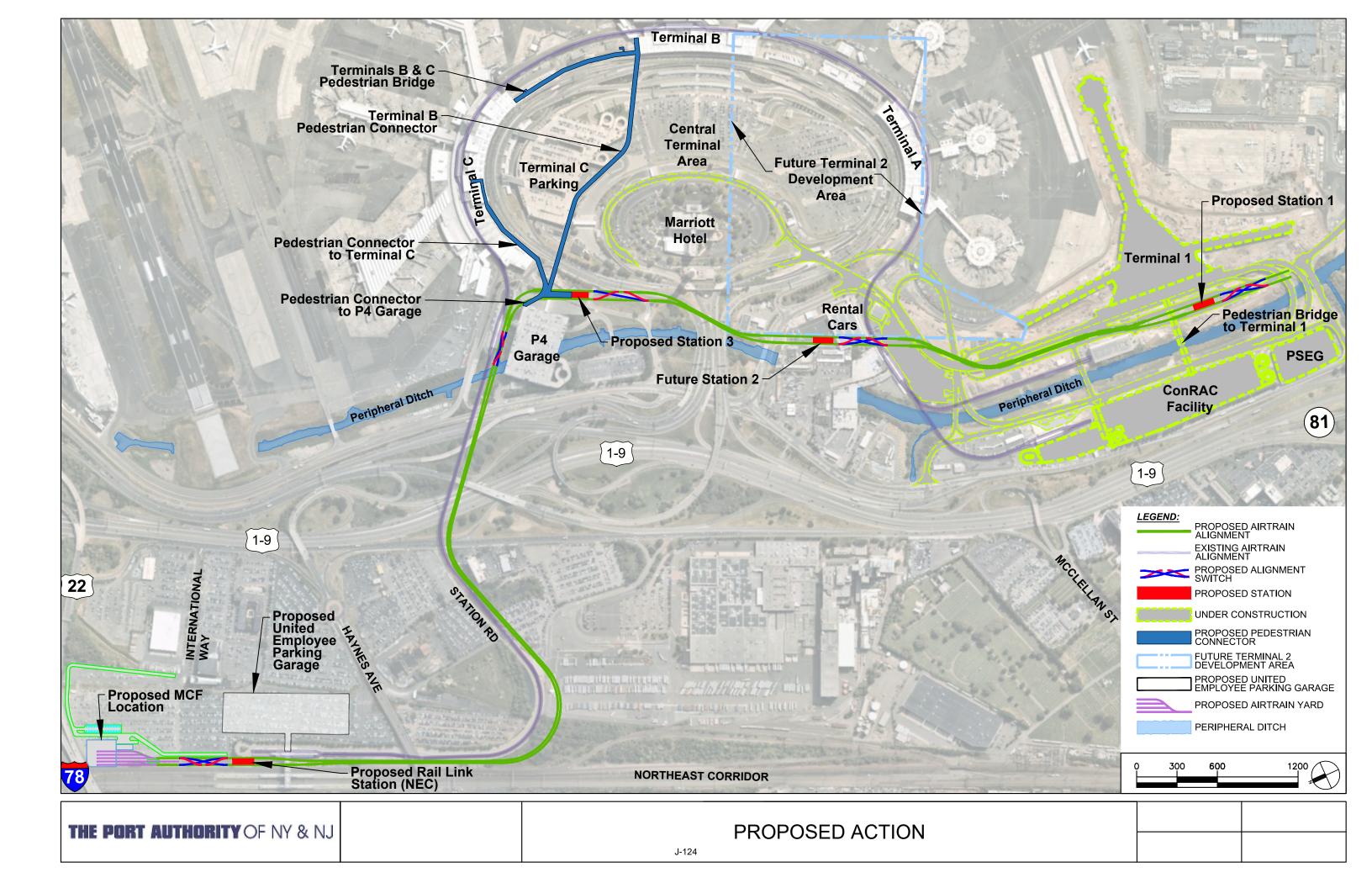
Newark Redevelopment – AirTrain

**PANYNJ** 

cc: Catherine Cronin, Project Executive, Redevelopment Programs, PANYNJ Edward Knoesel, Environmental Specialist, Eastern Region, FAA

William Laventhal, Program Manager, Newark Redevelopment - AirTrain, PANYNJ







February 24, 2020

The Honorable Edward Oatman Union County Administration Building 10 Elizabethtown Plaza Elizabeth, New Jersey 07202

Re: AirTrain Newark Replacement Project
Elizabeth City, Union County and City of Newark, Essex County, New Jersey

Dear County Manager Oatman:

The Port Authority of New York and New Jersey (PANYNJ) is in the planning and National Environmental Policy Act (NEPA) documentation stages of AirTrain Newark Replacement Project (Project). The main hub for the airport is located at Block 1, Lot 2104 in Elizabeth City, Union County, New Jersey and Block 5094, Lot 1 in Newark City, Essex County, New Jersey. The existing AirTrain extends off the main hub and crosses Block 5088, Lot 126.03; Block 5090, Lots 1.06, 44.02, 8.02, and 26; and Block and Lots lacking parcel data information in Essex County, New Jersey and Block 1, Lot 2104 in Union County, New Jersey. The project area is shown in the attached figures.

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The Project involves the construction of all facilities and infrastructure for the replacement system including elevated guideway infrastructure, rider stations, elevated pedestrian connectors, utilities, substations, MCF, vehicles, train control, and a power distribution system. A parking deck for airport employees is also included.

As part of our NEPA scoping process, we respectfully request any comments that you would like to provide on this project. The Port Authority will be providing project briefings for members of the public and a formal 30-day public comment period to be held later this year. Additionally, if you could identify the preferred point of contact for your office, Port Authority staff will coordinate any future communications with them. If you have any questions or require any additional information, please contact me at 973-565-5528 or by email at rdapuzzo@panynj.gov. Thank you for your assistance and we look forward to working with you throughout the AirTrain Newark Replacement Project.

Sincerely

Ralph J. D'Apuzzo, P.E.

**Program Director** 

Newark Redevelopment - AirTrain

**PANYNJ** 

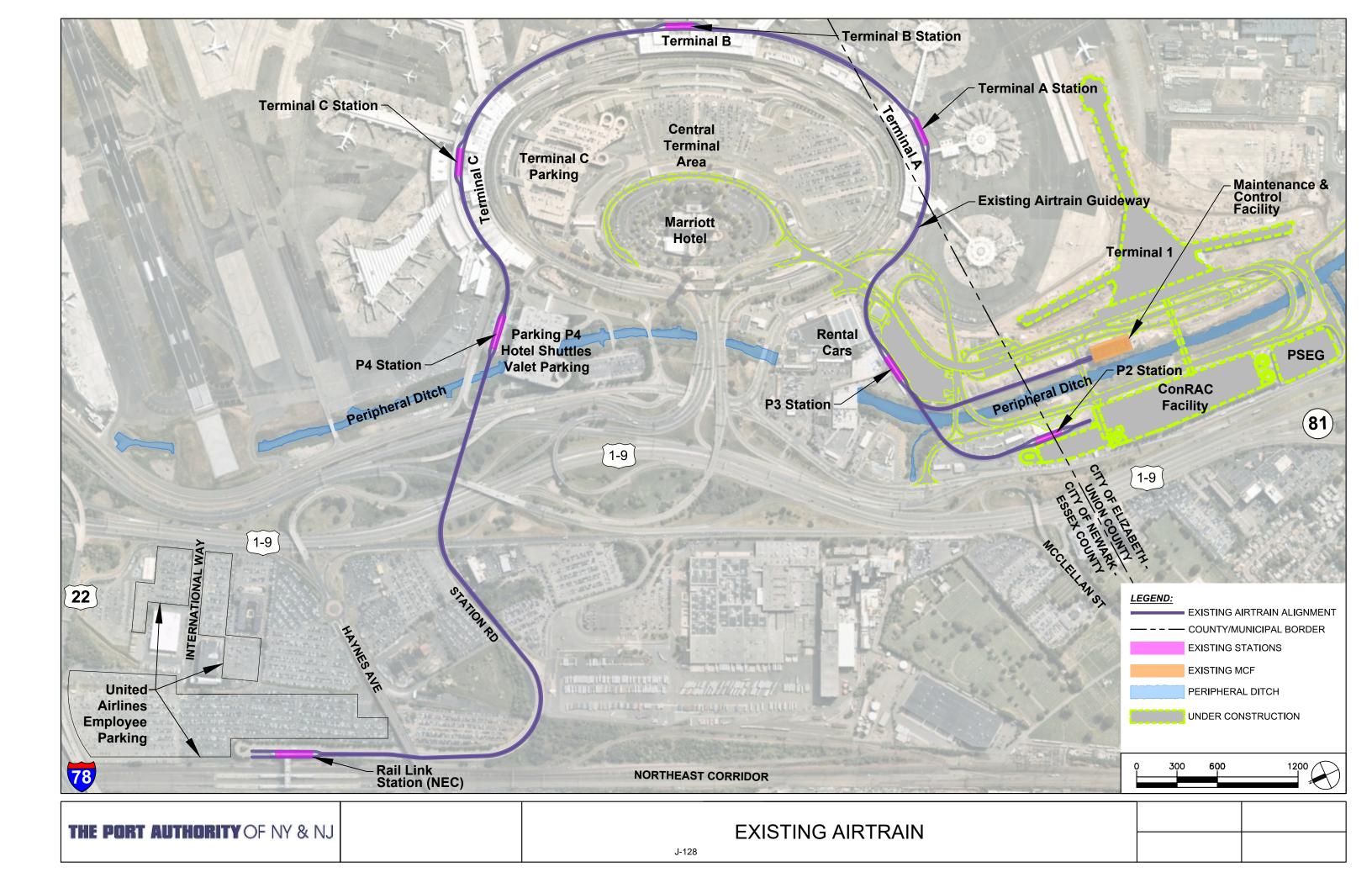
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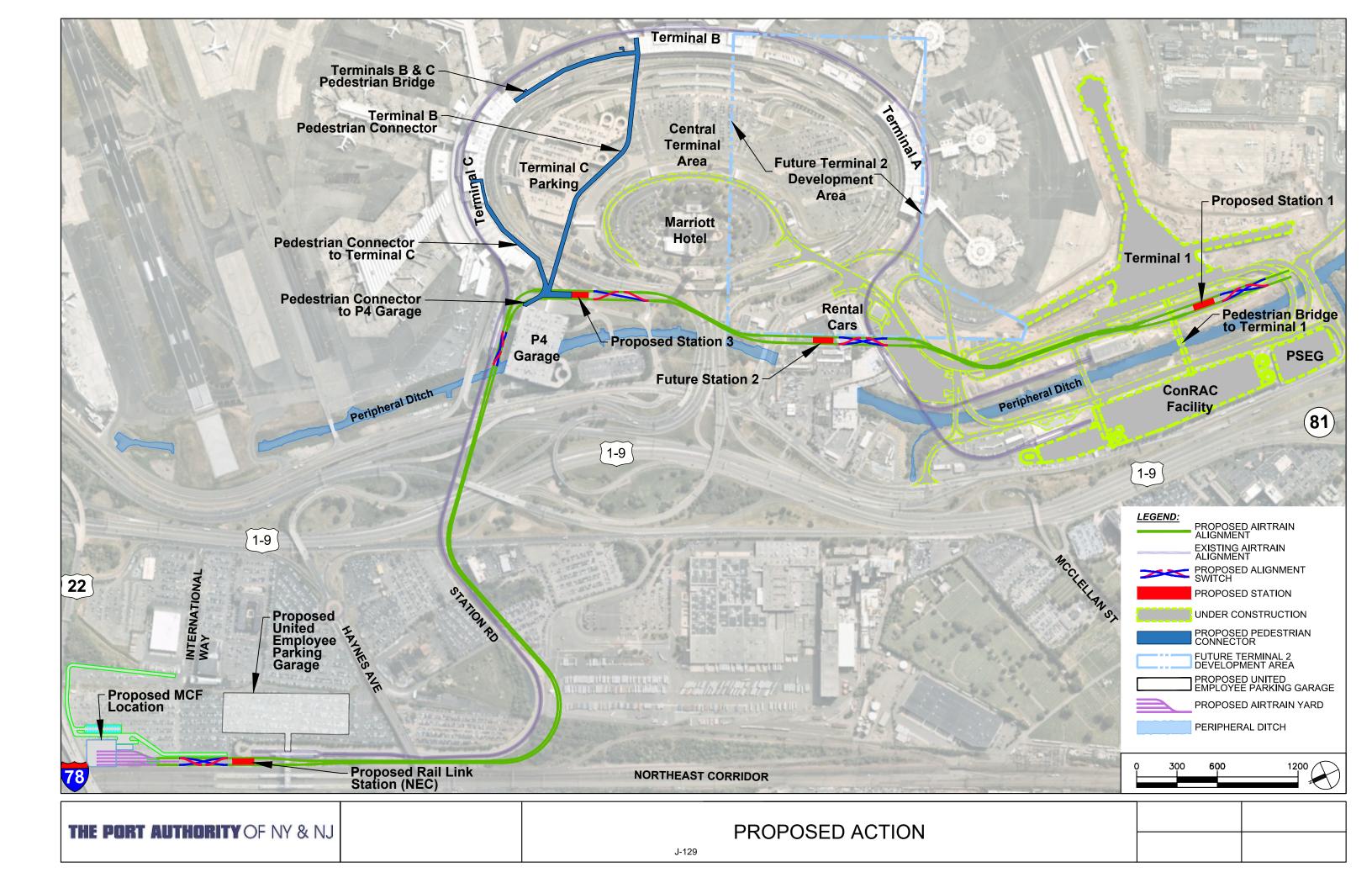
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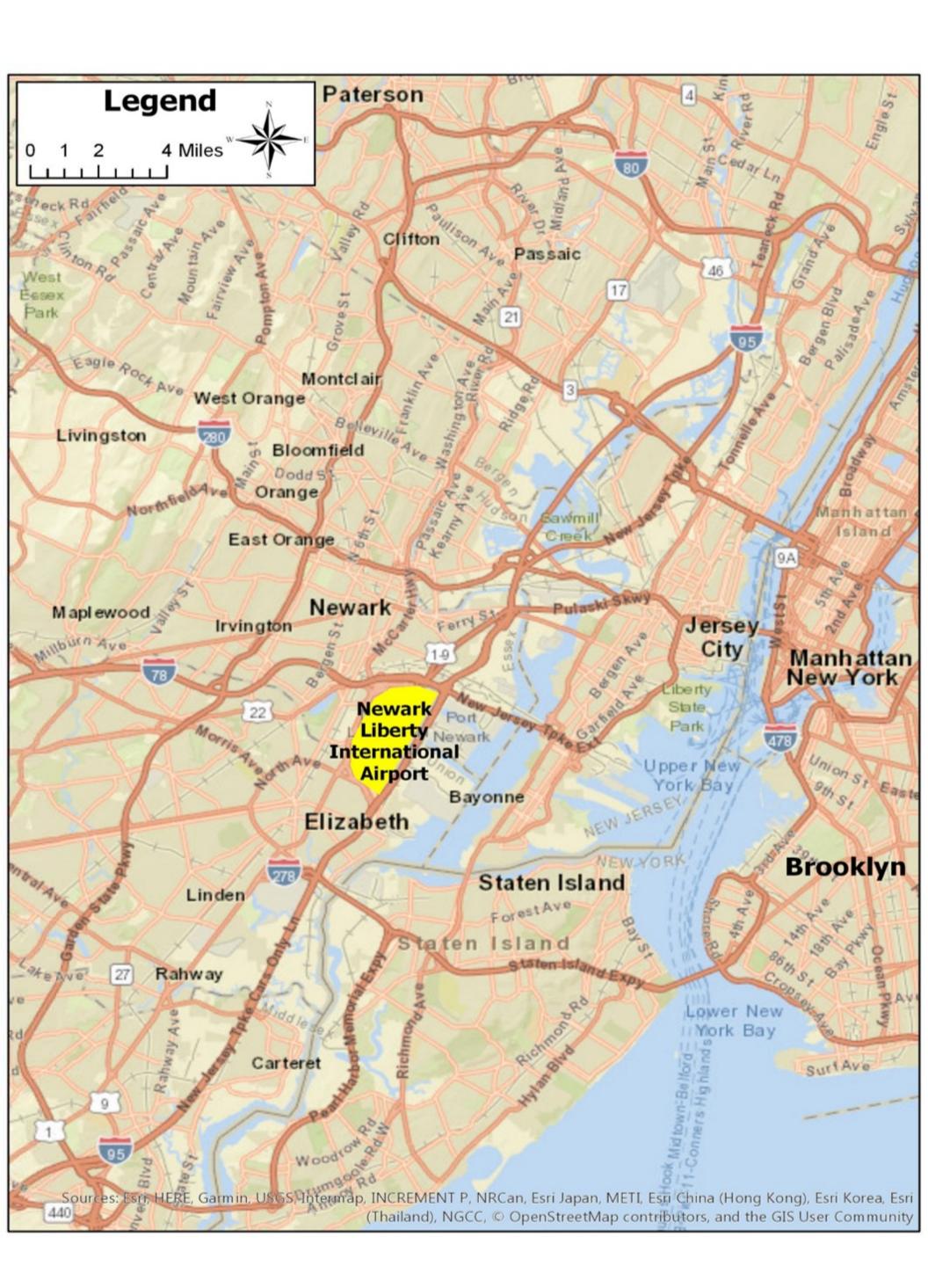
William Laventhal, Program Manager, Newark Redevelopment – AirTrain, PANYNJ

**Enclosures:** 

Existing Conditions Figure Proposed Action Figure Regional Location Map







193 WEST HOBART GAP ROAD LIVINGSTON, NJ 07039



ONE GATEWAY CENTER
SUITE 960
NEWARK, NJ 07102

FAX: 973.878.2762 cradin@radinconsulting.com

February 5, 2020

TEL: 973.732 1246 CELL: 973.865.1451

Ms. Katherine P. Marcopul Administrator Historic Preservation Office Mail Code 501-04B State of New Jersey Department of Environmental Protection 501 East State Street, 4<sup>th</sup> Floor Trenton, NJ 08609-1101

Dear Ms. Marcopul:

In accordance with Section 106 of the National Historic Preservation Act and the federal Advisory Council on Historic Preservation's implementing regulations, 36 CFR Part 800: Protection of Historic Properties, as published in the Federal Register, December 12, 2000 (Volume 65, Number 239, Pages 77697-77739), enclosed for your review are:

Historic Sites Survey and Effects Assessment for the Newark AirTrain Replacement Project, City of Newark, Essex County and City of Elizabeth, Union County, New Jersey, for Review under Section 106 of the National Historic Preservation Act, December 2019

Newark AirTrain Replacement Phase IA Archaeological Survey, January 2020

The Section 106 review for this project is necessitated by the Port Authority of New York & New Jersey (PANYNJ)'s potential use of federal funds to assist with the costs of the proposed Newark AirTrain Replacement project.

On behalf of PANYNJ, we request your review of these reports and your issuance of Section 106 consultation comments. Please note that I have attached the most recent plans of the Proposed Action and an updated consulting party list.

If you have any questions or comments, please do not hesitate to contact me at (973) 732-1246.

Sincerely.

Chitra Radin

Attachment

Cc: R. D'Apuzzo, PANYNJ

K. Lamond. PANYNJ

L. Tollner, Lea & Elliott

J. Herndon, PANYNJ W. Laventhal, PANYNJ March 25, 2020

Katherine P. Marcopul Administrator, Historic Preservation Office Mail Code 501-04B Department of Environmental Protection 501 East State Street, 4<sup>th</sup> Floor Trenton, NJ 08609-1101

Re: Newark Liberty International Airport AirTrain Newark Replacement Program HPO Project #20-0602-1, -2 HPO-2020-142

Dear Ms. Marcopul:

I am in receipt of your February 20, 2020 memorandum ("Memorandum") to the New Jersey Department of Environmental Protection's Office of Permit Coordination and Environmental Review for the proposed AirTrain Newark Replacement Program. We appreciate your efforts in providing these informal comments.

In accordance with Section 106 of the National Historic Preservation Act and the federal Advisory Council on Historic Preservation's implementing regulations, 36 CFR Part 800: Protection of Historic Properties, as published in the Federal Register, December 12, 2000 (Volume 65, Number 239, Pages 77697-77739), I would like to request your formal review of the documents that were previously provided:

Historic Sites Survey and Effects Assessment for the Newark AirTrain Replacement Project, City of Newark, Essex County and City of Elizabeth, Union County, New Jersey, for Review under Section 106 of the National Historic Preservation Act, December 2019

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If you have any questions or comments, please do not hesitate to contact me at (973) 565-5529 or wlaventhal@panynj.gov.

Sincerely.

William Laventhal Program Manager

Newark Redevelopment – AirTrain

Port Authority of New York & New Jersey

(continued – letter to Katherine P. Marcopul dated March 25, 2020)

cc: Catherine Cronin, Project Executive, Redevelopment Programs, PANYNJ Ralph D'Apuzzo, Program Director, Newark Redevelopment – AirTrain, PANYNJ Edward Knoesel, Environmental Specialist, Eastern Region, FAA

#### **Enclosures:**

- 1. NJ HPO Memorandum, February 20, 2020
- 2. Historic Sites Survey and Effects Assessment for the Newark AirTrain Replacement Project, City of Newark, Essex County and City of Elizabeth, Union County, New Jersey, for Review under Section 106 of the National Historic Preservation Act, December 2019
- 3. Newark AirTrain Replacement Phase IA Archaeological Survey, January 2020

From: <u>Marcopul, Kate</u>

To: <u>Edward.Knoesel@faa.gov</u>

Cc: Laventhal, William: Pepe, David: jean.howson@nv5.com: Baratta, Meghan: Maresca, Vincent: Thivierge, Lindsay

Subject: EWR AirTrain Replacement Program, Newark Airport. HPO Project No. 20-0602

**Date:** Tuesday, May 12, 2020 2:49:26 PM

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\*\*This e-mail serves as the official correspondence of the New Jersey Historic Preservation Office as we switch to a temporary remote work environment in response to the ongoing novel coronavirus (COVID-19) outbreak.\*\*

HPO Project No. 20-0602-7 HPO-E2020-48

Ed Knoesel
Environmental Protection Specialist
Federal Aviation Administration
New York Airports District Office
159-30 Rockaway Blvd, Suite 111
Jamaica, New York 11434
Edward.Knoesel@faa.gov

Dear Mr. Knoesel:

As Deputy State Historic Preservation Officer for New Jersey, in accordance with 36 CFR Part 800: Protection of Historic Properties, as published with amendments in the Federal Register on 6 July 2004 (69 FR 40544-40555), I am providing **Consultation Comments** for the following proposed undertaking:

Essex County, Newark City
Newark International Airport
EWR AirTrain Replacement Program
Phase IA Archaeological Survey Report
Historic Architectural Sites Survey and Effects Assessment
Federal Aviation Administration

#### **800.4** Identifying Historic Properties

The Historic Preservation Office (HPO) was provided the opportunity to review and comment on the following cultural resource survey reports for the above-referenced undertaking:

Howson, Jean

January 2020 Phase IA Archaeological Survey, Newark AirTrain Replacement. Prepared

for The Port Authority of NY & NJ. Prepared by NV5. HPO Report ESS

AA 904.

And

Zerbe, Nancy L. December 2019

Historic Architectural Sites Survey and Effects Assessment for the Newark AirTrain Replacement Project, City of Newark Essex County and City of Elizabeth, Union County, New Jersey. Prepared for The Port Authority of NY & NJ. Prepared by ARCH<sup>2</sup>, Inc.

According to the submitted documentation, the undertaking involves the replacement of the existing AirTrain system with a new 2.4-mile automated people mover system. The new system will serve Terminals B and C and the new Terminal 1 as well as parking areas, the Consolidated Rental Car Facility and Parking Garage, and the Rail Link Station. The undertaking also includes for the new system the construction of all facilities and infrastructure including elevated guideway infrastructure, rider stations, elevated pedestrian connectors, utilities, substations, a maintenance and control facility, vehicles, train control, and a power distribution system.

#### **Historic Architecture**

The above-referenced architectural survey report states that there are four previously identified historic properties within the current project's APE: Pennsylvania Railroad New York to Philadelphia Historic District (aka Amtrak's Northeast Corridor) (SHPO Opinion: 1/14/2015); the Haynes Avenue Bridge (SHPO Opinion: 6/3/1991); Newark Metropolitan Airport Administration Building, Brewster Hangar, and Medical building (SR: 6/25/1980; NR: 12/12/1980); and the U.S. route 1/9 Historic District (SHPO Opinion: 3/8/1996). The current survey evaluated four additional properties: Newark Liberty International Airport's Terminals A, B, and C; Anheuser-Busch, Inc.; Kinglands Rum and Barrel, Inc.; and the New Jersey Galvanizing and Tinning Works, Inc. The report recommended that the four previously identified historic properties would not be adversely affected by the project due to the nature of the historic properties, the location of the undertaking, and the distance between the undertaking and the historic properties. Additionally, it is recommended that the four newly surveyed properties do not possess the characteristics necessary to be eligible for listing on the New Jersey and National Registers of Historic Places.

Upon review, the HPO concurs with the findings of the architectural survey report. In consequence, the HPO recommends to FAA that no additional consideration of architectural historic properties is necessary unless project plans substantially change in the future.

#### <u>Archaeology</u>

The above-referenced Phase IA archaeological survey report states that the majority of the project's area of potential effects (APE) was located within a former larger marsh complex and subsequently filled during the late nineteenth and early twentieth centuries. While the potential exists for deeply buried Pre-Contact period archaeological resources exists, the project has a low potential to encounter those resources.

The report further assesses the APE from Bessemer Street to Haynes Avenue possessing sensitivity for human burials from the Newark City Cemetery (1869-1954) and late nineteenth century historic period resources from a former glue factory, several dwellings, and hospital. Therefore, this segment of the APE possesses a high archaeological sensitivity for historic period archaeological resources and potential human burials.

In light of the information above regarding high archaeological sensitivity within the APE, pursuant to 36 CFR § 800.4, a Phase IB archaeological survey, and as necessary Phase II archaeological survey with an HPO approved work plan, must be conducted within the APE from Bessemer Street to Haynes Avenue to identify the presence or absence of archaeological deposits prior to project implementation.

Phase I survey will allow identification of the presence or absence of historic properties within the APE. If identified, Phase II survey will provide for evaluation of the National Register eligibility of the site(s) and assessment of project impacts. For properties on or eligible for National Register inclusion, recommendations must be provided for avoidance of impacts. If impacts cannot be avoided, analyses must be provided exploring alternatives to minimize and/or mitigate impacts. Means to avoid, minimize and/or mitigate impacts to National Register eligible properties will need to be developed and undertaken prior to project implementation.

All phases of the archaeological survey and reporting will need to be in keeping with the Secretary of the Interior's *Standards and Guidelines for Archaeology and Historic Preservation*, and the HPO's *Guidelines for Phase I Archaeological Investigations: Identification of Archaeological Resources* and *Guidelines for Preparing Cultural Resources Management Archaeological Reports Submitted to the Historic Preservation Office*. If the project requires a Freshwater Wetlands permit through the DEP's Division of Land Use Regulation, Phase I archaeological survey and reporting must comply with the rules N.J.A.C. 7:4-8.4 through 8.5

(http://www.nj.gov/dep/hpo/2protection/register\_historic\_places09\_29\_08.pdf). Evaluations to determine the National Register eligibility of archaeological sites must be in keeping with the National Park Service's 2000 National Register Bulletin, *Guidelines for Evaluating and Registering Archeological Properties*. The individual(s) conducting the work will need to meet the relevant Secretary of the Interior's Professional Qualifications Standards for archaeology (48 FR 44738-9).

If potential human burials or human skeletal remains are encountered, all ground disturbing activities in the vicinity shall cease immediately and the Historic Preservation Office shall be contacted, as well as any appropriate legal officials. The potential burials shall be left in place unless imminently threatened by human or natural displacement.

#### **Additional Comments**

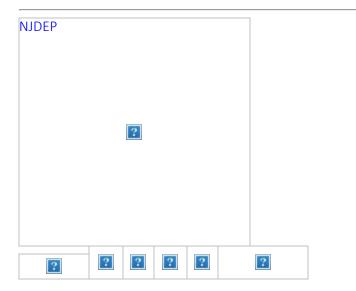
Thank you for providing the opportunity to review and comment on the potential for the above-referenced project to affect historic properties. The HPO looks forward to additional consultation with FAA, any consulting parties, and the results of Phase IB archaeological survey for review and comment. Please reference HPO project number **20-0602** in any future calls, emails, submissions or written correspondence to help expedite your review and If you have any questions, and If you have any questions, please feel free to contact Lindsay Thivierge of my staff at 609-292-4091 or Lindsay. Thivierge@dep.nj.gov. with questions regarding historic architecture, historic districts, or historic landscapes or Vincent Maresca of my staff at 609-633-2395 or vincent.maresca@dep.nj.gov with questions regarding archaeology.

Sincerely,

# Katherine J. Marcopul, Ph.D., CPM Administrator and Deputy State Historic Preservation Officer

Historic Preservation Office NJ Department of Environmental Protection 501 East State Street, Trenton, NJ 08625 kate.marcopul@dep.nj.gov

T (609) 984-0176 | F (609) 984-0578



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### State of New Jersey

#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

NATURAL & HISTORIC RESOURCES HISTORIC PRESERVATION OFFICE 501 East State Street

P.O. Box 420, Mail Code 501-04B Trenton, New Jersey 08625-0420 Tel. (609) 984-0176 • Fax (609) 984-0578 www.ni.gov/dep

08625-0420

CATHERINE R. McCABE

Commissioner

SHEILA Y. OLIVER

PHILIP D. MURPHY

Governor

Lt. Governor

HPO Project #20-0602-1, -2 HPO-B2020-142

#### **MEMORANDUM**

TO:

David Pepe, Environmental Specialist 3

Office of Permit Coordination and Environmental Review

FROM:

Katherine J. Marcopul, Administrator &

Deputy State Historic Preservation Officer

Historic Preservation Office

DATE:

February 20, 2020

**SUBJECT:** 

**Essex County, Newark City** 

**Newark International Airport** 

**EWR AirTrain Replacement Program Phase IA Archaeological Survey Report** 

Historic Architectural Sites Survey and Effects Assessment

Executive Order 215 and Section 106 of the National Historic Preservation Act

The Historic Preservation Office (HPO) was provided the opportunity to review and comment on the following cultural resource survey reports for the above-referenced undertaking:

Howson, Jean

January 2020

Phase IA Archaeological Survey, Newark AirTrain Replacement. Prepared for The

Port Authority of NY & NJ. Prepared by NV5.

And

Zerbe, Nancy L.

December 2019

Historic Architectural Sites Survey and Effects Assessment for the Newark

AirTrain Replacement Project, City of Newark Essex County and City of

Elizabeth, Union County, New Jersey. Prepared for The Port Authority of NY &

NJ. Prepared by ARCH<sup>2</sup>, Inc.

According to the submitted documentation, the project involves the replacement of the existing AirTrain system with a new 2.4-mile automated people mover system. The new system will serve

Terminals B and C and the new Terminal 1 as well as parking areas, the Consolidated Rental Car Facility and Parking Garage, and the Rail Link Station. The project involves the construction of all facilities and infrastructure for the new system including elevated guideway infrastructure, rider stations, elevated pedestrian connectors, utilities, substations, a maintenance and control facility, vehicles, train control, and a power distribution system.

#### Archaeology

The above-referenced Phase IA archaeological survey report states that the majority of the project's area of potential effects (APE) was located within a former larger marsh complex and subsequently filled during the late nineteenth and early twentieth centuries. While the potential exists for deeply buried Pre-Contact period archaeological resources exists, the project has a low potential to encounter those resources.

The report further assesses the APE from Bessemer Street to Haynes Avenue possessing sensitivity for human burials from the Newark City Cemetery (1869-1954) and late nineteenth century historic period resources from a former glue factory, several dwellings, and hospital. The report recommends consultation with the HPO for consideration if project impacts on archaeological resources.

#### Historic Architecture

According to the above-referenced architectural survey, there are four previously identified historic properties within the current project's APE: Pennsylvania Railroad New York to Philadelphia Historic District (aka Amtrak's Northeast Corridor) (SHPO Opinion: 1/14/2015); the Haynes Avenue Bridge (SHPO Opinion: 6/3/1991); Newark Metropolitan Airport Administration Building, Brewster Hangar, and Medical building (SR: 6/25/1980; NR: 12/12/1980); and the U.S. route 1/9 Historic District (SHPO Opinion: 3/8/1996). The current survey evaluated four additional properties: Newark Liberty International Airport's Terminals A, B, and C; Anheuser-Busch, Inc.: Kinglands Rum and Barrel, Inc.; and the New Jersey Galvanizing and Tinning Works, Inc. It is recommended in the survey that the four previously identified historic properties would not be adversely affected by the project due to the nature of the historic resources and the project area as well as the distance between the proposed project and the historic properties. Additionally, it is recommended that the four newly surveyed properties do not possess the characteristics necessary to be eligible for listing on the New Jersey and National Registers of Historic Places.

#### Additional Comments

The HPO reviews projects for their effects on historic resources when federal funding, licensing, or permitting is involved. The HPO also reviews projects requiring Freshwater Wetlands, Waterfront Development, Upland Development, CAFRA and Highland Preservation Area Approval permits issued by the State of New Jersey's Division of Land Use Regulation, as well as, environmental assessments under Executive Order 215. In consequence, if this project is subject to any of the above-referenced regulations, the HPO would request an initial Phase IB archaeological survey within the area discussed above to identify the presence or absence of archaeological resources within the project's APE. The HPO would not request additional information regarding architectural resources.

This information is provided as informal notes to you and does not constitute identification level cultural resources survey under Section 106 of the National Historic Preservation Act or other

law or regulation. These notes do not constitute project review under any state or federal law. The absence of previously identified cultural resources does not imply that there are no eligible historic properties in the requested area. Further identification of cultural resources may be required under one or more historic preservation review processes depending on project funding, licensing, or permitting.

Thank you for providing the opportunity to review and comment on the potential for the above-referenced project to affect historic properties. Please reference HPO project number 20-0602 in any future calls, emails, submissions or written correspondence to help expedite your review and If you have any questions, please feel free to contact me at 609-633-2395 or vincent.maresca@dep.nj.gov with questions regarding archaeology or Lindsay Thivierge at 609-292-4091 or Lindsay.Thivierge@dep.nj.gov. with questions regarding historic architecture, historic districts, or historic landscapes.

K.J.M.

KJM/MMB/LT/VM





New York Airports District Office 1 Aviation Plaza, Suite 111 Jamaica, NY 11434 Telephone: 718-995-5770 Fax: 718-995-5790

August 24, 2020

Mr. Vincent Maresca New Jersey Historic Preservation Office 501 East State Street Trenton, New Jersey 08609

Re: HPO project number 20-0602

AirTrain Newark Replacement Program

Phase 1B/II Work Plan Newark, New Jersey

Dear Mr. Maresca:

In connection with the Port Authority of New York and New Jersey's (PANYNJ) AirTrain Newark Replacement Program (the Program), please find attached a Work Plan for Phase 1B and Contingency for Phase II Archaeological Testing. Consultation Comments on the Phase 1A survey were previously provided by the New Jersey Historic Preservation Office on May 12, 2020. This Work Plan complies with Section 106 of the Historic Preservation Act and has been prepared by NV5, Inc., who is a consultant on PANYNJ's Environmental Assessment team.

The Federal Aviation Administration respectfully requests that your office review the attached Work Plan and, if found acceptable, document and forward said approval to our office. If you have any questions on the attached Work Plan, please feel free to contact me at <a href="mailto:Edward.knoesel@faa.gov">Edward.knoesel@faa.gov</a>, or on my cell phone at (917) 951-9112. Thanks very much.

Sincerely,

**Edward Clarke** 

Digitally signed by Edward Clarke

Knoesel Date: 20

Date: 2020.08.24 12:09:26 -04'00'

Environmental Protection Specialist Federal Aviation Administration New York Airports District Office 159-30 Rockaway Blvd, Suite 111 Jamaica, New York 11434 CC: C. Cronin, PANYNJ

R. D'Apuzzo, PANYNJ

K. Lamond, PANYNJ

J. Howson, NV5

#### **WORK PLAN**

## PHASE IB AND CONTINGENCY FOR PHASE II ARCHAEOLOGICAL TESTING AIRTRAIN NEWARK REPLACEMENT PROGRAM

HPO Project No. 20-0602-7 HPO-E2020-48

#### Area of Potential Effects (APE):

The APE for the **Proposed Action** alignment for the AirTrain is shown on Figure 1. Subsurface work within the Design and Construction Limits and Construction Easements are described as follows:

Subsurface work is limited to the foundations of the guideway. Foundation activities include pile driving, sheet pile driving, concrete work, erection of the guideway structure, staging and movement of materials and equipment. These activities throughout the construction area may damage the existing asphalt (Anheuser Busch) or grassy areas (Hartz). For properties both inside and outside of the new Port Authority property line, the contractor will be required to restore to the existing conditions. For example, asphalt will remain asphalt and pervious areas will remain pervious. The existing weigh station will be demolished. Following construction, a new fence will be installed parallel to the AirTrain.

The APE avoids the historic and present footprint of the Newark City Cemetery. It includes property that was mapped in the 19<sup>th</sup> century as the Johnson and later Crook property, which contained an early glue factory and likely residences (Figure 2). While previous disturbances from construction of the existing Monorail would have disturbed portions of the historic property, there is potential for intact subsurface historic remains in the area beneath the Anheuser Busch lot and the adjacent vegetated area within Hartz Mountain property (formerly part of the Waverly Yard).

#### **Research Goals and Project Guidelines:**

Phase IB field testing will be conducted in order to determine the presence or absence of resources related to the historic Johnson/Crook property within the APE. It is noted that if any intact early surfaces are extant, careful examination will be made for traces of precontact occupation.

If indicated, the fieldwork will proceed to Phase II testing in order to provide for evaluation of the National Register eligibility of the site(s) and assessment of project impacts. Evaluation to determine the National Register eligibility of archaeological sites will be in keeping with the National Park Service's 2000 National Register Bulletin, *Guidelines for Evaluating and Registering Archeological Properties*.

Due to the logistical difficulty of accessing the properties for subsurface testing, it is anticipated that we will proceed directly to Phase II if the Phase IB investigation identifies archaeological resources within the APE. Consultation with HPO will be sought if needed during the field program. Although visibility will be limited due to the necessarily limited number of test trenches, every effort will be made to expose deposits and features sufficiently to allow for eligibility determinations.

All phases of the archaeological survey and reporting will need to be in keeping with the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation, and the HPO's Guidelines

for Phase I Archaeological Investigations: Identification of Archaeological Resources and Guidelines for Preparing Cultural Resources Management Archaeological Reports Submitted to the Historic Preservation Office.

#### **Documentary research:**

Historical research will be focused on primary documentation, notably land titles (to include deed, mortgage, and surrogate's records) and census records (both state and federal), with some supplementary secondary source research.

#### **Fieldwork General Assumptions:**

Geotechnical borings will be completed and the results will be provided prior to conducting archaeological testing.

Access for machine excavations will be provided by the property owners. Test locations are shown on attached maps, Figures 3a and 3b. At least one lane of the entrance driveway to the Anheuser-Busch facility will remain open during the archaeological test excavation work. Traffic cones will be used to delineate the closure of a single lane.

It is anticipated that test trenches will be backfilled the same day as excavated. If it is necessary to leave a trench open overnight, steel plates will be installed by the excavation contractor. If there is an unanticipated delay in scheduling further testing (e.g. between Phase IB and Phase II), trenches may need to be backfilled and re-opened at a later date.

Backhoe excavation trenches will be backfilled with original material and compacted by backhoe. In paved areas, the excavation will be brought to level with a 6-inch gravel layer. Pavement patching will be accomplished after all tests in paved areas are completed. Pavement and striping will be restored to original condition. Asphalt will be of the same quality as currently in place (i.e. strong enough for truck traffic).

#### **Phase IB Archaeological Testing:**

Proposed test locations are shown on Figure 3.

Anheuser-Busch Property (paved active truck lot) - Testing will involve excavation of four (4) trenches measuring approximately 4' x 8' x 4'(depth). The pavement will be cut and excavation will proceed with a backhoe. If an intact original surface or other features are identified, small shovel test units will be hand-excavated at the bottom of the trenches. Soils from hand excavations will be screened through ¼-inch mesh. Locations of proposed tests are shown on the accompanying map.

Hartz Mountain Property (vegetated area) -Testing will involve excavation of three (3) trenches measuring approximately 4' x 8' x 4'(depth). If an intact original surface or other features are identified, small shovel test units will be hand-excavated at the bottom of the trenches. Soils from hand excavations will be screened through ¼-inch mesh. Approximate locations of proposed tests along the proposed AirTrain foundation are shown on the accompanying map.

#### **Phase II Archaeological Testing:**

If archaeological resources that have the potential to provide information about the historic use of the properties are identified, Phase II testing will be necessary. The decision to recommend Phase II testing will be made by the project archaeologist, who will immediately inform the client. Phase II will not be

undertaken without client authorization. The project archaeologist, at their discretion, may consult with the New Jersey Historic Preservation Office regarding the need for Phase II testing. Any excavation that will remain open for more than one day will be covered with steel plates.

Phase IB trenches will be widened by 2 to 4 feet, and 3-foot-square hand-excavated units will be placed in the bottom of the widened trenches. Hand excavated soils will be screened through ¼-inch mesh. It is anticipated that the larger exposure and hand excavations will provide sufficient information on the nature, dating, and integrity of deposits or features to allow for a recommendation as to National Register eligibility.

#### **Protocol for Human Remains:**

If potential human burials or human skeletal remains are encountered, all ground disturbing activities in the vicinity will cease immediately and the Historic Preservation Office and Regional Medical Examiner will be contacted. Burials and potential burials shall be left in place unless imminently threatened by human or natural displacement.

HPO contact: Vincent Maresca, 609-633-2395, Vincent.Maresca@dep.nj.gov

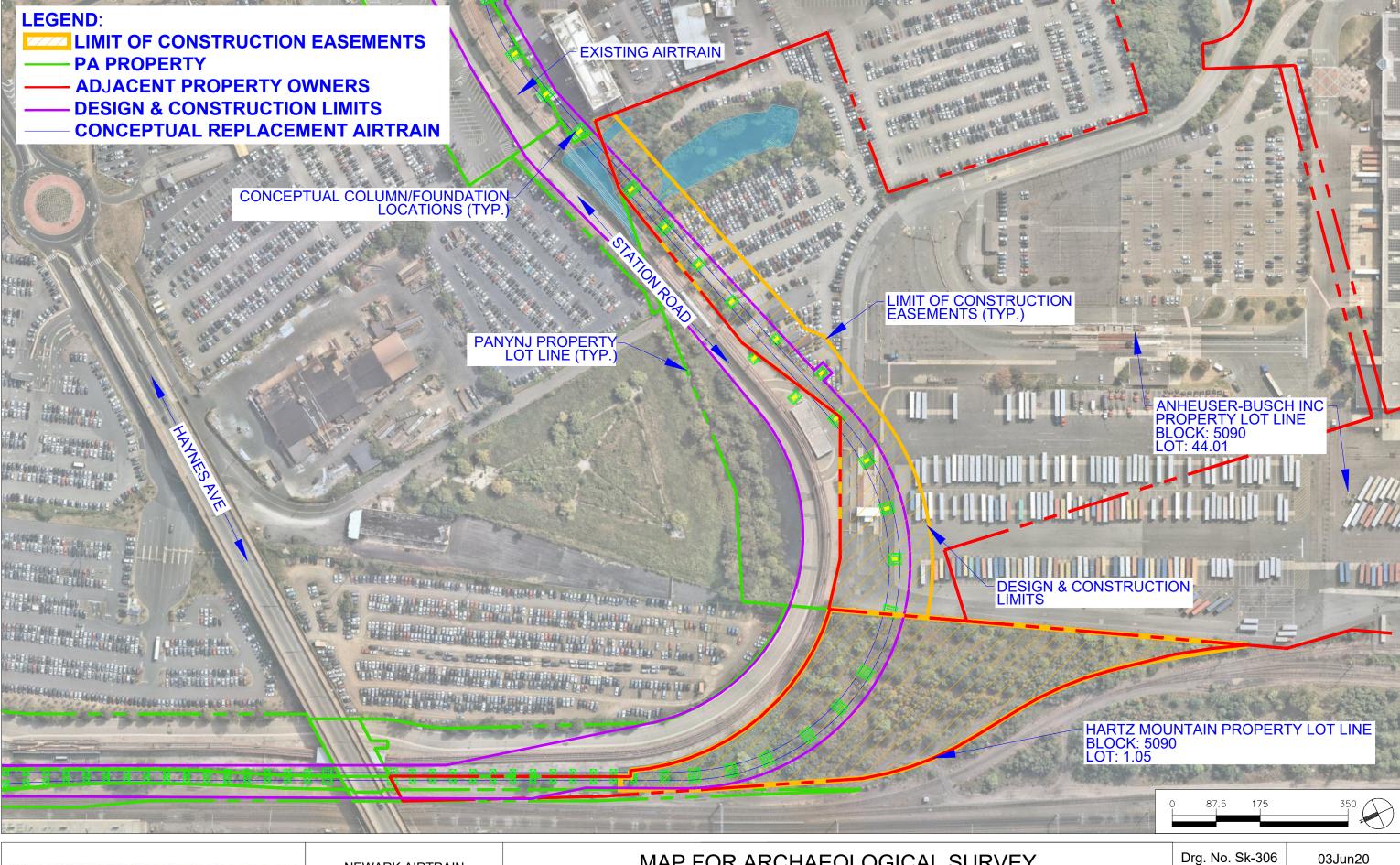
Medical Examiner: NJ Northern Regional Medical Examiner Office, 973-648-7259

#### **Analysis and Reporting:**

Artifacts recovered from excavations during Phase IB and Phase II will be bagged according to provenience and transported to the NV5 laboratory for analysis. A full report of all research, archaeological testing, and analysis will be prepared, meeting all requirements of the New Jersey Historic Preservation Office (NJHPO). The report will provide information for evaluating the eligibility of any identified resources for inclusion in the National Register of Historic Places and assessments of project effects on such resources.

The draft report will be submitted for review by HPO. Review comments will be addressed and a final report will be submitted as a bound volume and a pdf.

If a site is considered to be eligible for National Register inclusion, recommendations for avoidance of impacts will be provided. If impacts cannot be avoided, analyses must be provided exploring alternatives to minimize and/or mitigate impacts. Means to avoid, minimize and/or mitigate impacts to National Register eligible properties will need to be developed and undertaken prior to project implementation. If eligible resources are identified and project actions will result in adverse effects, consultation with the NJHPO regarding mitigation measures will be necessary.



THE PORT AUTHORITY OF NY & NJ

NEWARK AIRTRAIN REPLACEMENT PLANNING

FIGURE 1

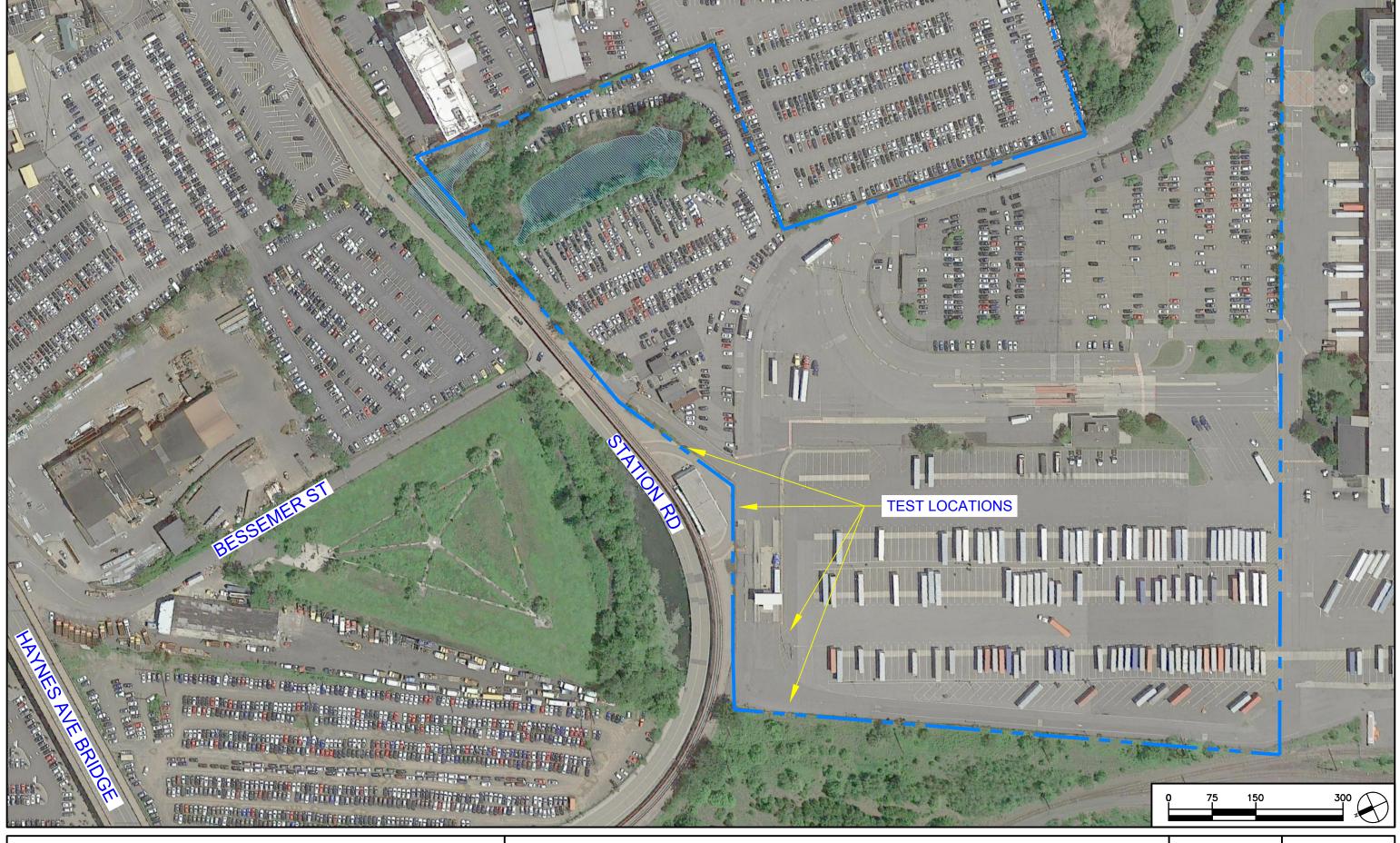
MAP FOR ARCHAEOLOGICAL SURVEY HARTZ MOUNTAIN & ANHEUSER-BUSCH

Drg. No. Sk-306 03Jun20

SH 1 of 1 Rev 0

FIGURE 2. Proposed alignment shown on aerial photograph with overlay of 1874 Hughes Map of Essex County, showing "James Johnson" buildings within the APE.





THE PORT AUTHORITY OF NY & NJ

NEWARK AIRTRAIN REPLACEMENT PLANNING FIGURE 3A

EXHIBIT A-3
ARCHAEOLOGICAL TESTING

Drg. No. Sk-290 17Apr20

SH 2 of 2 Rev 0



THE PORT AUTHORITY OF NY & NJ

NEWARK AIRTRAIN REPLACEMENT PLANNING FIGURE 3B

ARCHAEOLOGICAL TESTING, BLOCK 5090, LOT 1.05 Drg. No. Sk-289 24Apr20

SH 1 of 1 Rev 0

From: Knoesel, Edward (FAA)

Sent: Friday, November 27, 2020 10:31 AM

To: Maresca, Vincent < Vincent. Maresca@dep.nj.gov>

Cc: Lamond, Kathryn <klamond@panynj.gov>; Sanchez, David (FAA) <david.sanchez@faa.gov>; Cronin,

Catherine < <a href="mailto:ccronin@panynj.gov">ccronin@panynj.gov">ccronin@panynj.gov</a>>; D'Apuzzo, Ralph < <a href="mailto:rdapuzzo@panynj.gov">rdapuzzo@panynj.gov</a>>

Subject: PN 20-0602 Newark Liberty Int. Airport AirTrain Replacement Project - Attachments

Mr. Maresca,

As per my email of earlier today, please find a link below to a Drop Box site where you can access and download the pdf files referenced in my letter. Please let me know if you have any problems accessing the files. Thanks very much.

Please find the files for the Newark Liberty Int. Airport AirTrain Replacement project here.

#### Ed Knoesel

Environmental Protection Specialist Federal Aviation Administration New York Airports District Office 159-30 Rockaway Blvd, Suite 111 Jamaica, New York 11434

M) 917-951-9112

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From: Maresca, Vincent < Vincent.Maresca@dep.nj.gov>

Sent: Monday, November 30, 2020 1:40 PM

To: Knoesel, Edward (FAA) <edward.knoesel@faa.gov>

Cc: Lamond, Kathryn <klamond@panynj.gov>; david.sanchez@faa.gov; Cronin, Catherine

<cronin@panynj.gov>; D'Apuzzo, Ralph <rarrowspanynj.gov>

Subject: Re: PN 20-0602 Newark Liberty Int. Airport AirTrain Replacement Project

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Mr. Knoesel.

Thank you for the submission. I will have it logged in for Section 106 review and comment. Regards,

#### Vincent Maresca, M.A. | Historic Preservation Specialist 2 | Historic Preservation Office

Department of Environmental Protection | Mail Code 501-04B | PO Box 420 | Trenton, NJ 08625-0420

P: (609) 633-2395 | F: (609) 984-0578 | vincent.maresca@dep.nj.gov | Website: http://www.nj.gov/dep/hpo



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From: Knoesel, Edward (FAA) < Edward. Knoesel@faa.gov>

Sent: Friday, November 27, 2020 10:24 AM

To: Maresca, Vincent < Vincent.Maresca@dep.nj.gov>

Cc: Lamond, Kathryn <klamond@panynj.gov>; Sanchez, David (FAA) <david.sanchez@faa.gov>; Cronin,

Catherine < ccronin@panynj.gov >; D'Apuzzo, Ralph < rdapuzzo@panynj.gov >

Subject: [EXTERNAL] PN 20-0602 Newark Liberty Int. Airport AirTrain Replacement Project

Mr. Maresca,

Attached please find a letter regarding the FAA's submittal of a Archeology Phase 1B Report for the subject project for your review and determination. The Phase 1B Report and other attachments referenced in the letter will be sent separately, as the files are too large to attach to this email Please let me know if you have any questions or concerns regarding this submittal. Thank you very much.

#### Ed Knoesel

Environmental Protection Specialist Federal Aviation Administration New York Airports District Office 159-30 Rockaway Blvd, Suite 111 Jamaica, New York 11434

M) 917-951-9112

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From: Marcopul, Kate < <a href="mailto:Kate.Marcopul@dep.nj.gov">Kate.Marcopul@dep.nj.gov</a>>

Sent: Friday, December 11, 2020 12:49 PM

To: Knoesel, Edward (FAA) <edward.knoesel@faa.gov>

**Cc:** Lamond, Kathryn < <u>klamond@panynj.gov</u>>; <u>david.sanchez@faa.gov</u>; Cronin, Catherine < <u>ccronin@panynj.gov</u>>; D'Apuzzo, Ralph < <u>rdapuzzo@panynj.gov</u>>; Maresca, Vincent < <u>Vincent.Maresca@dep.nj.gov</u>>; Thivierge, Lindsay

<Lindsay.Thivierge@dep.nj.gov>

Subject: HPO Project #20-0602 Newark Liberty Int. Airport AirTrain Replacement Project

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HPO Project #20-0602-5

HPO-K2020-053

Ed Knoesel Environmental Protection Specialist Federal Aviation Administration New York Airports District Office 159-30 Rockaway Blvd, Suite 111 Jamaica, New York 11434

Dear Mr. Knoesel:

As Deputy State Historic Preservation Officer for New Jersey, in accordance with 36 CFR Part 800: Protection of Historic Properties, as published in the Federal Register on December 12, 2000 (65 FR 77725-77739) and amended on July 6, 2004 (69 FR 40553-40555), I am providing consultation comments on the following proposed undertaking:

Essex County, Newark City
Newark International Airport
EWR AirTrain Replacement Program
Revised Phase IA Archaeological Survey, Revised Historic Architectural Survey, and
Phase IB Archaeological Survey Report

#### **Federal Aviation Administration**

#### 800.4 Identification of Historic Properties

Thank you for providing the Historic Preservation Office (HPO) with the opportunity to comment on the potential for the above-referenced undertaking to affect historic properties. The comments below are in response the following cultural resources reports received by the HPO on November 27, 2020:

Zerbe, Nancy L.

August 2020 Revised, Historic Architectural Sites Survey and Effects Assessment for the Newark AirTrain Replacement Project, City of Newark Essex County and City of Elizabeth, Union County, New Jersey. Prepared for the Port Authority of New York and New Jersey. Prepared by ARCH<sup>2</sup>, Inc., Metuchen, NJ.

Porter, Richard, Leonard G. Bianchi, and Jean Howson

September 2020 Revised, Phase IA Archaeological Survey, Newark Liberty International Airport (EWR), AirTrain Replacement Program. Prepared for the Port Authority of New York and New Jersey. Prepared by NV5, Parsippany, NJ.

Porter, Richard, Leonard G. Bianchi, and Jean Howson

November 2020 Phase IB Archaeological Survey, Newark Liberty International Airport (EWR), AirTrain Replacement Program, Prepared the Port Authority of New York and New Jersey. Prepared by NV5, Parsippany, NJ.

The above-referenced historic architecture survey and Phase IA archaeological survey were previously submitted for the proposed undertaking. In a letter dated May 12, 2020, the HPO concurred with the historic architecture survey report findings and recommended no additional consideration of architectural historic properties. In addition, the HPO required a Phase IB archaeological survey within the area of potential effects (APE) from Bessemer Street to Haynes Avenue. Since that time, project plans have changed shifting the location of the proposed AirTrain system.

#### Historic Architecture

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The above-referenced revised architectural survey report states that there are three previously identified historic properties within the current project's APE: Pennsylvania Railroad New York to Philadelphia Historic District (aka Amtrak's Northeast Corridor) (SHPO Opinion: 1/14/2015); the Haynes Avenue Bridge (SHPO Opinion: 6/3/1991); and the U.S. route 1/9 Historic District (SHPO Opinion: 3/8/1996), and two previously identified properties on airport property but outside the APE: Newark Metropolitan Airport Administration Building and Medical Building (SR: 6/25/1980; NR: 12/12/1980). The current survey evaluated four additional properties: Newark Liberty International Airport's Terminals A, B, and C; Anheuser-Busch, Inc.; Kinglands Rum and Barrel, Inc.; and the New Jersey Galvanizing and Tinning Works, Inc. The report recommended that the previously identified historic properties would not be adversely affected by the project due to the nature of the historic properties, the location of the undertaking, and the distance between the undertaking and the historic properties. Additionally, it is recommended that the four newly surveyed properties do not possess the characteristics necessary to be eligible for listing on the New Jersey and National Registers of Historic Places.

Upon review, the HPO concurs with the findings of the architectural survey report. In consequence, the HPO recommends to FAA that no additional consideration of architectural historic properties is necessary unless project plans substantially change in the future.

#### Archaeology

The above-referenced revised Phase IA archaeological survey report states that the majority of the project's area of potential effects (APE) was located within a former larger marsh complex and subsequently filled during the late nineteenth and early twentieth centuries. While the potential exists for deeply buried Pre-Contact period archaeological resources exists, the project has a low potential to encounter those resources. The report further assesses the APE from Bessemer Street to Haynes Avenue (Block 5090, Lots 1.05 and 44.01) possesses sensitivity for human burials from the Newark City Cemetery (1869-1954) and late nineteenth century historic period resources from a former glue factory, several dwellings, and hospital. Therefore, this segment of the APE possesses a high archaeological sensitivity for historic period archaeological resources and potential human burials.

The above-referenced Phase IB archaeological survey was conducted in the APE along the alignment of the proposed elevated guideway within Block 5090, Lots 1.05 and 44.01. Testing included the machine excavation of six trenches measuring approximately 4ft by 8ft and extended 4ft to 5ft below ground surface. A buried former topsoil layer was identified in two of the test trenches on Block 50905, Lot 1.05 and produced a small number of late 19<sup>th</sup> century artifacts. However, no features or concentrations of artifacts were identified. Additionally, approximately 4 feet of fill deposits overly the former topsoil. According to the report, the artifacts recovered from the former topsoil may be related to historic occupation of the property. In order to investigate the topsoil deposit, a large area would need to be stripped of several feet of fill. Although the foundation pier for the proposed elevated guideway will penetrate the fill and extend through the identified former ground surface, construction plans call for pile driving and sheet pile driving for the foundation. These actions will not result in the disturbance of large

areas beneath the fill. Therefore, the report does not recommend any additional archaeological survey. However, if project plans change to include excavation of a larger area to depths below the fill, the report recommends additional archaeological survey to investigate the identified former late 19<sup>th</sup> century ground surface.

Upon review, the HPO concurs with the findings of the above-referenced Phase IB archaeological survey. Therefore, no additional archaeological survey is required for the undertaking as proposed. However, if project plans change in the future, additional consultation will be needed as intact late 19<sup>th</sup> century surfaces were identified.

#### 800.5 Assessment of Adverse Effects

Therefore, I concur with your finding that, as proposed, the undertaking will have **no adverse effect** on historic properties. Pursuant to 800.5(c), if no consulting parties object to this finding within the 30-day review period, the project may proceed, as proposed, unless resources are discovered during project implementation, pursuant to 800.13.

#### **Additional Comments:**

Thank you again for the opportunity to review and comment on the proposed undertaking. Please reference the HPO project number **20-0602** in any future calls, emails, or written correspondence to help expedite your review and response. If you have any questions, please feel free to contact Lindsay Thivierge of my staff at <a href="Lindsay.Thivierge@dep.nj.gov">Lindsay.Thivierge@dep.nj.gov</a>. with questions regarding historic architecture, historic districts, or historic landscapes or Vincent Maresca of my staff at <a href="wincent.maresca@dep.nj.gov">wincent.maresca@dep.nj.gov</a> with questions regarding archaeology.

Sincerely,

Katherine J. Marcopul, Ph.D., CPM
Administrator and
Deputy State Historic Preservation Officer
Historic Preservation Office
NJ Department of Environmental Protection
501 East State Street, Trenton, NJ 08625
kate.marcopul@dep.nj.gov
T (609) 984-0176 | F (609) 984-0578



#### Connect with us:



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March 31, 2020

Ms. Kathy Kakaletris Administrator Union County Office of Cultural and Heritage Affairs 633 Pearl Street Elizabeth, NJ 07202

Re: AirTrain Newark Replacement Program – Section 106 Consultation Elizabeth City, Union County and City of Newark, Essex County, New Jersey

Dear Ms. Kakaletris:

The Port Authority of New York & New Jersey (PANYNJ) has proposed a replacement AirTrain system, which will be a 2.4-mile dual guideway system located primarily on PANYNJ property. The proposed project involves the construction of all necessary facilities and infrastructure, including elevated guideway infrastructure, rider stations, elevated pedestrian connectors, utilities, substations, a maintenance and control facility, vehicles, train control, and a power distribution system.

Due to the potential use of federal funds for the project, PANYNJ has reviewed the project in accordance with Section 106 of the National Historic Preservation Act. The Section 106 review process and the federal Advisory Council on Historic Preservation's implementing regulations, 36 CFR Part 800: Protection of Historic Properties, as published in the Federal Register, December 12, 2000 (Volume 65, Number 239, Pages 77697-77739), encourage interested parties to participate in this process as consulting parties. We have identified your organization as a consulting party and therefore request your review and comments on the following cultural resources reports:

Historic Sites Survey and Effects Assessment for the Newark AirTrain Replacement Project, City of Newark, Essex County and City of Elizabeth, Union County, New Jersey, for Review under Section 106 of the National Historic Preservation Act, December 2019

Newark AirTrain Replacement Phase IA Archaeological Survey, January 2020

We would appreciate your comments within 30 days. Should no response be received in that time, we will assume you have no comments. If you have any questions, please do not hesitate to contact me at (973) 565-5529 or wlaventhal@panynj.gov.

Kind regards,

William Laventhal Program Manager

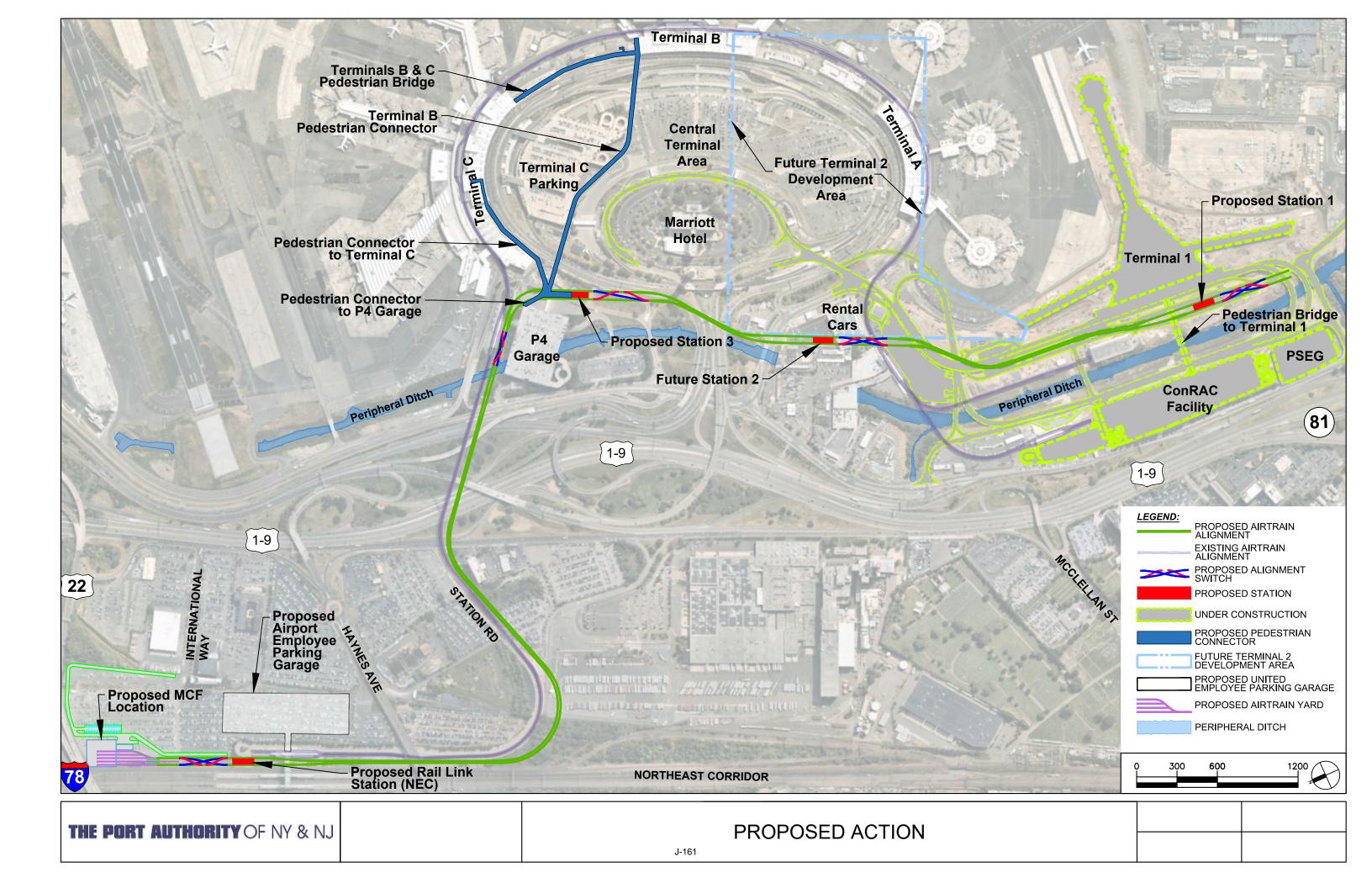
AirTrain Newark Replacement Program

**PANYNJ** 

(continued – letter to Kathy Kakaletris dated March 31, 2020)

cc: Catherine Cronin, Project Executive, Redevelopment Programs, PANYNJ Ralph D'Apuzzo, Program Director, AirTrain Newark Replacement Program, PANYNJ Edward Knoesel, Environmental Specialist, Eastern Region, FAA Vincent Maresca, NJ Historic Preservation Office

Enclosures: Project Map Historic Architectural Sites Survey Phase 1 Archaeological Survey



April 1, 2020

Gregory Lattanzi, Ph.D. Archaeological Society of New Jersey c/o New Jersey State Museum Bureau of Archaeology & Ethnography 205 West State Street P.O. Box 530 Trenton, NJ 08625-0530

Re: AirTrain Newark Replacement Program – Section 106 Consultation Elizabeth City, Union County and City of Newark, Essex County, New Jersey

Dear Dr. Lattanzi:

The Port Authority of New York & New Jersey (PANYNJ) has proposed a replacement AirTrain system, which will be a 2.4-mile dual guideway system located primarily on PANYNJ property. The proposed project involves the construction of all necessary facilities and infrastructure, including elevated guideway infrastructure, rider stations, elevated pedestrian connectors, utilities, substations, a maintenance and control facility, vehicles, train control, and a power distribution system.

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Newark AirTrain Replacement Phase IA Archaeological Survey, January 2020

We would appreciate your comments within 30 days. Should no response be received in that time, we will assume you have no comments. If you have any questions, please do not hesitate to contact me at (973) 565-5529 or wlaventhal@panynj.gov.

Kind regards,

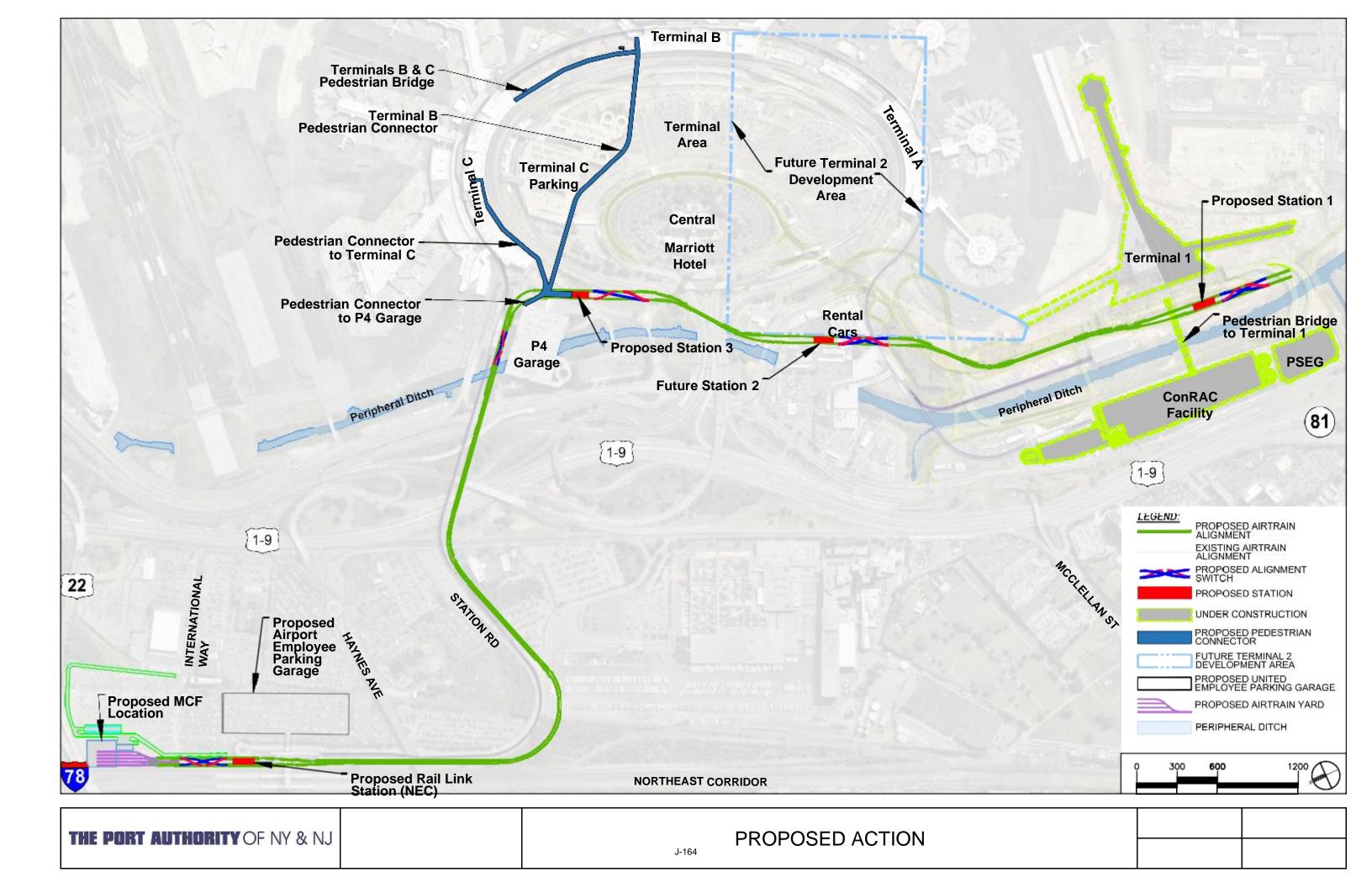
William Laventhal Program Manager

AirTrain Newark Replacement Program

**PANYNJ** 

(continued – letter to Gregory Lattanzi dated April 1, 2020)

cc: Catherine Cronin, Project Executive, Redevelopment Programs, PANYNJ Ralph D'Apuzzo, Program Director, AirTrain Newark Replacement Program, PANYNJ Edward Knoesel, Environmental Specialist, Eastern Region, FAA Vincent Maresca, NJ Historic Preservation Office



The Honorable J. Christian Bollwage Mayor, City of Elizabeth Elizabeth City Hall 50 Winfield Scott Plaza Room 204 Elizabeth, New Jersey 07201

Re: Newark Liberty International Airport
AirTrain Newark Replacement Program – Section 106 Consultation
Elizabeth City, Union County and City of Newark, Essex County, New Jersey

#### Dear Mayor Bollwage:

The Port Authority of New York & New Jersey (PANYNJ) has proposed a replacement AirTrain system, which will be a 2.4-mile dual guideway system located primarily on PANYNJ property. The proposed project involves the construction of all necessary facilities and infrastructure, including elevated guideway infrastructure, rider stations, elevated pedestrian connectors, utilities, substations, a maintenance and control facility, vehicles, train control, and a power distribution system.

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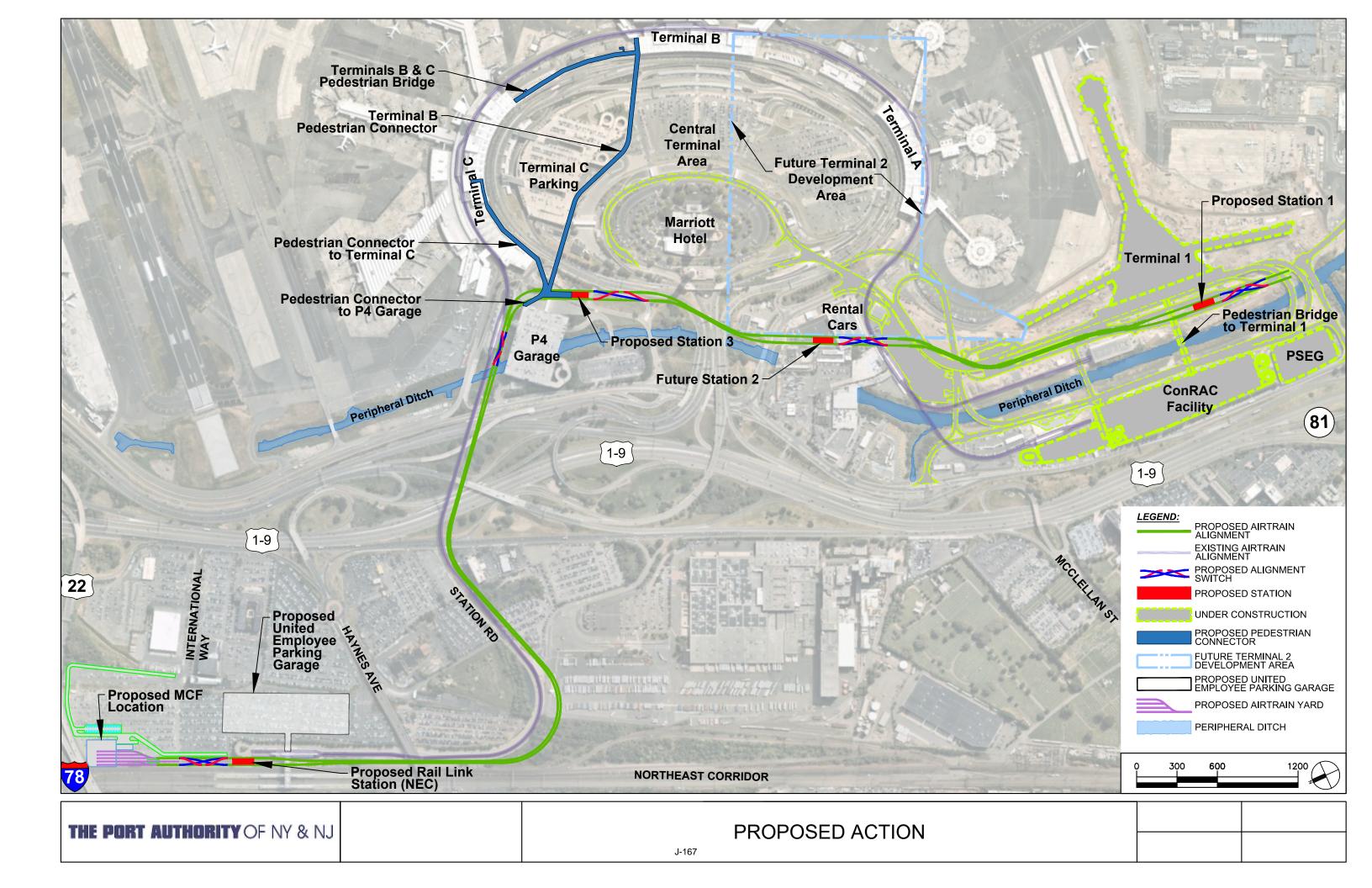
Newark AirTrain Replacement Phase IA Archaeological Survey, January 2020

We would appreciate receiving any comments that you may have within 30 days. If you have any questions, please do not hesitate to contact me at (973) 565-5528 or <a href="mailto:rdapuzzo@panynj.gov">rdapuzzo@panynj.gov</a>.

Kind regards,

(continued – letter to the Honorable Mayor Bollwage, City of Elizabeth, dated May 5, 2020)

cc: Catherine Cronin, Project Executive, Airport Redevelopment Programs, PANYNJ William Laventhal, Program Manager, AirTrain Newark Replacement Program, PANYNJ Edward Knoesel, Environmental Specialist, Eastern Region, FAA Vincent Maresca, NJ Historic Preservation Office



Eric S. Pennington, Business Administrator City of Newark Newark City Hall 920 Broad Street, Room 205 Newark, NJ 07102

Re: Newark Liberty International Airport
AirTrain Newark Replacement Program – Section 106 Consultation
Elizabeth City, Union County and City of Newark, Essex County, New Jersey

Dear Business Administrator Pennington:

The Port Authority of New York & New Jersey (PANYNJ) has proposed a replacement AirTrain system, which will be a 2.4-mile dual guideway system located primarily on PANYNJ property. The proposed project involves the construction of all necessary facilities and infrastructure, including elevated guideway infrastructure, rider stations, elevated pedestrian connectors, utilities, substations, a maintenance and control facility, vehicles, train control, and a power distribution system.

Due to the potential use of federal funds for the project, PANYNJ has reviewed the project in accordance with Section 106 of the National Historic Preservation Act. The Section 106 review process and the federal Advisory Council on Historic Preservation's implementing regulations, 36 CFR Part 800: Protection of Historic Properties, as published in the Federal Register, December 12, 2000 (Volume 65, Number 239, Pages 77697-77739), encourage interested parties to participate in this process as consulting parties. We have identified your office as a consulting party and therefore request your review and comments on the following cultural resources reports:

Historic Sites Survey and Effects Assessment for the Newark AirTrain Replacement Project, City of Newark, Essex County and City of Elizabeth, Union County, New Jersey, for Review under Section 106 of the National Historic Preservation Act, December 2019

Newark AirTrain Replacement Phase IA Archaeological Survey, January 2020

These reports have also been provided for review to the Newark Landmarks and Historic Preservation Commission. We would appreciate receiving any comments that you may have within 30 days. If you have any questions, please do not hesitate to contact me at (973) 565-5528 or <a href="mailto:redapuzzo@panynj.gov">rdapuzzo@panynj.gov</a>.

Kind regards,

(continued – letter to Business Administrator Pennington, City of Newark, dated May 5, 2020)

cc: Catherine Cronin, Project Executive, Airport Redevelopment Programs, PANYNJ William Laventhal, Program Manager, AirTrain Newark Replacement Program, PANYNJ Edward Knoesel, Environmental Specialist, Eastern Region, FAA Vincent Maresca, NJ Historic Preservation Office

The Honorable Ras J. Baraka Mayor, City of Newark Newark City Hall 920 Broad St Newark, New Jersey 07102

Re: Newark Liberty International Airport
AirTrain Newark Replacement Program – Section 106 Consultation
Elizabeth City, Union County and City of Newark, Essex County, New Jersey

#### Dear Mayor Baraka:

The Port Authority of New York & New Jersey (PANYNJ) has proposed a replacement AirTrain system, which will be a 2.4-mile dual guideway system located primarily on PANYNJ property. The proposed project involves the construction of all necessary facilities and infrastructure, including elevated guideway infrastructure, rider stations, elevated pedestrian connectors, utilities, substations, a maintenance and control facility, vehicles, train control, and a power distribution system.

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Kind regards,

(continued – letter to the Honorable Ras J. Baraka, Mayor, City of Newark, dated May 5, 2020)

cc: Catherine Cronin, Project Executive, Airport Redevelopment Programs, PANYNJ William Laventhal, Program Manager, AirTrain Newark Replacement Program, PANYNJ Edward Knoesel, Environmental Specialist, Eastern Region, FAA Vincent Maresca, NJ Historic Preservation Office

The Honorable Joseph N. DiVincenzo Jr. Office of the County Executive 465 Dr. Martin Luther King Jr. Boulevard Hall of Records – Room 405 Newark, New Jersey 07102

Re: Newark Liberty International Airport
AirTrain Newark Replacement Program – Section 106 Consultation
Elizabeth City, Union County and City of Newark, Essex County, New Jersey

Dear County Executive DiVincenzo:

The Port Authority of New York & New Jersey (PANYNJ) has proposed a replacement AirTrain system, which will be a 2.4-mile dual guideway system located primarily on PANYNJ property. The proposed project involves the construction of all necessary facilities and infrastructure, including elevated guideway infrastructure, rider stations, elevated pedestrian connectors, utilities, substations, a maintenance and control facility, vehicles, train control, and a power distribution system.

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Newark AirTrain Replacement Phase IA Archaeological Survey, January 2020

We would appreciate receiving any comments that you may have within 30 days. If you have any questions, please do not hesitate to contact me at (973) 565-5528 or <a href="mailto:rdapuzzo@panynj.gov">rdapuzzo@panynj.gov</a>.

Kind regards,

(continued – letter to the County Executive DiVincenzo, Essex County, dated May 5, 2020)

cc: Catherine Cronin, Project Executive, Airport Redevelopment Programs, PANYNJ William Laventhal, Program Manager, AirTrain Newark Replacement Program, PANYNJ Edward Knoesel, Environmental Specialist, Eastern Region, FAA Vincent Maresca, NJ Historic Preservation Office

The Honorable Brendan Gill Freeholder President - At-Large, Essex County Hall of Records – Room 502 465 Martin Luther King Jr., Blvd. Newark, NJ 07102

Re: Newark Liberty International Airport
AirTrain Newark Replacement Program – Section 106 Consultation
Elizabeth City, Union County and City of Newark, Essex County, New Jersey

#### Dear Freeholder President Gill:

The Port Authority of New York & New Jersey (PANYNJ) has proposed a replacement AirTrain system, which will be a 2.4-mile dual guideway system located primarily on PANYNJ property. The proposed project involves the construction of all necessary facilities and infrastructure, including elevated guideway infrastructure, rider stations, elevated pedestrian connectors, utilities, substations, a maintenance and control facility, vehicles, train control, and a power distribution system.

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Kind regards,

(continued – letter to Freeholder President Gill, Essex County, dated May 5, 2020)

cc: Catherine Cronin, Project Executive, Airport Redevelopment Programs, PANYNJ William Laventhal, Program Manager, AirTrain Newark Replacement Program, PANYNJ Edward Knoesel, Environmental Specialist, Eastern Region, FAA Vincent Maresca, NJ Historic Preservation Office

The Honorable Edward Oatman Union County Administration Building 10 Elizabethtown Plaza Elizabeth, New Jersey 07202

Re: Newark Liberty International Airport
AirTrain Newark Replacement Program – Section 106 Consultation
Elizabeth City, Union County and City of Newark, Essex County, New Jersey

Dear County Manager Oatman:

The Port Authority of New York & New Jersey (PANYNJ) has proposed a replacement AirTrain system, which will be a 2.4-mile dual guideway system located primarily on PANYNJ property. The proposed project involves the construction of all necessary facilities and infrastructure, including elevated guideway infrastructure, rider stations, elevated pedestrian connectors, utilities, substations, a maintenance and control facility, vehicles, train control, and a power distribution system.

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Newark AirTrain Replacement Phase IA Archaeological Survey, January 2020

These reports have also been provided for review to the Union County Office of Cultural and Heritage Affairs. We would appreciate receiving any comments that you may have within 30 days. If you have any questions, please do not hesitate to contact me at (973) 565-5528 or rdapuzzo@panynj.gov.

Kind regards,

(continued – letter to County Manager Oatman, Union County, dated May 5, 2020)

cc: Catherine Cronin, Project Executive, Airport Redevelopment Programs, PANYNJ William Laventhal, Program Manager, AirTrain Newark Replacement Program, PANYNJ Edward Knoesel, Environmental Specialist, Eastern Region, FAA Vincent Maresca, NJ Historic Preservation Office

The Honorable Alexander Mirabella Freeholder Chairperson, Union County 10 Elizabethtown Plaza Elizabeth, NJ 07207

Re: Newark Liberty International Airport
AirTrain Newark Replacement Program – Section 106 Consultation
Elizabeth City, Union County and City of Newark, Essex County, New Jersey

Dear Freeholder Chairperson Mirabella:

The Port Authority of New York & New Jersey (PANYNJ) has proposed a replacement AirTrain system, which will be a 2.4-mile dual guideway system located primarily on PANYNJ property. The proposed project involves the construction of all necessary facilities and infrastructure, including elevated guideway infrastructure, rider stations, elevated pedestrian connectors, utilities, substations, a maintenance and control facility, vehicles, train control, and a power distribution system.

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Newark AirTrain Replacement Phase IA Archaeological Survey, January 2020

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Kind regards,

(continued – letter to Freeholder Chairperson Mirabella, Union County, dated May 5, 2020)

cc: Catherine Cronin, Project Executive, Airport Redevelopment Programs, PANYNJ William Laventhal, Program Manager, AirTrain Newark Replacement Program, PANYNJ Edward Knoesel, Environmental Specialist, Eastern Region, FAA Vincent Maresca, NJ Historic Preservation Office

April 3, 2020

Richard Partyka Chairperson Newark Landmarks and Historic Preservation Commission 920 Broad Street, Room 112 Newark, NJ 07102

Re: AirTrain Newark Replacement Program – Section 106 Consultation Elizabeth City, Union County and City of Newark, Essex County, New Jersey

Dear Mr. Partyka:

The Port Authority of New York & New Jersey (PANYNJ) has proposed a replacement AirTrain system, which will be a 2.4-mile dual guideway system located primarily on PANYNJ property. The proposed project involves the construction of all necessary facilities and infrastructure, including elevated guideway infrastructure, rider stations, elevated pedestrian connectors, utilities, substations, a maintenance and control facility, vehicles, train control, and a power distribution system.

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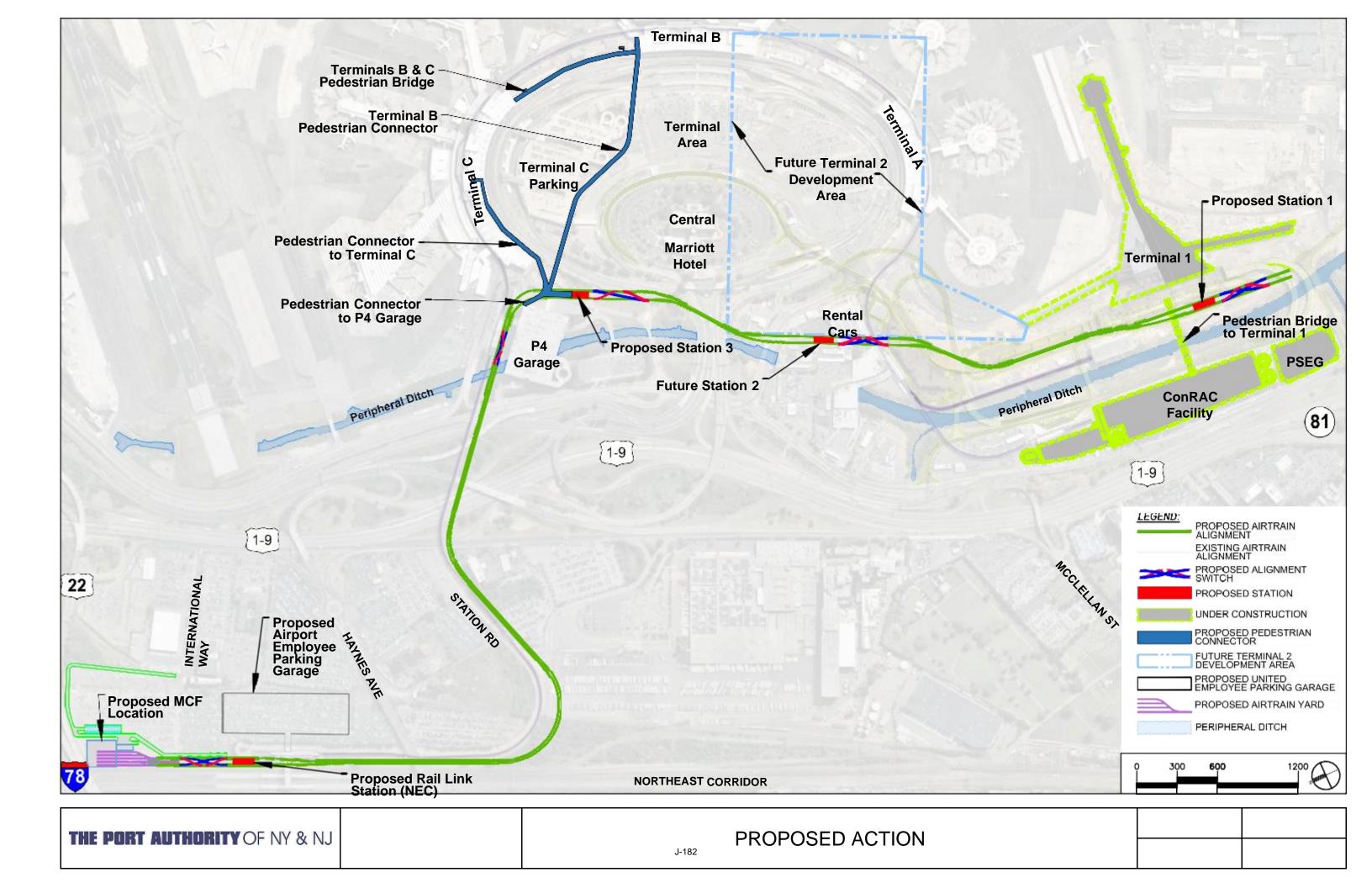
William Laventhal Program Manager

AirTrain Newark Replacement Program

**PANYNJ** 

(continued – letter to Richard Partyka dated April 3, 2020)

cc: Catherine Cronin, Project Executive, Redevelopment Programs, PANYNJ Ralph D'Apuzzo, Program Director, AirTrain Newark Replacement Program, PANYNJ Edward Knoesel, Environmental Specialist, Eastern Region, FAA Vincent Maresca, NJ Historic Preservation Office



April 3, 2020

Ms. Elizabeth Del Tufo President Newark Preservation & Landmarks Committee PO Box 1066 Newark, NJ 07101

Re: AirTrain Newark Replacement Program – Section 106 Consultation Elizabeth City, Union County and City of Newark, Essex County, New Jersey

Dear Ms. Del Tufo:

The Port Authority of New York & New Jersey (PANYNJ) has proposed a replacement AirTrain system, which will be a 2.4-mile dual guideway system located primarily on PANYNJ property. The proposed project involves the construction of all necessary facilities and infrastructure, including elevated guideway infrastructure, rider stations, elevated pedestrian connectors, utilities, substations, a maintenance and control facility, vehicles, train control, and a power distribution system.

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Kind regards,

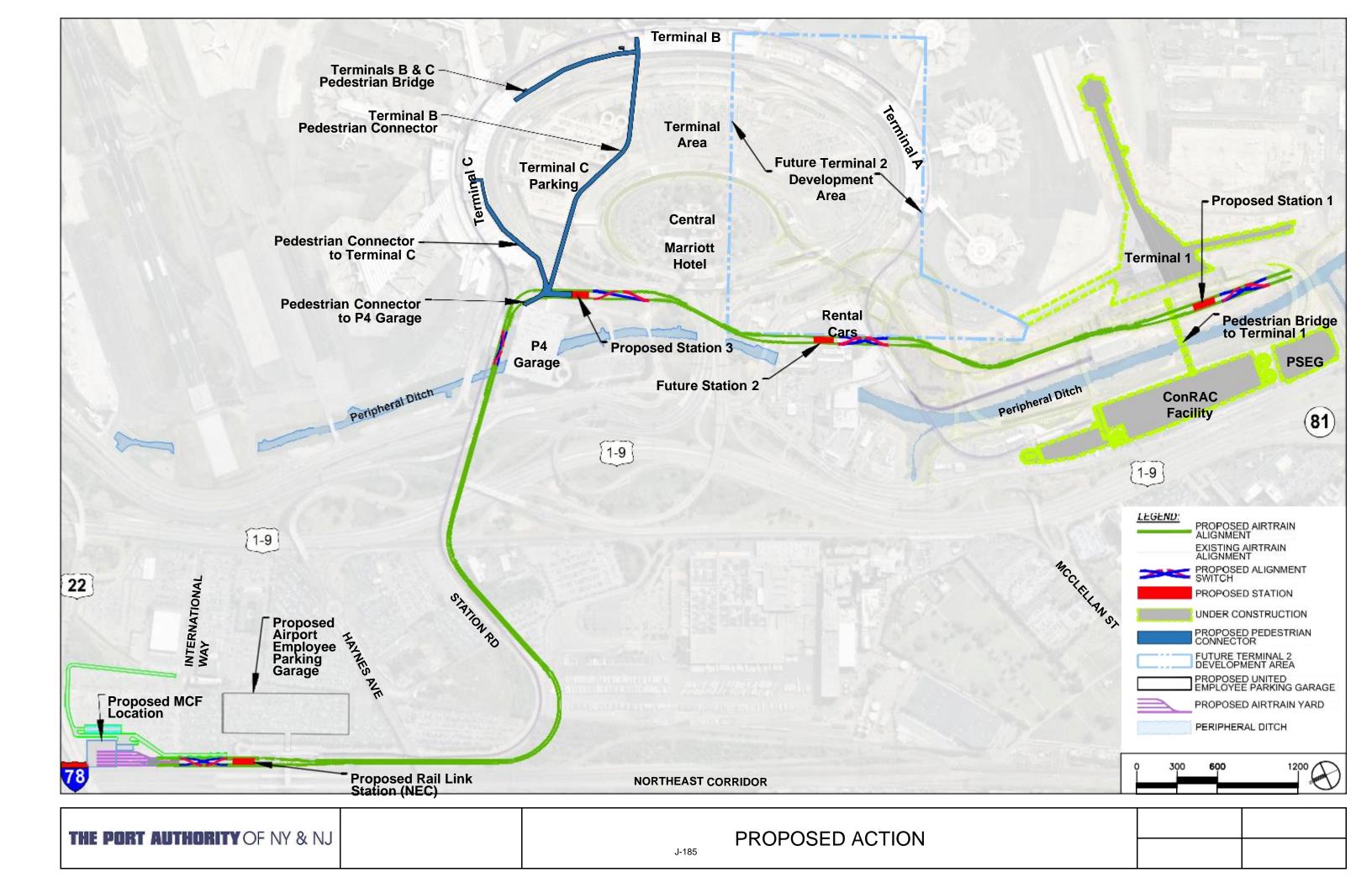
William Laventhal Program Manager

AirTrain Newark Replacement Program

**PANYNJ** 

(continued – letter to Elizabeth Del Tufo dated April 3, 2020)

cc: Catherine Cronin, Project Executive, Redevelopment Programs, PANYNJ Ralph D'Apuzzo, Program Director, AirTrain Newark Replacement Program, PANYNJ Edward Knoesel, Environmental Specialist, Eastern Region, FAA Vincent Maresca, NJ Historic Preservation Office





### State of New Jersey

CHRIS CHRISTIE Governor

KIM GUADAGNO

Lt. Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Division of Land Use Regulation
Mail Code 501-02A, P. O. Box 420
Trenton, New Jersey 08625-0420
www.state.nj.us/dep/landuse

BOB MARTIN

SEP 25 2012

Peter J. Zipf, Chief Engineer Port Authority of NY and NJ 233 Park Ave. South 7th Floor New York, NY 10003

Re: Letter of Interpretation: Line Verification

File No.: 0000-02-0043.4 Activity Number: FWW 120001

Applicant: Port Authority of New York and New Jersey

City of Newark, Essex County: Block 5090, Lots 100.01, 100.02 & 106; Block

5092 Lots 10 & 157; Block 5094, Lot 1 Elizabeth, Union County: Block 1, Lot 2104

Dear Mr. Zipf:

This letter is in response to your request for a Letter of Interpretation to verify the jurisdictional boundaries of the freshwater wetlands, transition areas and State open waters on the referenced property pursuant to the Freshwater Wetlands Protection Act Rules, N.J.A.C. 7:7A.

In accordance with agreements between the State of New Jersey Department of Environmental Protection (Department), the U.S. Army Corps of Engineers Philadelphia and New York Districts, and the U.S. Environmental Protection Agency, it has been determined that the Department's Division of Land Use Regulation (Division) is the lead agency for establishing the extent of State and Federally regulated wetlands and waters. The USEPA and/or USACOE retain the right to reevaluate and modify the jurisdictional determination at any time should the information prove to be incomplete or inaccurate.

Based upon the information submitted and upon a site inspection conducted by Division staff on May 23, 2012, the Division has determined that the wetlands and waters boundary lines are accurate as shown on the plan titled "Wetland Location Map, Newark International Airport, Terminal A, Essex County, New Jersey, Union County, New Jersey," consisting of 2 sheets, dated December 23, 2011, unrevised, and prepared by Kennon Surveying Services, Inc.

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#### Wetlands Resource Value Classification ("RVC")

Ordinary: C-1 to C-8 is a stormwater basin. [No wetland buffer]

State Open Waters: Peripheral Ditch and its tributaries demarcated by flags A-1 to A-100 and B-1 to B-133 [No transition area]

No transition area is required adjacent to State open waters pursuant to the Freshwater Wetlands Protection Act Rules, N.J.A.C. 7:7A. However, a riparian zone may be required adjacent to regulated waters pursuant to the Flood Hazard Area Control Act Rules, N.J.A.C. 7:13. The above designated wetlands RVC may affect requirements for wetland and/or transition area permitting. This classification may affect the requirements for an Individual Wetlands Permit (see N.J.A.C. 7:7A-7), the types of Statewide General Permits available for the property (see N.J.A.C. 7:7A-4) and any modification available through a transition area waiver (see N.J.A.C. 7:7A-6). Please refer to the Freshwater Wetlands Protection Act (N.J.S.A. 13:9B-1 et seq.) and implementing rules for additional information.

Wetlands resource value classification is based on the best information available to the Department. The classification is subject to reevaluation at any time if additional or updated information is made available, including, but not limited to, information supplied by the applicant.

Under N.J.S.A. 13:9B-7a(2), if the Division has classified a wetland as exceptional resource value, based on a finding that the wetland is documented habitat for threatened and endangered species that remains suitable for use for breeding, resting or feeding by such species, an applicant may request a change in this classification. Such requests for a classification change must demonstrate that the habitat is no longer suitable for the documented species because there has been a change in the suitability of this habitat. Requests for resource value classification changes and associated documentation should be submitted to the Division at the address at the top of this letter.

#### General Information

Pursuant to the Freshwater Wetlands Protection Act Rules, you are entitled to rely upon this jurisdictional determination for a period of five years from the date of this letter unless it is determined that the letter is based on inaccurate or incomplete information. Should additional information be disclosed or discovered, the Division reserves the right to void the original letter of interpretation and issue a revised letter of interpretation.

Regulated activities proposed within a wetland, wetland transition area or water area, as defined by N.J.A.C. 7:7A-2.2 and 2.6 of the Freshwater Wetlands Protection Act rules, require a permit from this office unless specifically exempted at N.J.A.C. 7:7A-2.8. The approved plan and supporting jurisdictional limit information are now part of the Division's public records.

This letter in no way legalizes any fill which may have been placed, or other regulated activities which may have occurred on-site. This determination of jurisdiction extent or presence does not make a finding that wetlands or water areas are "isolated" or part of a surface water tributary system unless specifically called out in this letter as such. Furthermore, obtaining this

determination does not affect your responsibility to obtain any local, State, or Federal permits which may be required.

#### Appeal Process

In accordance with N.J.A.C. 7:7A-1.7, any person who is aggrieved by this decision may request a hearing within 30 days of the date the decision is published in the DEP Bulletin by writing to: New Jersey Department of Environmental Protection, Office of Legal Affairs, Attention: Adjudicatory Hearing Requests, P.O. Box 402, Trenton, NJ 08625-0402. This request must include a completed copy of the Administrative Hearing Request Checklist found at www.state.nj.us/dep/landuse/forms. Hearing requests received after 30 days of publication notice may be denied. The DEP Bulletin is available on the Department's website at www.state.nj.us/dep/bulletin. In addition to your hearing request, you may file a request with the Office of Dispute Resolution to engage in alternative dispute resolution. Please see the website www.nj.gov/dep/odr for more information on this process.

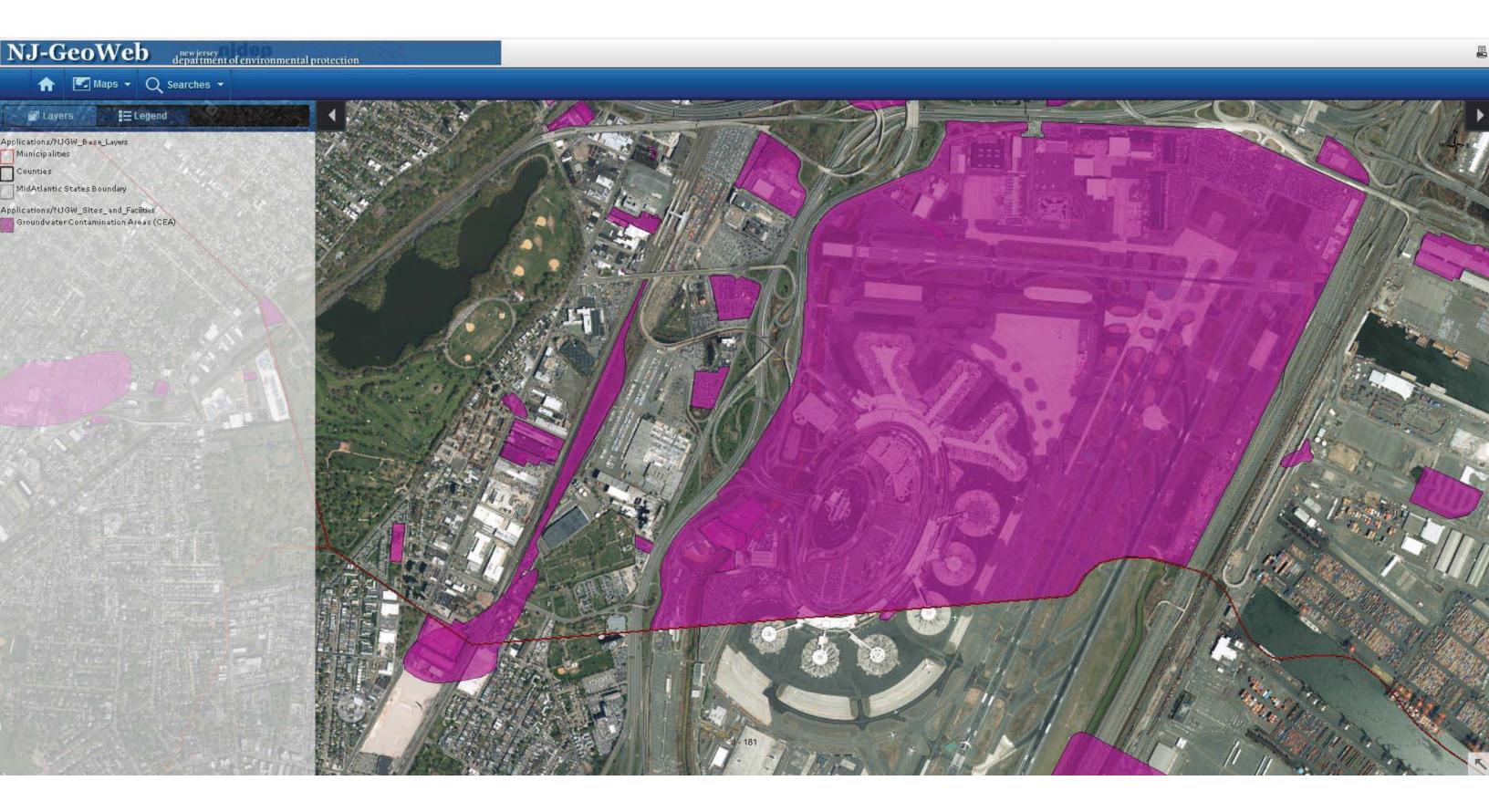
Please contact Linda Fisher of our staff by e-mail at linda.fisher@dep.state.nj.us or (609) 633-6466 should you have any questions regarding this letter. Be sure to indicate the Department's file number in all communication.

Stycerery,

John F. King, Supervisor Division of Land Use Regulation

c: City of Newark Construction Official City of Elizabeth Construction Official

Don Ehrenbeck, AECOM, Agent (original document)



# Appendix K

**Appendix K:** List of Preparers



# Appendix K – List of Preparers

Key individuals and firms involved in the preparation of the EA are indicated below.

## The Port Authority of New York and New Jersey

- Catherine Cronin Project Executive, Aviation Redevelopment Programs
- Jane Herndon Manager, Environmental Programs, Aviation Department
- Patty Clark Chief Aviation Strategy Officer
- Kathryn Lamond, PE Environmental and Sustainability Specialist
- Ralph J. D'Apuzzo, PE Program Director
- William Laventhal, PhD Program Manager
- Melissa Shaw Project Manager
- Silvia M. Cuevas Project Coordinator

#### Lea+Elliott, Inc.

- Russell Green, PE Principal/Ridership and APM Systems Planning
- Felix Ponce Coordination and Document
- Alan Cunningham Senior Planner

#### Radin Consulting, Inc.

- Chitra Radin Principal/Project Manager
- Orielan Harrington Senior Environmental Planner
- Daniel Soder, EIT Civil Engineer III
- Steven Michjeda, AICP Transportation Planner
- Abigail Ikner Urban Planner
- Kimberly Sullivan Environmental Planner

#### NV5, Inc.

- Patrick McHugh Natural Resources Impacts Analysis
- Jami Luckhardt Natural Resources Inventory
- Scott Angus Wetlands and T&E Species Inventory
- Ethan Mueller Wetlands Inventory
- Joseph A. Fishinger, Jr., PE, PP, PTOE Traffic Study
- Katrina Pizzaro, PE, PTOE Traffic Study
- Jean Howson Archaeological Resources
- Charles Cunion, LLA Graphics
- Kevin Perry Graphics
- Jason Nargiz GIS and Graphics

# Newark Liberty International Airport AirTrain Replacement Program Traffic Impact Assessment



#### Paul Carpenter Associates, Inc.

- Sharon Paul Carpenter Air Quality Analysis, Climate Analysis
- Dayna Bowen Noise and Vibration Analysis
- Mike Amabile Air Quality Analysis, Graphics

### ARCH2, Inc.

• Nancy Zerbe – Historic Architectural Resources

#### **C&S** Companies

- Marc Champigny, ENV SP Service Group Manager
- Frank Kulka Principal Consultant
- Christen Craig Senior Environmental Scientist
- Kara Young Senior Environmental Consultant

## **HNTB**

• Nilesh Shirke – Construction Scheduler

## Resource Systems Group (RSG)

• Greg Spritz – Ridership Forecast

# Appendix L

Appendix L: Public Involvement