

**DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
EASTERN REGION**

**WRITTEN RE-EVALUATION AND RECORD OF DECISION FOR THE
FINAL ENVIRONMENTAL ASSESSMENT PREPARED FOR THE
JOHN F KENNEDY (JFK) INTERNATIONAL AIRPORT REDEVELOPMENT
PROGRAM
AT JFK INTERNATIONAL AIRPORT
QUEENS, NEW YORK**

INTRODUCTION

The Federal Aviation Administration (FAA) issued a Final Environmental Assessment (EA) and a Finding of No Significant Impact/Record of Decision (FONSI/ROD) to the Port Authority of NY and NJ (Port Authority) approving the John F. Kennedy International Airport Redevelopment Program (JFK Redevelopment Program) on April 21, 2020. In October 2021, the Port Authority notified the FAA that the New Terminal One (NTO) consortium, the proponent of the Terminal 1 (T1) component of the JFK Redevelopment Program, would seek to modify certain design and construction schedule aspects of the T1 component of the overall JFK Redevelopment Program. In response, the FAA requested that the Port Authority prepare a Technical Report documenting the changes to the design and containing an analysis of environmental impacts of those changes.

The Port Authority submitted a Technical Report, which addressed FAA comments and concerns on previous iterations on May 31, 2022. The Technical Report analyzed potential impacts associated with proposed design and construction schedule changes, as compared to the potential impacts of the T1 component of the overall Redevelopment Program analyzed in the April 2020 EA and FONSI/ROD.

This Written Re-evaluation and Record of Decision (WR/ROD) of the April 2020 EA was prepared to evaluate the analysis presented in the Technical Report. This WR/ROD identifies FAA decisions and Federal Actions associated with the proposed New T1 design and construction schedule modifications. It also examines consistency with the individual and cumulative impacts discussed in the April 2020 EA and FONSI/ROD. This WR/ROD also determines the on-going validity of the information relative to the T1 portions of the overall redevelopment contained in the April 2020 EA and FONSI/ROD. The April 2020 EA and FONSI/ROD are incorporated by reference.

BACKGROUND

The FAA issued a FONSI/ROD on April 21, 2020 for the JFK Redevelopment Program. This approved three components consisting of 18 distinct projects within the overall Program. One component is the South Terminal Development, which includes the demolition of the existing Terminal 1, Terminal 2 and the Green Garage, the construction of a new Terminal 1, the realignment of taxiway exits to align with the proposed new terminal pier and associated taxilanes, and reconfiguration of the hydrant system to serve aircraft at the new terminal gates. The April 2020 EA states that the new T1 building would include 2.9 million square feet of total floor area, 23 international gates and eight aircraft hardstand parking positions. Copies of both the April 2020 EA and FONSI/ROD are available on the Port Authority website at <http://www.panynj.gov/about/studies-reports.html>.

Following the issuance of the FONSI/ROD, New Terminal One (the design/build/finance consortium chosen by the Port Authority (NTO) informed the Port Authority it was proposing design and schedule changes to

the New T1 project that are different than those described in the EA. NTO also indicated to the Port Authority that they would modify the construction schedule that was contained in the EA. The Port Authority submitted a final *Technical Report for the John F. Kennedy International Airport (JFK) Redevelopment Program Environmental Assessment and Finding of No Significant Impact / Record of Decision (April 2020) - Proposed Terminal 1 Design and Schedule Modifications* on May 31, 2022. The Technical Report analyzes and compares potential impacts associated with the proposed changes to the New T1 project as compared to the potential impacts of the project approved in the April 2020 FONSI/ROD. A copy of the May 31, 2022 Technical Report can be found in Appendix A of this WR/ROD.

FAA WRITTEN RE-EVALUATIONS

To ensure compliance with the National Environmental Policy Act (NEPA), where there are proposed changes to approved projects, the FAA evaluates the potential change in environmental impacts to determine if a supplemental Environmental Assessment is required. This WR/ROD is based on guidance provided through FAA Environmental Orders 1050.1F and 5050.4B. Both Orders reference re-evaluating NEPA documents when there are new circumstances or information relevant to environmental concerns that come to light after the FAA has issued an EA or environmental impact statement (EIS).

FAA Orders 1050.1F and 5050.4B provide guidance about the circumstances when it is necessary to supplement an EA. Paragraph 9-2 of FAA Order 1050.1F states when there are changes in the proposed action or new information relevant to environmental concerns, the FAA may prepare a written re-evaluation that will either conclude the contents of previously prepared environmental documents remain valid, or that significant changes prompt preparation of a Supplemental or new EA.

Paragraph 9-2(c) of FAA Order 1050.1F states "A new or supplemental EA or EIS need not be prepared if a written re-evaluation indicates that:

- (1) The proposed action conforms to plans or projects for which a prior EA and FONSI have been issued or a prior EIS has been filed and there are no substantial changes in the action that are relevant to environmental concerns;
- (2) Data and analyses contained in the previous EA and FONSI or EIS are still substantially valid and there are no significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts; and
- (3) Pertinent conditions and requirements of the prior approval have been, or will be, met in the current action."

DESCRIPTION OF THE PROPOSED CHANGES TO THE NEW T1 PROJECT

- New T1 Terminal Area- The proposed changes to the New T1 design include a 440,000 square foot reduction of the building square footage resulting from the relocation of certain back-of-house areas moved to the roof and the elimination of the construction of a new AirTrain Station within the terminal building. The existing AirTrain station for Terminal 1 will remain, and the AirTrain station for the existing Terminal 2 will be demolished. Terminal 2 will also be demolished as described in the Final EA.
- The New T1 will have 23 gates, as proposed in the 2020 EA, however the modifications include reconfiguring the contact gate composition such that there are two Group VI, 20 Group V, and one Group III gate.
- New T1 Airfield - The proposed changes to the New T1 ramp, as presented in the 2020 EA, entail the elimination of one hardstand position, which will result in a total of seven hardstand positions to

be constructed as part of the project. Additionally, the reconfiguration of a taxiway will no longer require the realignment of existing Taxiway KG and the associated throat connecting New T1 to Taxiway A.

- Construction Schedule - In the 2020 EA, the New T1 construction duration was assumed to take approximately 5 years. The schedule assumed simultaneous construction of the Headhouse, East Concourse, and a portion of the West Concourse. However, the schedule has been adjusted for a phased approach over a 7-year period. Phase A will commence in 2022 and includes the construction of the Headhouse, East Concourse, and demolition of the existing Terminal 2 and the Green Garage. Phase B1 will commence in 2026 with the demolition of the existing Terminal 1 and partial construction of the West Concourse of the New T1. Phase B2 would commence in 2028 and include the expansion of the West Concourse.

Additional information can be found in the *Technical Report for the John F. Kennedy International Airport (JFK) Redevelopment Program Environmental Assessment and Finding of No Significant Impact / Record of Decision (April 2020) - Proposed Terminal 1 Design and Schedule Modifications* – Appendix A of this WR/ROD.

PROPOSED AGENCY ACTIONS

The FAA actions involved in the implementation of the Proposed New T1 Design and Schedule Modifications as a component of the JFK Redevelopment Program include the following:

1. Unconditional Approval of a revised JFK Airport Layout Plan (ALP), pursuant to 49 U.S.C. §40103(b) and §47107(a)(16) to include revised New T1 project modifications as described in the Technical Report; and determination and approval of the effects of this project upon the safe and efficient utilization of navigable airspace pursuant to 14 CFR Parts 77 and 157 and 49 U.S.C. §44718;
2. Determination under 49 U.S.C. §40101(d)(1) and §47105(b)(3) as to whether the Proposed Design Changes meet applicable design and engineering standards set forth in FAA Advisory Circulars;
3. Environmental determinations concerning potential funding through the Federal grant-in-aid program authorized by the Airport and Airway Improvement Act of 1982, as amended (recodified at 49 U.S.C. §47107) and/or approval of an application to use Passenger Facility Charges (PFCs) under 49 U.S.C. §40117 (neither the April 2020 FONSI/ROD nor this WR/ROD determines eligibility or availability of potential funds);
4. Determination under 49 U.S.C. §44502 (b) concerning the acquisition, establishment, improvement, operations and maintenance of air navigation facilities and that the subject airport development is reasonably necessary for use in air commerce or in the interests of national defense;
5. Continued close coordination with the Port Authority and appropriate FAA program offices, as required, to maintain safe, efficient use of and preservation of the navigable airspace during all aspects of project construction and demolition, in accordance with 14 CFR Part 77; and
6. Approval of appropriate amendments to the JFK Airport Certification Manual (ACM), as required, pursuant to 49 U.S.C. §44706.

SUMMARY OF CHANGES TO ENVIRONMENTAL IMPACTS AND MITIGATION

This section describes the affected environment and anticipated impacts associated with the JFK New T1 Design and Schedule Modifications Project.

Affected Environment

The April 2020 EA described the existing environment and conditions. The environmental setting for the site of the original and new T1 project has not changed since the April 2020 EA.

Environmental Consequences of the Proposed New Projects

The potential environmental impacts associated with the JFK New T1 Design and Schedule Modifications Project are presented in Section 7 of the attached Technical Report. Environmental impacts associated with the JFK New T1 Design and Schedule Modifications Project are similar in nature and lesser in scale than the environmental impacts analyzed in the April 2020 EA and FONSI/ROD. The analysis included in the attached Technical Report concluded that the finding of no significant impact on local or regional air quality, as described in the 2020 EA, remains valid. Notably, the proposed changes will not impact aircraft operations when compared to the No Action Alternative, as the existing airport is capable of accommodating the operational forecast. Rather, the FAA recognizes the Port Authority is seeking to improve the level of service at JFK for passengers. See Section 7 of the attached Technical Report which describes the reevaluation of all environmental impacts and demonstrates the changes will either not impact or modestly reduce the environmental impacts of the project, and which supports the FAA's determination that the data, analyses, and findings in the original EA are still substantially valid.

REQUIRED MITIGATION MEASURES

1. Environmental

- a. As discussed above, the JFK New T1 Design and Schedule Modifications Project will have similar environmental impacts to those described for the April 2020 EA and FONSI/ROD. As such, no new environmental mitigation measures are proposed specific to the design and schedule changes considered in this WR/ROD.
- b. The mitigation measures identified in the April 2020 EA and FONSI/ROD are unchanged and apply to the New T1 Design and Schedule Modifications.

2. Terminal Design and Line of Sight (LOS) from the existing Air Traffic Control Tower to the aeronautical movement area

- a. The Technical Report states the Port Authority's commitment to comply with the terms of the Memorandum of Understanding (MOU) on LOS issues executed on March 9, 2022, ensuring all development associated with New T1 for all phases (A, B1, and B2) shall be consistent with the terms and conditions of the MOU. The MOU is incorporated by reference. Construction of individual phases cannot and will not commence until an evaluation of LOS for the final design of these individual project phases is completed by Air Traffic Control staff and determined to be acceptable. Appendix A of the Technical Report contains an evaluation of LOS for Phases A and B1.
- b. In order to adhere to the construction schedule presented in the Technical Report showing commencement of construction of Phase B2 by 2028, a revised design addressing the LOS obstructions associated with Phase B2, as documented in Appendix B of the Technical Report, shall be submitted by January 1, 2024. Should this not be possible or the construction schedule changes, an alternate date may be requested. This date will be subject to mutual agreement between the Port Authority and FAA. This date is intended to provide sufficient lead-time for thorough iterative

review, vetting, and concurrence by FAA Air Traffic Organization that any LOS impacts have been satisfactorily resolved in accordance with Mitigation Condition #6 of the 2020 FONSI/ROD and the subsequently executed MOU.

CONCLUSION

In response to the PA request, the FAA reviewed and analyzed the May 31, 2022 *Technical Report for the John F. Kennedy International Airport (JFK) Redevelopment Program Environmental Assessment and Finding of No Significant Impact / Record of Decision (April 2020) - Proposed Terminal 1 Design and Schedule Modifications*, which analyzed and compared potential impacts associated with the New T1 Project as compared to the potential impacts of the New T1 component of the JFK Redevelopment Program approved in the April 2020 EA and FONSI/ROD. Subsequent to this review and analysis, the FAA prepared this WR/ROD.

Based on FAA Order 1050.1F, paragraph 9-2(c), the FAA concludes that a new or supplemental EA need not be prepared; this WR/ROD and attached Technical Report indicate that:

- (1) The proposed action conforms to plans or projects for which a prior EA and FONSI have been issued and there are no substantial changes in the action that are relevant to environmental concerns;
- (2) Data and analyses contained in the previous EA and FONSI are still substantially valid and there are no significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts; and
- (3) Pertinent conditions and requirements of the prior approval have been, or will be, met in the current action.

Based on FAA Order 5050.4B, paragraph 1402 b., FAA concludes that a supplement to the EA for this project is not required because the airport sponsor did not make substantial changes to the proposed action that could affect the action's environmental effects and there are no significant new changes, circumstances or information relevant to the proposed action, its affected environment, or its environmental impacts.

Therefore, as discussed above and in accordance with FAA Order 1050.1F, *Policies and Procedures for Assessing Environmental Impacts*, and FAA Order 5050.4B, *NEPA Implementing Instructions for Airport Actions*, preparation of a new or Supplemental EA is not required.

FEDERAL AGENCY FINDINGS

The April 2020 EA and FONSI/ROD contained seven Federal Findings pertaining to the JFK Redevelopment Program that was approved. Those findings were:

1. **The proposed action is reasonably consistent with existing plans of public agencies for development of areas surrounding the airport (49 U.S.C. § 47106(a)(1)).** The FAA is satisfied that the Proposed Action is consistent with plans (existing at the time the Proposed Action is approved) of public agencies for development of areas surrounding the airport based on coordination efforts with pertinent public agencies.
2. **The interest of the communities in or near where the Proposed Action may be located were given fair consideration. (49 U.S.C. § 47106(b)(2)).** The FAA is satisfied that the interests of the communities in or near where the Proposed Action will be located were given fair consideration as demonstrated by the Final EA, Appendix J, which includes responses to

public comments.

3. **The FAA has given this Proposed Action the independent and objective evaluation required by the Council on Environmental Quality (40 C.F.R. § 1506.5).** The FAA's review and ultimate decision process included the FAA's rigorous exploration and objective evaluation of reasonable alternatives and probable environmental consequences, regulatory agency and Native American consultations, as required, and public involvement. FAA furnished guidance and participated in the preparation of the Final EA by providing input, advice and expertise throughout the planning and technical analyses, along with administrative direction and legal review. FAA has independently evaluated the Final EA and takes responsibility for its scope and content.
4. **The Proposed Action will conform to the State Implementation Plan (SIP) in accordance with Section 176 of the Clean Air Act (CAA) and its amendments (42 U.S.C. §§ 7506(c)).** JFK is located in Queens County, which is currently designated as being a serious non-attainment area for 8-hour ozone, maintenance area for PM_{2.5} and a CO maintenance area. The Proposed Action conforms to the New York SIP and complies with CAA § 176(c)(1). The Proposed Action would not: cause or contribute to any new violation of any standard in any area; increase the frequency or severity of any existing violation of any standard in any area; or delay timely attainment of any standard or any required interim emission reductions or other milestones in any area. Specifically, the Proposed Action's total construction emissions, based on specific emissions calculations, are below the *de minimis* thresholds established by the General Conformity Rule (40 C.F.R. Parts 51 and 93) and therefore, would conform to the SIP. According to FAA Order 1050.1F and the Desk Reference for Airports Actions, no mitigation is necessary and further analysis is not required to comply with the CAA or NEPA. In summary, although the Proposed Action is taking place in a non-attainment area, the FAA determined that project emissions would be below *de minimis* thresholds under General Conformity requirements. Therefore, a Conformity Determination is unnecessary and significant adverse impacts to air quality would be unlikely. The requirements of the General Conformity Rule have been met as discussed in Sections 4.2.2 and 5.2 and Appendix B of the Final EA.
5. **There are no disproportionately high and adverse environmental effects on minority/or low-income populations that would result from the Proposed Action. (Executive Order 12989) (U.S. DOT Order 5610.2(a)).** Environmental Justice concerns are addressed in detail in Section 5.15 of the Final EA. The minority and low-income populations immediately adjacent to JFK that would experience temporary, non-significant increases in noise resulting from the Proposed Action are similar in composition to the population of the larger communities in close proximity to the airport. Furthermore, no significant impacts are associated with the Proposed Action. In accordance with FAA guidance provided in FAA Order 5050.4B and FAA Order 1050.1F, and the "Environmental Desk Reference for Airport Actions," implementation of the Proposed Action would not result in long-term effects to any low income or minority population greater than the general community would experience. Additionally, there are no impact categories that experience a significant impact as a result of the Proposed Action. In the long-term, intersection improvements are expected to reduce congestion and result in a beneficial impact to surrounding communities. Therefore, there would be no minority or low-income group that would bear a disproportionately high and adverse burden of the effects of the Proposed Action.
6. **Executive Order 11988, which directs federal agencies to reduce the risk of flood loss, minimize the impacts of floods on human safety, health and welfare, and restore and preserve the natural and beneficial value served by floodplains, has been followed and as required, complied with appropriately.** The Final EA contains analyses that address whether the Proposed Action would be a significant floodplain encroachment, as defined in FAA Order

1050.1F and Executive Order (EO) 11988. The FAA is satisfied that the Proposed Action would not be a significant encroachment on floodplains and that implementation of the Proposed Action would comply with all the requirements of EO 11988. There is no feasible and prudent alternative that avoids the floodplain. A "significant encroachment" on the floodplain would not occur because: the probability of loss of human life is low; the Proposed Action would be designed to minimize future extensive damage or costs; and there would be no notable adverse impacts on the floodplain's natural and beneficial features. The appropriate and currently valid FIRMs were consulted and are included in the EA.

7. **The Proposed Action is consistent with the New York State Coastal Zone Management Program in accordance with the CZMA, as amended (16 U.S.C §§ 1451-1464). JFK is located within a designated New York State Coastal Zone Management Area.** As indicated in Appendix C of the final EA, the NYSDOS, on January 28, 2020, determined that the Proposed Action meets their consistency concurrence criteria for determining whether the projects proposed are consistent with the approved coastal zone management plan. There would be no significant adverse impacts to the NYSDOS Coastal Zone Management Area as result of the Proposed Action.

As this WR/ ROD for the Proposed New Terminal 1 Design and Schedule Modifications project demonstrates, there are no substantial changes relevant to environmental concerns to the project that was the subject of the April 2020 EA. Additionally, the Proposed New Terminal 1 Design and Schedule Modifications project does not result in any significant new circumstances or information relevant to environmental concerns. Therefore, the seven Federal Agency Findings of the April 2020 FONSI/ROD remain valid, and no changes to any of the Findings are required.

DECISION AND ORDER

This WR/ROD was prepared pursuant to FAA Orders 1050.1 F, *Environmental Impacts: Policies and Procedures*, and 5050.4B, *National Environmental Policy Act Implementing Instructions for Airport Actions*, Paragraph 1401. This WR/ROD along with the FAA's April 2020 FONSI/ROD constitute the FAA's decisions with regard to the JFK Redevelopment Program, including the Proposed Terminal 1 Design and Schedule Modifications project. The FAA has independently evaluated the information contained in the April 2020 EA and the May 31, 2022 Technical Report and takes full responsibility for the scope and content that addresses the FAA actions.

I have carefully and thoroughly considered the facts contained in the April 2020 EA and FONSI/ROD, the May 31, 2022 Technical Report, and this Written Re-evaluation of the April 2020 EA and FONSI/ROD. Based on that information, I find the proposed Federal Actions are consistent with existing national environmental policies and objectives of Section 101(a) of the *National Environmental Policy Act of 1969* (NEPA). I also find the proposed Federal Actions with the required mitigation as presented in the April 2020 EA and FONSI/ROD and the May 2022 Technical Report will not significantly affect the quality of the human environment or include any condition requiring any consultation pursuant to Section 102(2)(C) of NEPA.

Accordingly, pursuant to the authority delegated to me by the Administrator of the FAA, I find that the proposed changes summarized in this WR/ROD are reasonably supported and approved. I hereby direct that action be taken together with the necessary related and collateral actions, to carry out the agency actions noted above. Specifically:

1. Unconditional approval of a revised JFK Airport Layout Plan (ALP), pursuant to 49 U.S.C. §40103(b) and §47107(a)(16) to include revised T1 project modifications as described in the Technical Report; and determination and approval of the effects of this project upon the safe and

efficient utilization of navigable airspace pursuant to 14 CFR Parts 77 and 157 and 49 U.S.C. §44718;

2. Determination under 49 U.S.C. §40101(d)(1) and §47105(b)(3) as to whether the Proposed Design Changes meet applicable design and engineering standards set forth in FAA Advisory Circulars;
3. Environmental determinations concerning potential funding through the Federal grant-in-aid program authorized by the Airport and Airway Improvement Act of 1982, as amended (recodified at 49 U.S.C. §47107) and/or approval of an application to use Passenger Facility Charges (PFCs) under 49 U.S.C. §40117 (neither the April 2020 FONSI/ROD nor this WR/ROD determines eligibility or availability of potential funds);
4. Determination under 49 U.S.C. §44502 (b) concerning the acquisition, establishment, improvement, operations and maintenance of air navigation facilities and that the subject airport development is reasonably necessary for use in air commerce or in the interests of national defense;
5. Continued close coordination with the Port Authority and appropriate FAA program offices, as required including throughout the applicable mitigation measures detailed above, to maintain safe, efficient use of and preservation of the navigable airspace during all aspects of project construction and demolition, in accordance with 14 CFR Part 77; and
6. Approval of appropriate amendments to the JKF Airport Certification Manual (ACM), as required, pursuant to 49 U.S.C. §44706.

DAVID A FISH

Digitally signed by DAVID A FISH
Date: 2022.06.01 14:59:15 -04'00'

APPROVED: _____
Airports Division Director
Federal Aviation Administration
Eastern Region

Date

DISAPPROVED: _____
Airports Division Director
Federal Aviation Administration
Eastern Region

Date

Right of Appeal

This Written Re-evaluation/Record of Decision (WR/ROD) presents the Federal Aviation Administration's findings and final decision and approvals for the actions identified, including those taken under the provisions of Title 49 of the United States Code, Subtitle VII, Parts A and B.

Any party having a substantial interest may appeal this order to the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business, upon petition filed within 60 days after entry of this order in accordance with 49 U.S.C. §46110.

Any party seeking to stay the implementation of this ROD must file an application with the FAA prior to seeking judicial relief, as provided in rule 18(a) of the Federal Rules of Appellate Procedure.

Technical Report for the John F. Kennedy International Airport (JFK) Redevelopment Program Environmental Assessment and Finding of No Significant Impact / Record of Decision (April 2020)

**Proposed
Terminal 1 Design and Schedule Modifications**

May 31, 2022

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Appendix A: Line-of-Sight Analysis for Phases A and B1

Appendix B: Line-of-Sight for Proposed 2022 Plan

Appendix C: NYSDOS and NYCDCP Agency Coordination from the 2020 EA

1. Introduction

In October 2018, the Port Authority of New York and New Jersey (Port Authority) Board of Commissioners authorized the Port Authority to negotiate lease agreements with the developers of the proposed north and south terminal developments for the John F. Kennedy International Airport (JFK) Redevelopment Program. In 2020, the Port Authority prepared, and submitted to the Federal Aviation Administration (FAA), the John F. Kennedy International Airport Redevelopment Program Environmental Assessment (2020 EA), which was prepared under the guidance of the FAA and evaluated environmental impacts associated with a number of project elements including a proposed south terminal development including the demolition of the existing Terminal 1 (T1) and Terminal 2 (T2) and construction of a new passenger Terminal (New T1) to replace the existing T1 and T2 and the aircraft parking on the apron of the former Terminal 3 Site. On April 21, 2020, the FAA issued a Finding of No Significant Impact/Record of Decision (FONSI/ROD) with respect to the JFK Redevelopment Program.

Following the issuance of the 2020 FONSI/ROD, the T1 Terminal Developer conducted a competitive procurement process that resulted in the selection of a new Design/Builder (D/B) team (Tishman/AECOM/Gensler), for Phase A of the Proposed 2022 Plan. It is anticipated that the T1 Terminal Developer will conduct a competitive procurement process for the detailed design and construction of Phase B1 and B2, prior to the completion of Phase A.

The new Design/Builder proposed certain modifications to the New T1 design to reflect shifts in airline needs and passenger behavior and address cost escalations. The proposed construction schedule for the New T1 development has also been modified following the issuance of the 2020 FONSI/ROD. In accordance with FAA Order 1050.1F, this Technical Report (TR) has been developed to evaluate whether the analysis contained in the 2020 EA and the 2020 FONSI/ROD remains valid given the changes to the Original Proposed Action. For the purposes of this Technical Report, the Proposed Action in the 2020 EA is referred to as “Approved 2020 Plan.” The modified New T1 design (Phases A, B1, and B2), terminal ramp reconfiguration, and the revised construction schedule is referred to as “Proposed 2022 Plan.”

2. Background

On November 21, 2019, the New York New Jersey Port Authority Board of Commissioners reached an agreement on key terms with a consortium group originally composed of Deutsche Lufthansa Aktiengesellschaft, Société AirFrance, Japan Airlines Company, Ltd. and Korean Air Lines Co., Ltd. (the airlines which now collectively operate T1 at the Airport), and also includes development and financial partners led by The Carlyle Group, JLC Infrastructure and Ullico (the “Lessee”). As discussed in the 2020 EA (Section 1.1.2), Board authorization of the agreement with the Lessee for the development of the New T1, was an important milestone in moving the JFK Redevelopment Program forward.

Following the Board action, the project was paused due to the COVID-19 pandemic. The decreased traffic and uncertain timing of the recovery from the pandemic coupled with the original fixed term and date of the lease, as well as delays in closing, all resulted in extensive negotiations to deal with cost escalations, inflation, and a longer proposed construction duration. On December 13, 2021, Governor Kathy Hochul of New York announced that the Port Authority had reached a revised agreement with New Terminal One (NTO) for the project noting that the project was initially scheduled to break ground in 2020; however, due to the severe impact of the COVID-19 pandemic on air travel, the terms of the agreement needed to be

restructured. On December 16, 2021, the Port Authority Board of Commissioners took formal action and approved the new agreement between the Lessee and the Port Authority, with execution of the agreements and tenancy of the Initial Premises scheduled for April 1, 2022, with the lease term ending on December 30, 2060.

As previously described, NTO subsequently contracted the D/B team to advance the design and construction of Phase A, resulting in minor modifications to the New T1 design. The modifications include changes to both the design and construction schedule of the Proposed 2022 Plan compared to the design and schedule of the Approved 2020 Plan.

3. Proposed 2022 Plan

The Proposed 2022 Plan would facilitate the construction of a new 23-gate international terminal facility of approximately 2.4 million square feet (MSF) at John F. Kennedy International Airport, at the completion of Phases A, B1 and B2. Although the Proposed 2022 Plan has the same number of gates as the Approved 2020 Plan, the aircraft fleet has changed as outlined below. Additionally, the square footage of the proposed terminal design has decreased by approximately 440,000 square feet, with the reduction of certain back-of-house areas moved to the roof and the elimination of the construction of a new AirTrain Station within the terminal.

The terminal would be designed on three primary levels, with expansive departures and arrivals hall, world class passenger amenities, advanced security technology, a state-of-the-art baggage handling system, public art and concession and retail space. The site of the Proposed 2022 Plan terminal encompasses the area currently occupied by T1, T2, former T3, and the Green Garage, which remains unchanged from the Approved 2020 Plan. Since the Approved 2020 Plan, changes to the airline industry have been occurring with the airlines retiring Group VI aircraft. This change in fleet mix demand was previously contemplated in the 2018 JFK forecast that was utilized in the impact analysis in the 2020 EA. However, changes in the airline industry and travel patterns domestically and globally arising from the COVID-19 pandemic suggest that the shift in fleet mix will occur faster than originally anticipated. Based on that shift and the updated Design Day Flight Schedule (DDFS), there will only be two (2) contact gates that are being designed to accommodate Group VI aircraft instead of the four (4) originally contemplated (See Table 1). With the completion of Phases B1 and B2, in addition to the eight (8) Group V aircraft contact gates there will be one (1) contact gate designed as a Group III aircraft capable position. The Proposed 2022 Plan is envisioned to be predominately international in its operation but will continue to maintain the ability to accept pre-cleared international arrivals through a dedicated pre-clear corridor system.

The Approved 2020 Plan contemplated the construction of four (4) new taxilane realignments. As shown in Figure 1, the realignment of the taxilanes necessitated the new throat NA, and the realignment of the throats and associated Taxiways MA, LA, and KG. Similar to the Approved 2020 Plan, the Proposed 2022 Plan would have the terminal connect to the existing Taxiway A through a series of upgraded throats and taxiways (Figure 2). However, based on the Proposed 2022 Plan, only three (3) new Taxilanes will be realigned (associated with Taxiways NA, MA and LA). The existing taxilane that connects to Taxiway KG will remain, and therefore Taxiway KG will no longer be realigned. However, the existing Taxiway KG intersection requires a “judgmental oversteer maneuver” due to the taxiway edge fillet geometry not meeting current FAA standards for “cockpit-over-centerline steering.” The Proposed 2022 Plan modifications would address this by improving the fillet geometry to meet the FAA standards for cockpit-over-centerline steering. and

the taxiway fillets under the Proposed 2022 Plan would be designed to ADG Group VI and Taxiway Design Group (TDG) 7 criteria. These design criteria are consistent for all taxiway throat improvements. In the Proposed 2022 Plan, the taxilane associated with the realigned Taxiway MA/LA, referred to as the cu-de-sac, will remain as a Group VI taxilane, and the taxilanes connected to NA and KG will remain as Group V taxilanes as contemplated in the Approved 2020 Plan (Figure 2).

In addition to the contact gates, provisions within the leasehold contemplated eight (8) hardstand positions, all sized to ADG Group V standards in the Approved 2020 Plan (Figure 1). In the Proposed 2022 Plan there will be seven (7) hardstand positions within the leasehold, all sized to ADG Group V standards. This is one (1) less than in the Approved 2020 Plan, since it is no longer required to be accommodated on the leasehold, pursuant to a commercial arrangement between Delta Airlines and the Port Authority. However, it should be noted that during the construction of Phase A and B1 (described below), the site will accommodate eight (8) hardstands.

In the Proposed 2022 Plan, the terminal will be constructed in two (2) main phases, Phase A and Phase B, and with Phase B subdivided into Phases B1 and B2. Phase A will include the construction of 13 permanent gates with one (1) temporary gate, which will be located on the western most portion of the Terminal (Figure 2). The headhouse, eastern pier of Phase A and the Walkway to Terminal 4 is approximately 1.772 million square feet. As Phase A reaches the point where it is operational, the first part of Phase B would commence, Phase B1. Phase B1 will include the construction of an additional 5 permanent gates, (four (4) Group V and one (1) Group III) on a pier on the western side of the site with an additional 521,000 square feet of terminal space (Figure 3). Phase B1 will also include the conversion of the one temporary gate to a permanent gate. Construction of Phase B2 would immediately follow the completion of Phase B1. Phase B2 includes the construction of an additional four (4) permanent gates, all of which would be Group V gates, with an additional 167,000 square feet of terminal space (Figure 4).

An overall reduction in the footprint of the New T1 building is proposed from the Approved 2020 Plan to the Proposed 2022 Plan. As a result of the design modifications in the Proposed 2022 Plan, there are certain reductions in overall square footage in the areas by the northeast and northwest corners of the terminal, along with the isolation of the AirTrain Station 1 from the terminal (Figure 5). It should be noted that the AirTrain Station 1 will still have a physical connector between the terminal and the AirTrain Station 1 (Figure 2). The AirTrain will continue to allow passengers to access the other terminals at the Airport without having to exit the building. These modifications include a reduction of the square footage in the Approved 2020 Plan from 2,900,000 square feet to approximately 2,460,000 square feet in the Proposed 2022 Plan, resulting in an overall reduction of the terminal building by 440,000 square feet. The terminal space reductions occurred primarily in non-passenger areas such as back of house, and mechanical space areas, including the elimination of certain mezzanine spaces no longer needed for mechanical areas. The Proposed 2022 Plan maintains all passenger processing and amenities space, such as general circulation, concession areas, lounges, and children's play areas. There was a reduction of Group VI contact gates from four (4) to two (2), due the reasons mentioned above. In addition, the Approved 2020 Plan contemplated that the AirTrain Station 1 would be demolished and rebuilt within the new terminal. However, as discussed above, with the Proposed 2022 Plan the existing AirTrain Station 1 will remain and connect to the terminal via a connector, further reducing the square footage of the Headhouse. See Figure 2. In the Proposed 2022 Plan, in addition to the Walkway to Terminal 4, passengers will also be able to utilize the AirTrain Station 1 that will connect passengers not only to Terminal 4 but to all the other terminals at the airport and do so without

having to exit the terminal. A comparison and building reduction itemization of the Approved 2020 Plan and the Proposed 2022 Plan are shown in Figures 5 & 6.

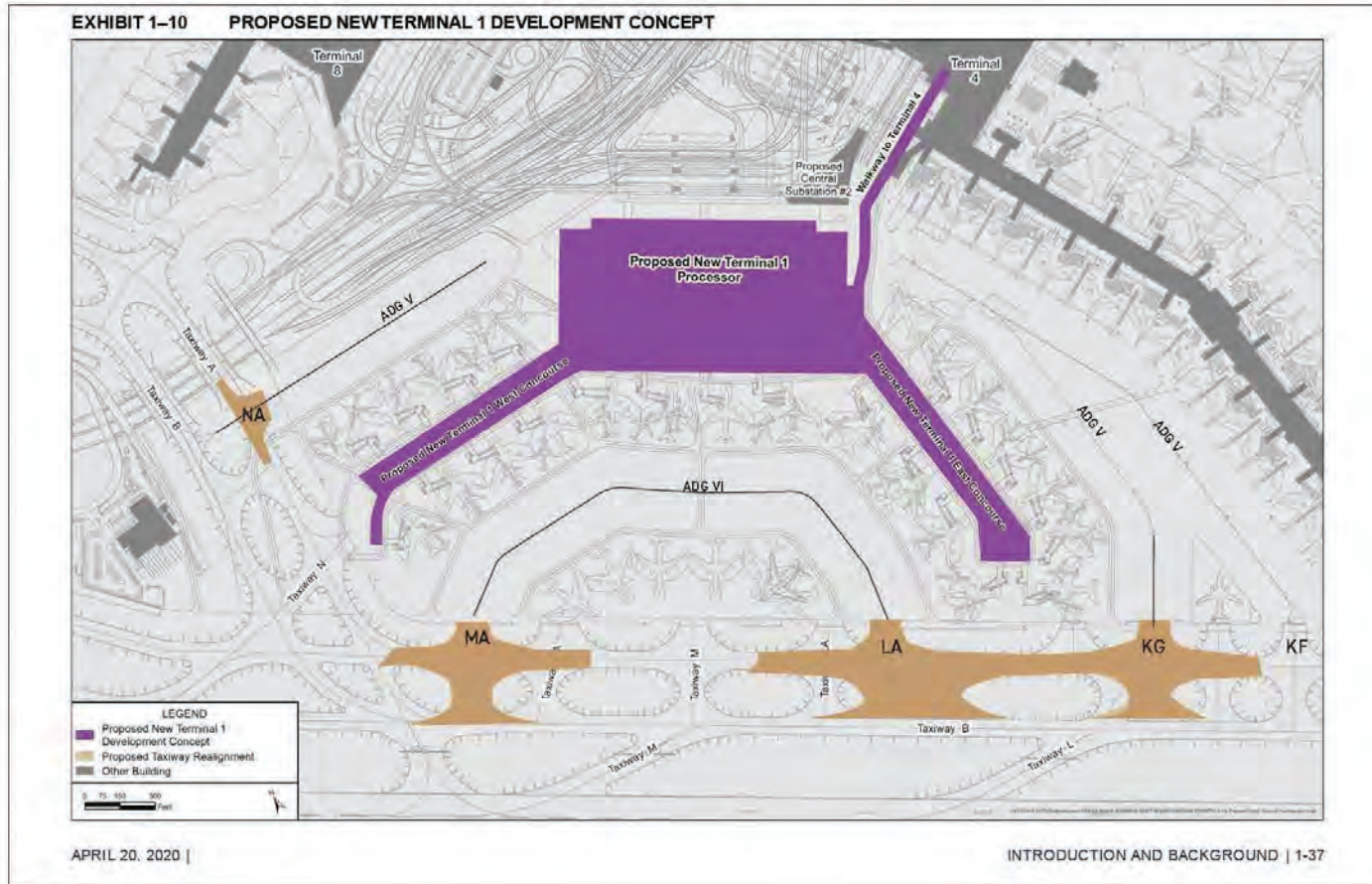
Table 1: Comparison of the Approved 2020 Plan and the Proposed 2022 Plan Modifications

John F. Kennedy International Airport

New T1 Project Description	
Approved 2020 Plan	Proposed 2022 Plan
23 Gates, consisting of (1) ADG Group III, (18) ADG Group V, and (4) ADG Group VI aircraft	23 Gates, consisting of (1) ADG Group III, (20) ADG Group V, and (2) ADG Group VI aircraft
3 Group V taxilane configurations	Modified configurations of the 3 Group V taxilanes
1 Group VI taxilane configuration	Unchanged from the Approved 2020 Plan
Proposed Taxilane KG throat realignment	Taxilane KG throat will remain as existing and will not be realigned as originally proposed in the Approved 2020 Plan. However, the Proposed 2022 Plan will require the improvements of certain fillet geometry to meet FAA standards.
2,900,000 sf proposed terminal	2,460,000 sf proposed terminal

Figure 1 - Approved 2020 Plan

APPROVED 2020 PLAN



TOTAL GATES:	
GROUP VI	4 GATES
GROUP V	18 GATES
GROUP III	1 GATE
	23 CONTACT POSITIONS
HARDSTANDS	8 GROUP V POSITIONS

AREA:	
TOTAL	2,900,000 SF

Figure 2 - Proposed 2022 Plan - Phase A

PROPOSED 2022 PLAN - PHASE A

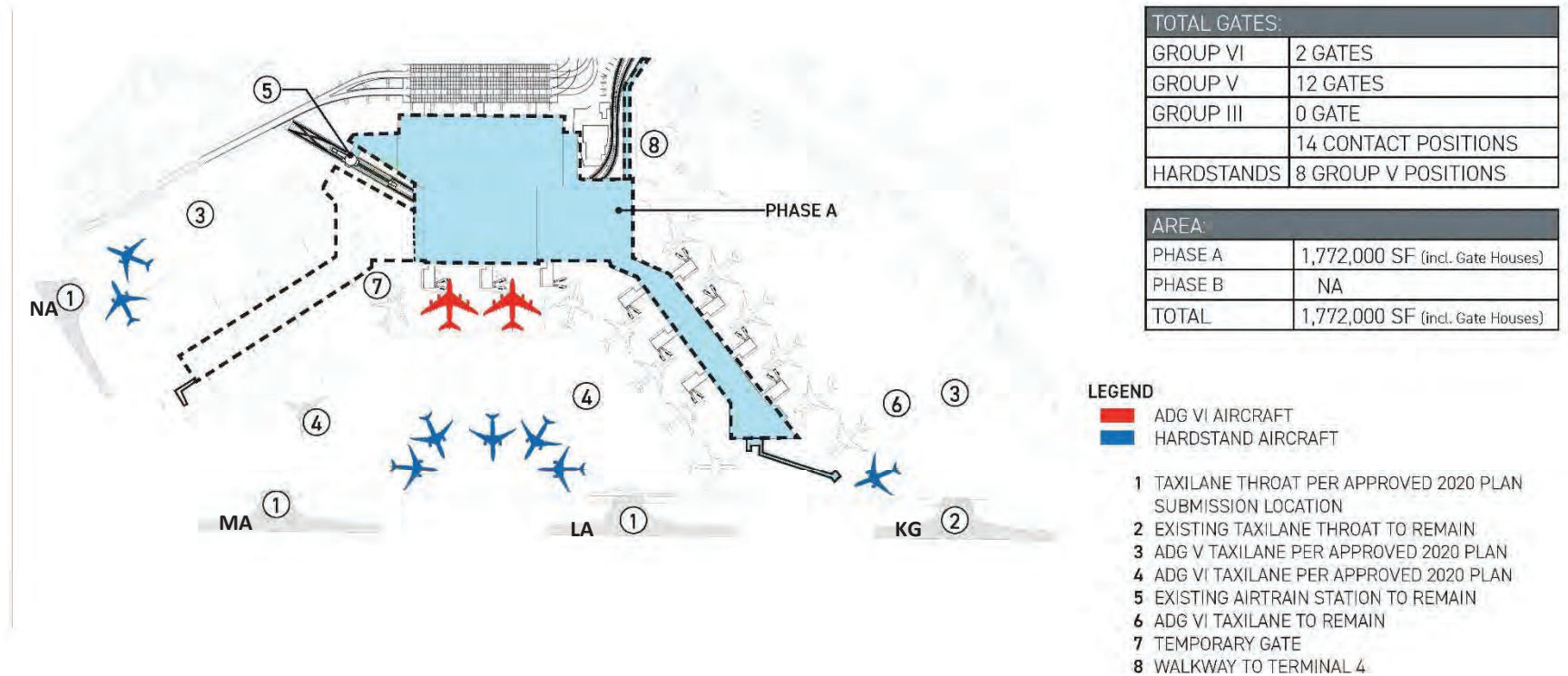


Figure 3 - Proposed 2022 Plan - Phase B1

PROPOSED 2022 PLAN - PHASE B1

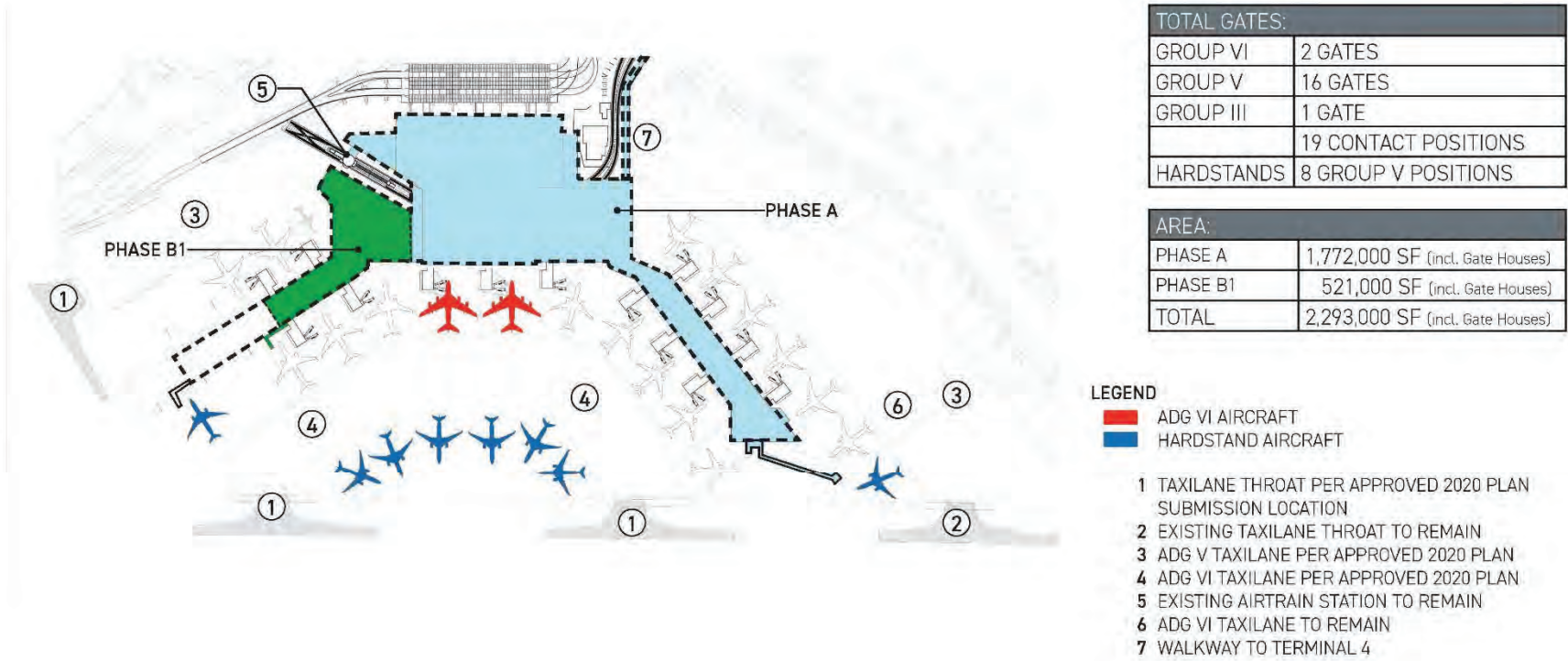


Figure 4 - Proposed 2022 Plan - Phase B2

PROPOSED 2022 PLAN - PHASE B2

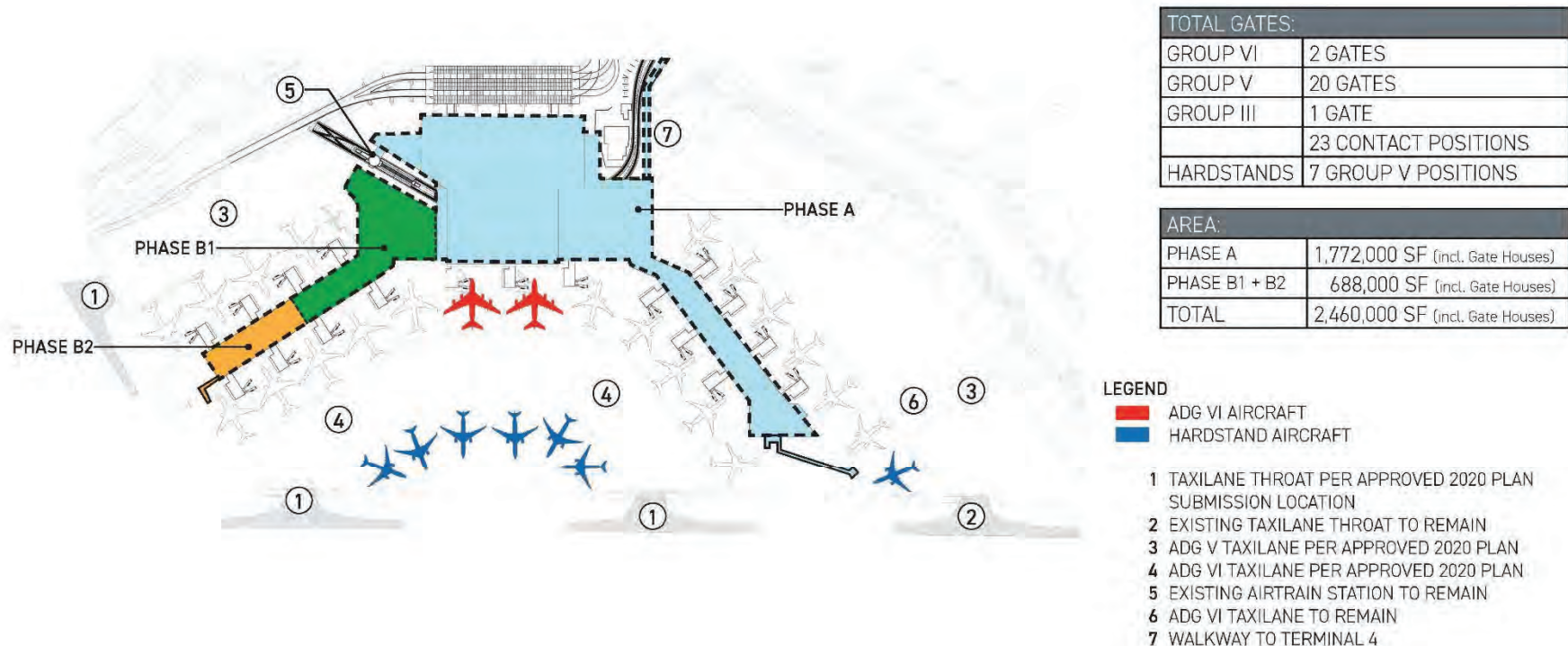


Figure 5 - Comparison of Approved 2020 Plan and Proposed 2022 Plan

COMPARATIVE PLAN

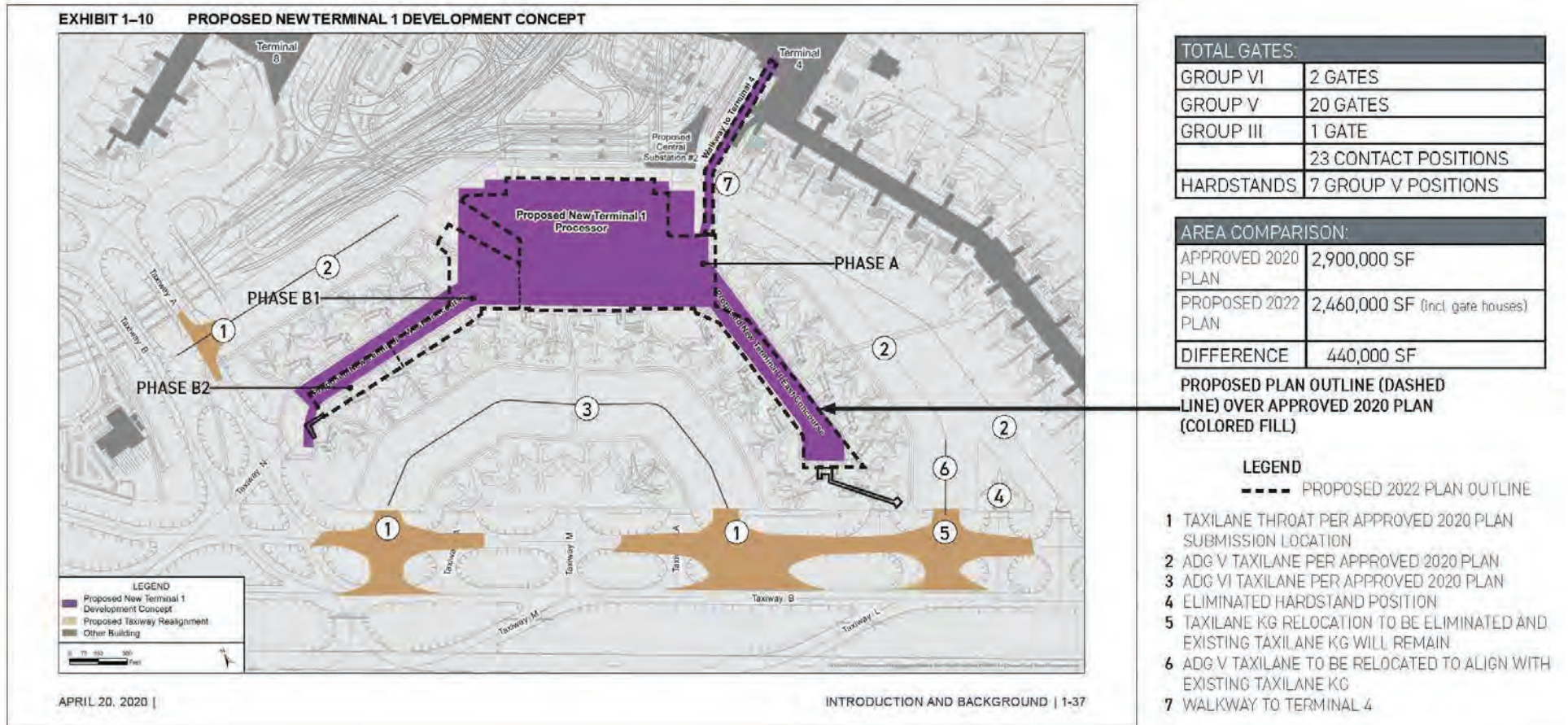
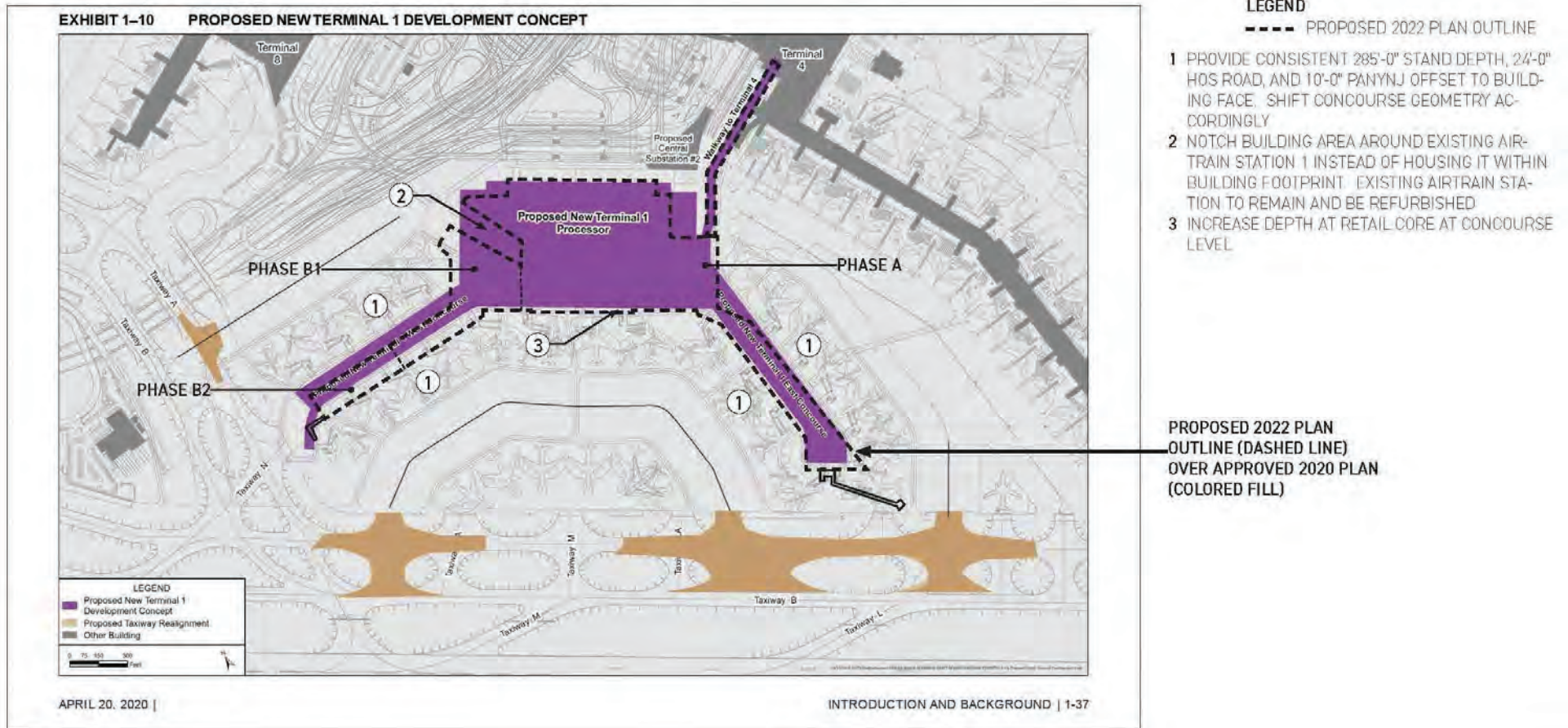


Figure 6 - Proposed 2022 Plan - Building Reduction Itemization

BUILDING REDUCTION ITEMIZATION



4. NTO Line-of-Sight Update to Proposed 2022 Plan

As part of the Line-of-Sight safety review for the original Approved 2020 Plan, the FAA analyzed whether FAA Airport Traffic Control Tower (ATCT) staff are able to view all areas of the Airport for which air traffic control services are provided (known as a Line-of-Sight analysis from the existing ATCT). These areas are classified as “movement areas,” and encompass the runways and parallel taxiway systems including their associated safety areas. Taxilanes, apron areas and hangar areas are considered “nonmovement areas,” meaning aircraft movement in these areas is not provided with air traffic control services. To provide taxiing instructions to aircraft going from a nonmovement area to a movement area, the ATCT staff must be able to see the aircraft and other operating aircraft in the vicinity. The purpose of a Line-of-Sight analysis is to assess whether ATCT staff are able to visually observe aircraft in the movement areas in order to safely direct the aircraft along their desired routes.

To support the FAA Line-of-Sight analysis in the Approved 2020 Plan, the Port Authority performed a Line-of-Sight review to demonstrate compliance with FAA standards. Based on that analysis, the majority of the preliminary designed project elements would not obstruct the line of sight from the ATCT to the movement area. However, as discussed in Section 1.1.2 of the 2020 EA, there is potential for the new proposed west concourse to obstruct views to a portion of Taxiway A from the ATCT.

Proposed 2022 Plan - Phases A and B1

For the Proposed 2022 Plan, a similar study was prepared to identify potential impacts to the line of sight from the ATCT. As previously discussed, the D/B team is advancing the design and construction of Phase A. They have also advanced Phase B1 design to a point that demonstrates the full design of the headhouse will not be compromised by the revised Phase A design. Therefore, the design of Phase A and B1 are advanced sufficiently to perform a Line-of-Sight analysis on both phases. The analysis looked at various vision cones in the Line-of-Sight studies to determine the allowable heights of the piers per the FAA height limitations (refer to Appendix A).

This study took into account both fixed elements of Phases A and B1, such as buildings, fixed links, and Passenger Boarding Bridges (PBB), as well as parked aircraft. Particular attention was given to the aircraft parked closest to Taxiway A to be gated at the New Terminal One, as well as the one hardstand located just west of existing Taxilane KG (refer to Appendix A).

The Line-of-Sight analysis demonstrated there are no impacts to Taxiways A and B resulting from the construction of Phases A and B1 of the New T1 building. The analysis did however indicate there would be impacts to both Taxiway A and B resulting from the shadows of aircraft parked closest to Taxiway A.

Proposed 2022 Plan – Phase B2

A preliminary conceptual Line-of-Sight review was prepared by PANYNJ Planning Department for the full build-out of the Proposed 2022 Plan, inclusive of Phase B2. The preliminary conceptual Line-of-Sight analysis of the Proposed 2022 Plan indicates additional Line-of-Sight impacts to Taxiways A and B following the construction of Phase B2, resulting from both the concourse and the parked aircraft at the two gates closest to Taxiway A. The preliminary conceptual Line-of-Sight review performed for this project depicts the potential extent of impacts to the operation. The preliminary conceptual Line-of-Sight review for the Proposed 2022 Plan, inclusive of Phase B2, is presented in Appendix B.

The Line-of-Sight impacts from Phase B2 are required to be addressed in accordance with the Memorandum of Understanding (MOU) dated March 9, 2022, between the Port Authority and the FAA, prior to commencement of construction on this phase. The MOU was executed with the intent of advancing the process required under Condition 6 of the 2020 FONSI/ROD. The MOU states the following:

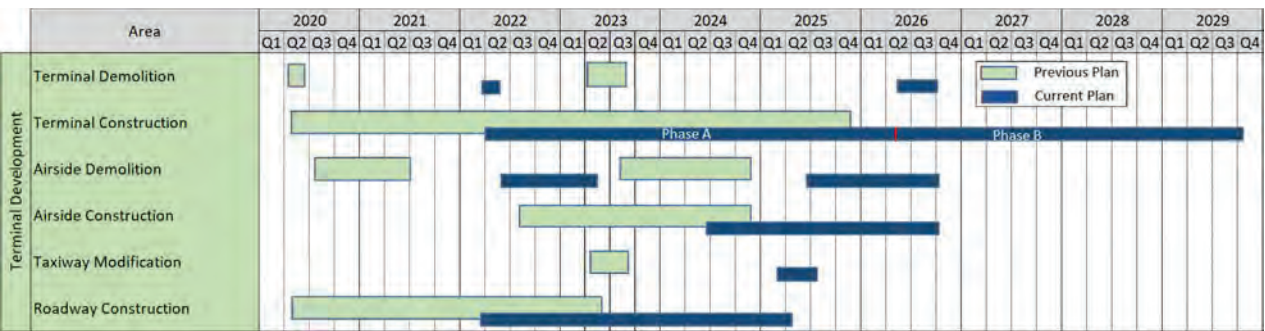
“The Parties agree that with respect to any proposed development at JFK, any LOS issues that may arise will be resolved with reference to the Tower currently in use to control air traffic by the FAA at the time such proposal is submitted for approval to FAA.”

Refinement of the design will progress within the footprint of B2 outlined within this TR in order to resolve LOS concerns identified in this analysis and in accordance with the MOU. This TR has been prepared for the FAA to support the review of the Proposed 2022 Plan, inclusive of Phases A, B1, and B2, with the understanding that further Line-of-Sight coordination and resolution with the FAA will be required as the design is further advanced.

5. Construction Schedule

In the 2020 EA, the New T1 construction duration was assumed to take approximately 5 years. The schedule assumed simultaneous construction of the Approved 2020 Plan Headhouse and the East Concourse and a certain portion of the West Concourse. However, the Proposed 2022 Plan schedule has been adjusted for a phased approach. Phase A will commence in 2022 and implement the Proposed 2022 Plan with the construction of the Headhouse, East Concourse, and demolition of the Green Garage and existing T2 Terminal. Phase B1 will commence in 2026 with the demolition of existing T1 and partial construction of the West Concourse. Phase B2 would commence in 2028 and complete the expansion of the West Concourse as shown in Figures 2 through 4. Table 2 provides a comparison of the Approved 2020 Plan and the Proposed 2022 Plan construction schedules.

Table 2: Comparison of the Approved 2020 Plan Schedule and the Proposed 2022 Plan Schedule



6. Project Purpose and Need

Project Purpose

As set forth in Section 2.1 (Purpose) of the 2020 EA, the purpose of the Approved 2020 Plan “is to accommodate current and projected passengers with an acceptable level of service (LOS) at JFK through the redevelopment of the Central Terminal Area (CTA), associated landside (parking and roadways) infrastructure, and aircraft parking areas in a manner that efficiently utilizes the available space.”

The purpose of the Proposed 2022 Plan, similar to the Approved 2020 Plan, is to accommodate current and projected passengers with an acceptable level of service through the redevelopment of a world-class terminal by providing:

- Sufficient terminal gates sized to accommodate the current and projected revised aircraft fleet mix so that every aircraft operation will be accommodated at a contact gate and boarding at aircraft hardstand parking positions will not be needed.
- Sufficient space in public areas within the terminal (i.e., check-in, security screening, Passenger hold room areas, concessions, and restrooms) to avoid or minimize overcrowding.
- Sufficient concourse corridor widths to provide area for movement assistance devices such as moving walkways, wheelchairs, and baggage carts and for passengers with reduced mobility.
- Sufficient space for loading and unloading vehicles in close proximity to the terminal to reduce vehicle wait times and improve pedestrian safety, while simultaneously meeting TSA standards for the setback of ground transportation areas from the passenger terminal.

The Proposed 2022 Plan design and schedule modifications that are the subject of this TR are consistent with, and do not change the purpose of the Approved 2020 Plan as set forth in the 2020 EA.

Project Need

As set forth in Section 2.2 (Need) of the JFK Redevelopment Program EA, the needs for the Approved 2020 Plan at JFK are presented below:

- The need to accommodate the existing and forecast passenger demand at an acceptable LOS that is consistent across all terminals and provides better connectivity between terminals;
- The need to provide efficient apron and taxilane space to reduce delays; and
- The need to provide efficient terminal roadways and curb frontages at an acceptable LOS that comply with Port Authority and TSA recommendations. (See JFK Redevelopment Program EA, Section 2.2, Page 2-2).

The Approved 2020 Plan modifications were focused on facilitating departing passenger processing, such as ticketing, baggage handling and security to avoid or minimize overcrowding and provide sufficient concourse width and length with areas to provide assistance devices such as moving walkways, wheelchairs, and baggage carts. In addition, the Approved 2020 Plan was to provide sufficient gates sized to accommodate current and projected aircraft fleet mix so that aircraft operations will be accommodated at contact gates. The Proposed 2022 Plan design and schedule modifications are consistent with, and do not conflict with, the need to accommodate existing and forecast passenger demand at an acceptable LOS; to provide efficient apron and taxilane space; and to enhance the roadways to and from the North and South

Terminal Developments and terminal curb frontages at an acceptable LOS that comply with Port Authority and TSA recommendations. The Proposed 2022 Plan design and schedule modifications accommodate existing and forecast passenger demand. In addition, the Proposed 2022 Plan design modifications do not result in any changes to apron and taxilane space, nor terminal roadways and curb frontages from the Approved 2020 Plan design in the 2020 EA.

7. Reevaluation of Environmental Consequences

Consistent with applicable FAA requirements, the 2020 EA evaluated potential impacts associated with 13 categories of environmental resources for both the Approved 2020 Plan and the No-Build Alternative, as identified in the 2020 EA. The 2020 EA did not evaluate the following environmental resources because they are not present within the Proposed Action Site:

- Farmlands
- Wild and Scenic Rivers
- Section 6(f)

Based on the analysis in the 2020 EA and the conclusions in the FONSI/ROD, the Approved 2020 Plan would not result in significant environmental impacts in any of the resource categories, evaluated in the 2020 EA.

Like the Approved 2020 Plan, the Proposed 2022 Plan would not cause a change in aircraft operations when compared to the No-Build Alternative. Forecast growth in operations and enplanements would occur regardless of the Proposed 2022 Plan, but the project is needed to improve level of service at the airport. With implementation of the Proposed 2022 Plan, it is expected that every aircraft operation would be accommodated at a contact gate and the passenger experience would be improved.

The Port Authority further reviewed the 2020 EA for potential changes to the analysis that could occur due to the Proposed 2022 Plan design and schedule modifications. Based on the analysis, impacts to the following resource categories would remain unchanged from those depicted in the 2020 EA:

- Biological Resources
- Department of Transportation (DOT) Act: Section 4(f) Resources
- Historical, Architectural, Archaeological, and Cultural Resources
- Land Use
- Noise and Noise-Compatible Land Use
- Socioeconomics, Environmental Justice, and Children's Health and Safety Risks
- Visual Effects
- Water Resources

The following resources that were evaluated in the 2020 EA are evaluated further in this Technical Report due to the potential of the Proposed 2022 Plan design and schedule modifications to change the impacts of the overall Terminal Redevelopment Plan from those depicted in the 2020 EA.

Air Quality

General Conformity Rule Applicability Determination

As discussed in Section 4.2, Air Quality, of the 2020 EA, under the CAA, compliance with the SIP must be demonstrated for a Proposed Action. To meet this requirement, the 2020 EA compared the total project emissions (Construction and Operational Scenarios) with the General Conformity Rule de minimis levels.

The 2020 EA concluded the Approved 2020 Plan would not generate emissions in amounts that exceed the applicable *de minimis* thresholds of the General Conformity Rule for all five construction years, the operational Year 2027, and Build-out Year 2032 and all pollutants for which the JFK area was designated as nonattainment (O₃) and maintenance (CO and PM_{2.5}). Thus, the Approved 2020 Plan conformed with the approved SIP and no further action was required to meet the requirements of the General Conformity Rule.

The Proposed 2022 Plan design modifications would reduce the overall project footprint and accordingly, result in less construction activity. In addition, the intensity of construction activity on an annual basis would be reduced due to the phasing of construction being spread out over a modestly longer period (i.e., 5 years to 7 years). Therefore, emissions associated with the Proposed 2022 Plan would be lower than the Approved 2020 Plan evaluated in the 2020 EA.

Climate

Combustion of fossil fuel is a common source of CO₂. Vehicles and equipment that run on fossil fuels and produce CO₂ emissions at airports include aircraft, GSE, buses, trucks, and emergency generators. According to most international studies, aviation emissions comprise a small but potentially important percentage of human made GHGs and other emissions that contribute to global warming. According to the U.S. General Accountability Office (GAO), aviation accounts “for about 3 percent of total U.S. greenhouse gas emissions from human sources” compared with other industrial sources, including the remainder of the transportation sector (23 percent) and industry (41 percent). Although there are currently no Federal standards for aviation-related greenhouse gas (GHG) emissions, it is well-established that GHG emissions contribute to climate change. Therefore, estimated annual GHG emissions associated with construction of the Approved 2020 Plan are presented for disclosure purposes in the 2020 EA and in accordance with FAA guidance.

The conclusion of no significant contribution to climate change as a result of the Approved 2020 Plan, as described in the 2020 EA, remains valid with the Proposed 2022 Plan design and schedule modifications. The Proposed 2022 Plan design and schedule modifications lower the overall size of the project and do not result in changes to the type and nature of construction equipment or vehicles applied. The net change in the size of the Proposed 2022 Plan would be approximately 440,000 square feet less when compared with the size of the Approved 2020 Plan expansion as analyzed in the 2020 EA. The reduced size of the construction area from the 2020 EA includes reductions in building foundation, pilings, utilities, curb fronts, and associated infrastructure. These reductions correspond to decreased construction equipment and vehicle activities and therefore, would result in similar or lower GHG emissions.

Additionally, USEPA models demonstrate that emission factors for equipment and vehicles decrease in future years due to expected improvements. Therefore, scheduled construction activities occurring in later years would result in lower emission factors thereby further reducing GHG emissions.

Coastal Resources

Apart from the Aqueduct Racetrack/Resort’s World Casino, the Proposed Action Site is located entirely within the New York State Department of State (NYSDOS) and New York State Department of City Planning (NYCDCP) designated coastal zone. On January 28, 2020, the Port Authority received a response letter concluding the NYSDOS determined the Approved 2020 Plan in the 2020 EA meets the NYSDOS’ general consistency criteria. On February 3, 2020, the Port Authority received a response email from the NYCDCP stating the Approved 2020 Plan would not substantially hinder the achievement of any Waterfront

Revitalization Program (WRP) policy and provided its findings to the NYSDOS. The conclusion of no direct impacts on coastal resources and consistency with federal, state, and local coastal zone policies per the Approved 2020 Plan, as described in the 2020 EA, remains valid because the Proposed 2022 Plan design modifications do not change the quantity of new paved areas and would not increase runoff to nearby receiving waters, such as Jamaica Bay, when compared to the Approved 2020 Plan in the 2020 EA. A copy of the January 28, 2020 NYSDOS and February 3, 2020 NYCDP response letters are provided in Appendix C.

Hazardous Materials, Pollution Prevention and Solid Waste

Construction activities associated with the Approved 2020 Plan are expected to include the short-term use of hazardous and non-hazardous materials and solid waste common to construction. Construction and implementation of the Approved 2020 Plan, as defined in the 2020 EA, may require the removal and/or the relocation of existing fuel tanks, hydrant fueling system, and underground fuel lines. Given the aviation use of the property, impacted soils and hazardous building materials such as asbestos, lead, polychlorinated biphenyls (PCBs) and mercury may be encountered and are not considered to be uncommon.

Appropriate Airport-specific disposal practices exist to ensure worker safety and to handle and dispose of the materials safely; therefore, no impact is anticipated. While contaminated materials would be remediated and reused on-site to the extent feasible, off-site facilities are available to receive anticipated waste as needed.

Solid waste generated during construction would be recycled to the extent practicable, with a goal of 75 percent recycled or reused. The amount of solid waste generated under the operation of the Approved 2020 Plan is anticipated to be the same as that of the No-Build Alternative because the Proposed Action would not increase capacity of the Airport.

The conclusion of the 2020 EA related to hazardous materials and waste remains valid with the Proposed 2022 Plan design and schedule modifications. Hazardous and non-hazardous materials and solid waste would be handled and stored in accordance with applicable Federal, state, or local regulations. Due to the decreased size of the Proposed 2022 Plan terminal design from 2,900,000 to 2,460,000 square feet, the amount of potential hazardous materials encountered would likely be reduced. Therefore, no significant impacts related to hazardous materials and waste would occur.

Natural Resources and Energy Supply

It is anticipated that natural resources and energy supply may be reduced as a result of the reduction in the Proposed 2022 Plan terminal design from 2,900,000 to 2,460,000 square feet. Natural resources such as steel, gravel, sand, aggregate, concrete, asphalt, water and other construction materials could be reduced in comparison to the needs depicted in the 2020 EA as a result of the decreased terminal footprint. In addition, the reduced terminal square footage could decrease energy demand upon operations. The conclusion of no significant impact related to this impact topic resultant from the Approved 2020 Plan, as described in the 2020 EA, remains valid with the Proposed 2022 Plan design and schedule modifications.

Cumulative Impacts

In the 2020 EA, a cumulative impacts assessment was conducted only for those resources that would be directly or indirectly impacted by the Approved 2020 Plan. The resources that could be impacted by the

Approved 2020 Plan in the 2020 EA in conjunction with past, present, and reasonably foreseeable future actions were air quality; Department of Transportation (DOT), Section 4(f) resources; hazardous materials, solid waste, and pollution prevention; historical, architectural, archaeological, and cultural resources; natural resources and energy supply; and socioeconomics, Environmental Justice, and children's health and safety risks.

Based on the 2020 EA, the FAA issued a FONSI/ROD in April 2020. In the 2020 EA, six projects were proposed as occurring at the same general time as the Proposed Action (also known as "present") and seven projects were proposed as planned or programmed projects that may affect projected impacts of the Proposed 2022 Plan and are not remote or speculative (also known as "reasonably foreseeable future"). All of the past, present and reasonably foreseeable future actions listed in the 2020 EA remain consistent in this TR's cumulative impacts assessment, with the exception of a shift in the Fuel Tank Installation and Resorts World Casino Hotel from "present" to "past." The Fuel Tank Installation was originally proposed to be completed during construction of the JFK Redevelopment Program, including the Proposed 2022 Plan. However, the Fuel Tank Installation was recently completed. A description of the Fuel Tank Installation is provided below from the 2020 EA:

"This project includes the installation of two 3.4 million gallon above-ground tanks for the storage of jet fuel at the tank farm on the western side of JFK. An EA was prepared for the project that found no long-term significant impacts as a result of installation of the fuel tanks. Short-term impacts to hazardous materials and solid waste and air quality, from construction emissions, were identified. The FAA agreed with the finding of no significant impact and issued a FONSI in April 2018. Construction started during the summer of 2018 and is anticipated to be completed by the summer of 2020." (2020 EA, Page 5-69)

As discussed in the 2020 EA and this TR, no significant impacts are expected at this time from the Proposed Action with the Proposed 2022 Plan design and schedule modifications, either alone or in conjunction with projects identified for consideration in the cumulative impact analyses.

Further, impacts associated with the Proposed Action would not be expected to increase beyond those considered in the 2020 EA. Accordingly, the data and analyses contained in the 2020 EA have not changed as a result of the revisions included in the Proposed 2022 Plan design and schedule modifications.

APPENDIX A

Line of Sight Analysis for Phases A and B1



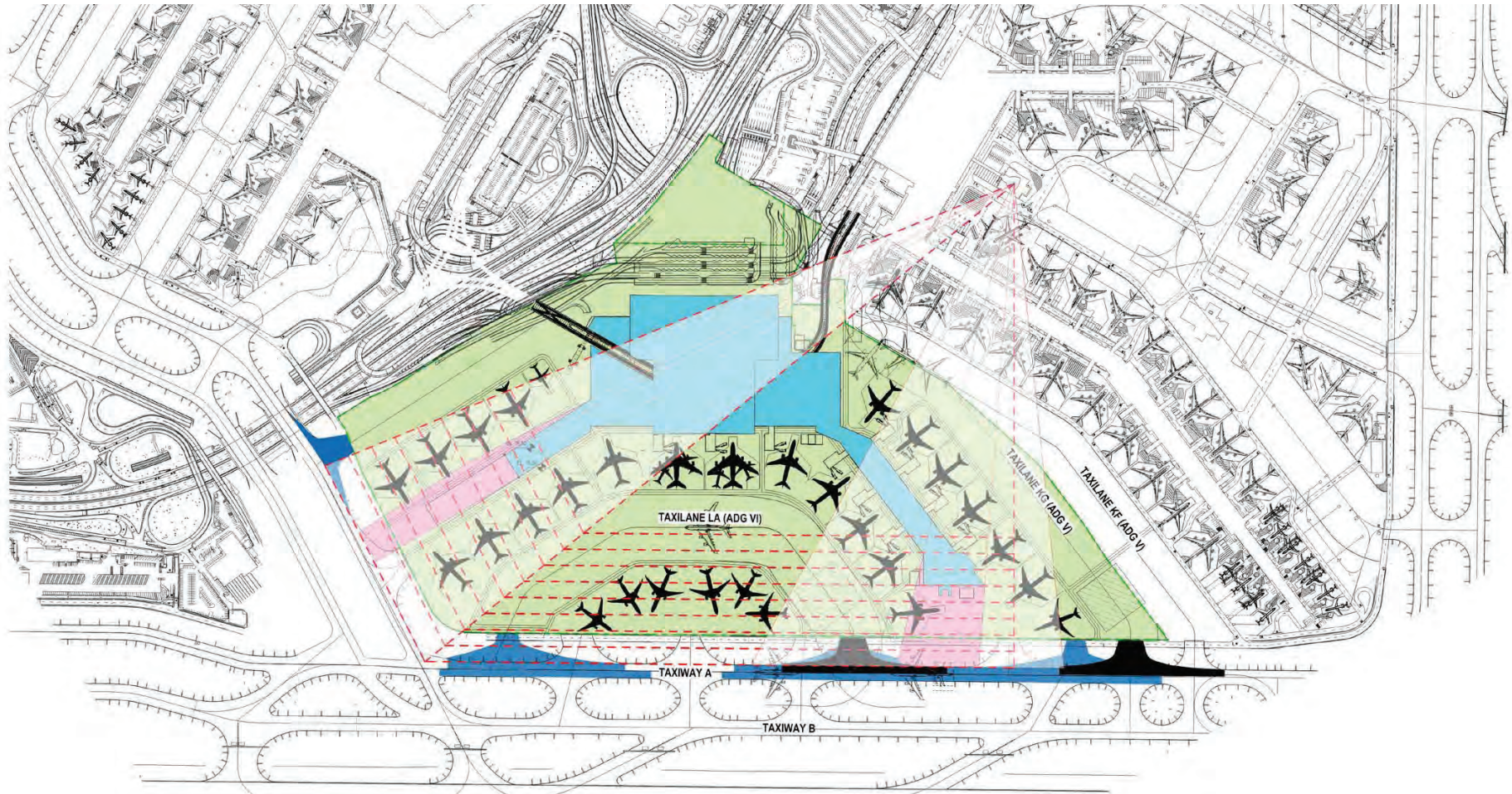
NEW TERMINAL ONE

LINE OF SIGHT UPDATE

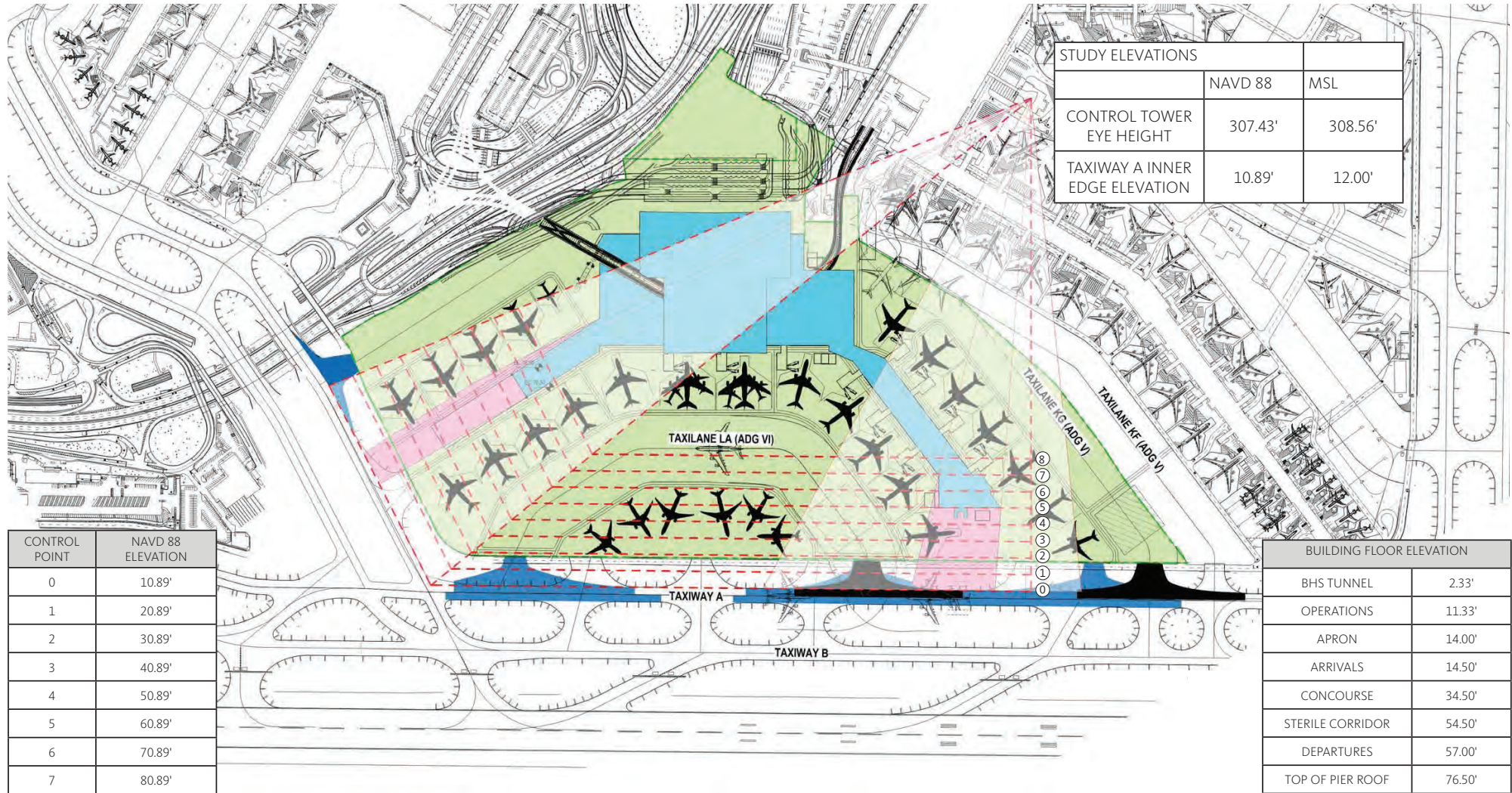
NOVEMBER 17, 2021

NTO PROPOSED SITE PLAN | PHASE A+ B

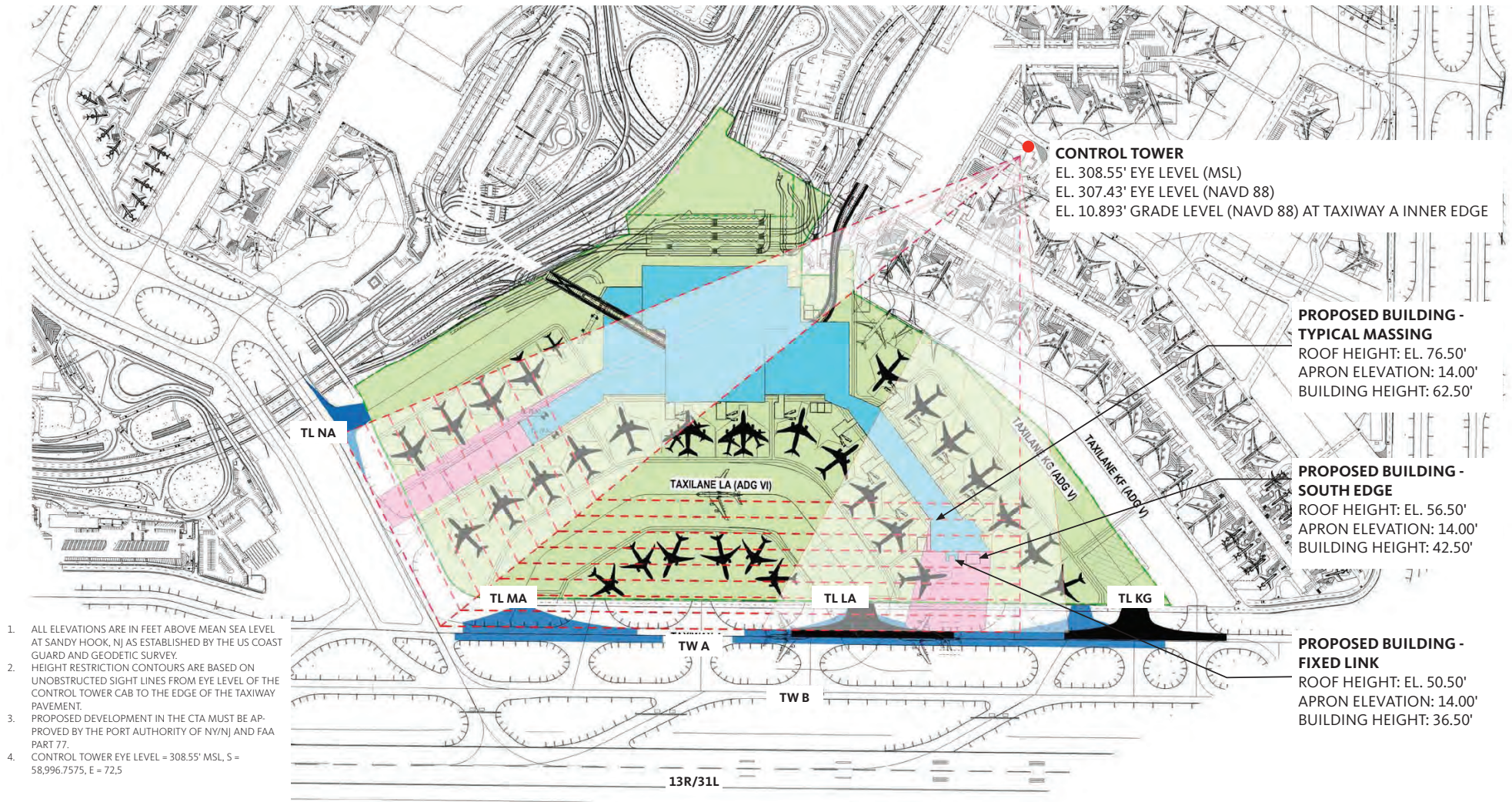
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- 7 HARDSTANDS
- ADG GROUP V TYPICAL GATE
AIRCRAFT SIZE
- A380/MARS POSITIONS LOCATED AT
GATES 12 AND 13



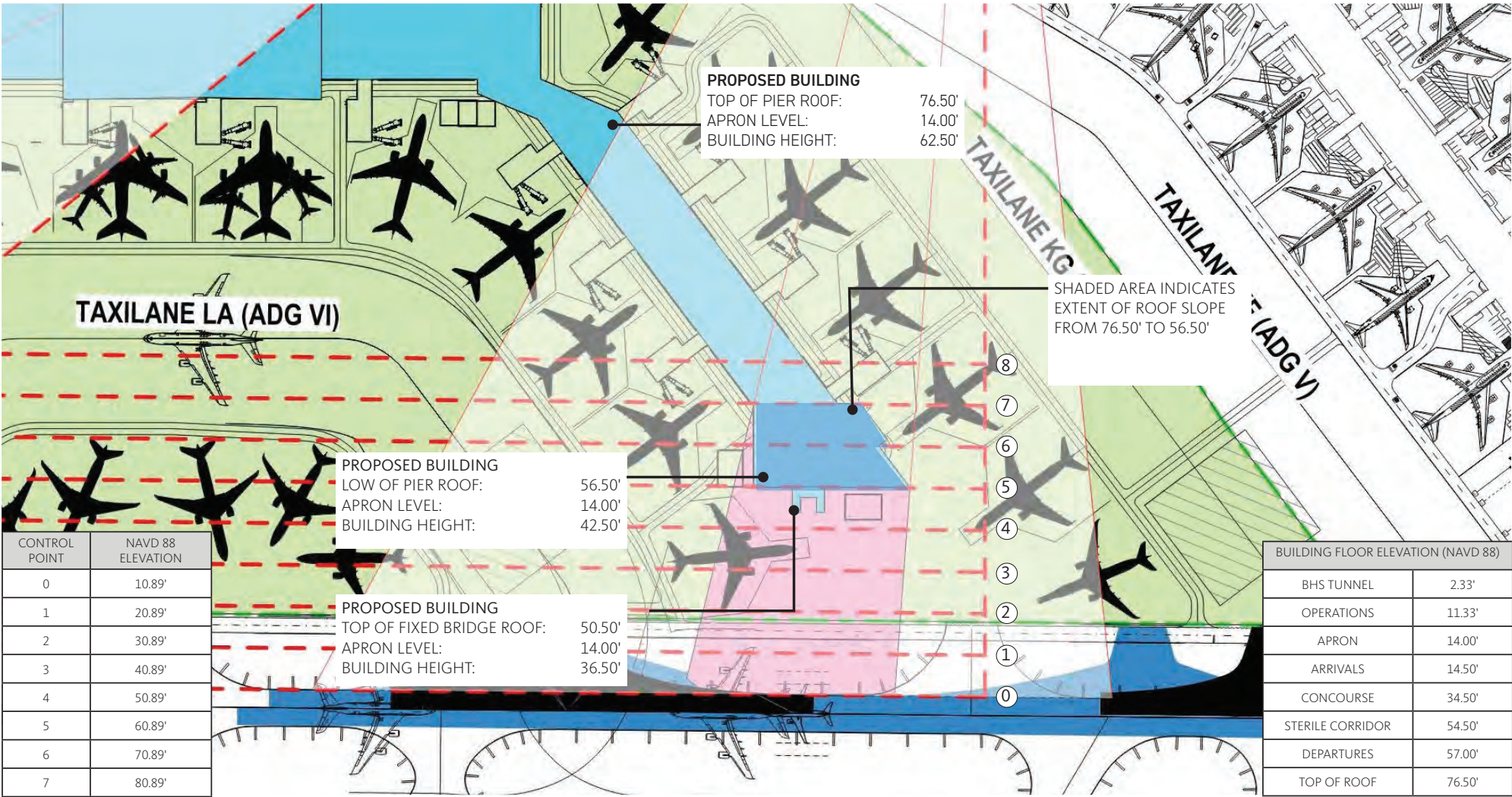
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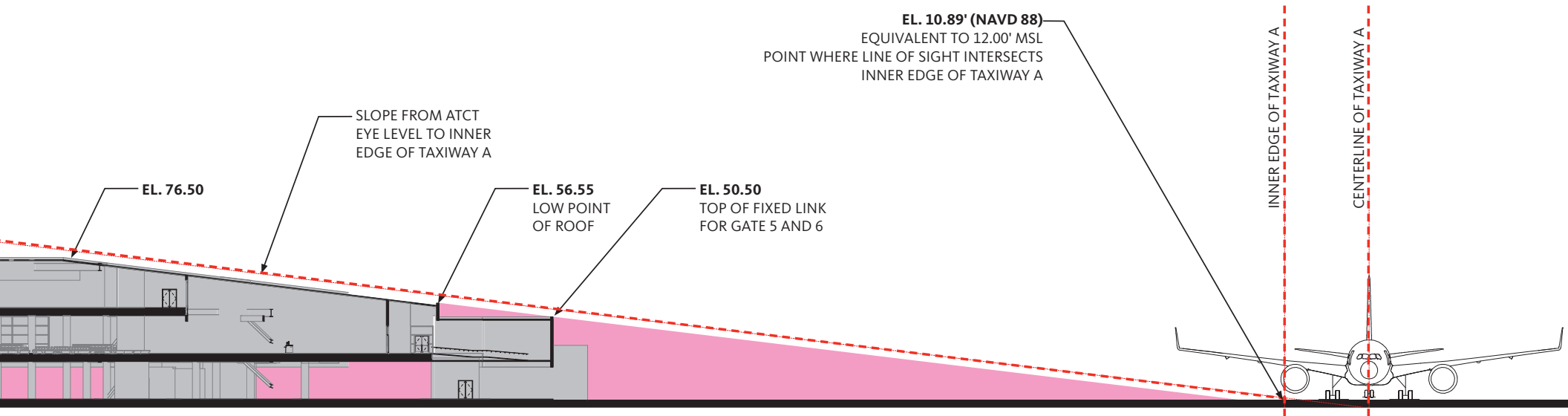
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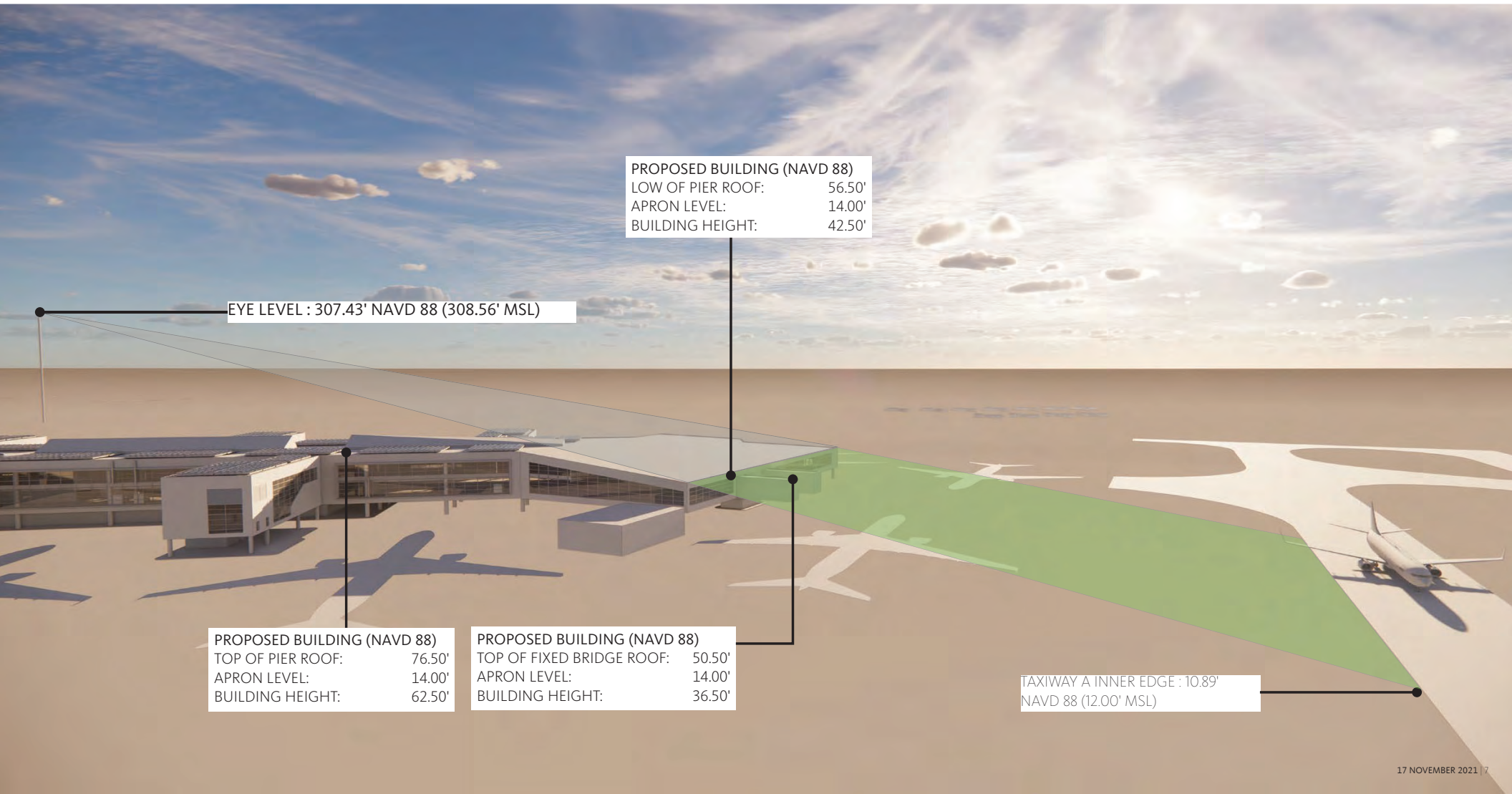
LINE OF SIGHT ANALYSIS



PHASE A SECTION DIAGRAM



LINE OF SIGHT ANALYSIS | HEIGHT LIMITS | EAST PIER



LINE OF SIGHT ANALYSIS | VIEW FROM ATCT | EAST PIER



PERSPECTIVE VIEW | EAST CONCOURSE FROM TAXIWAY A

Key Plan

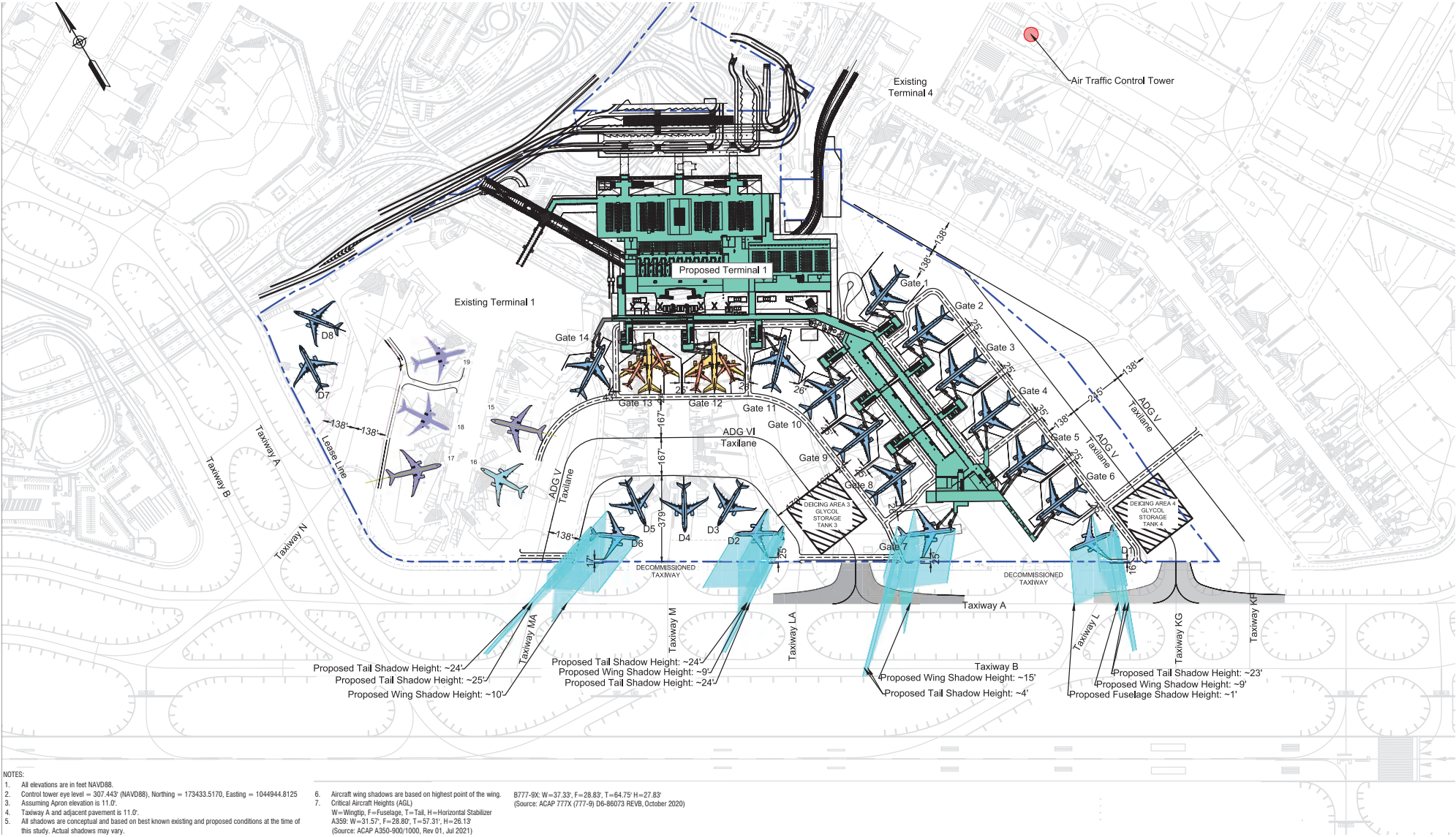


PERSPECTIVE VIEW | EAST CONCOURSE FROM TAXIWAY A

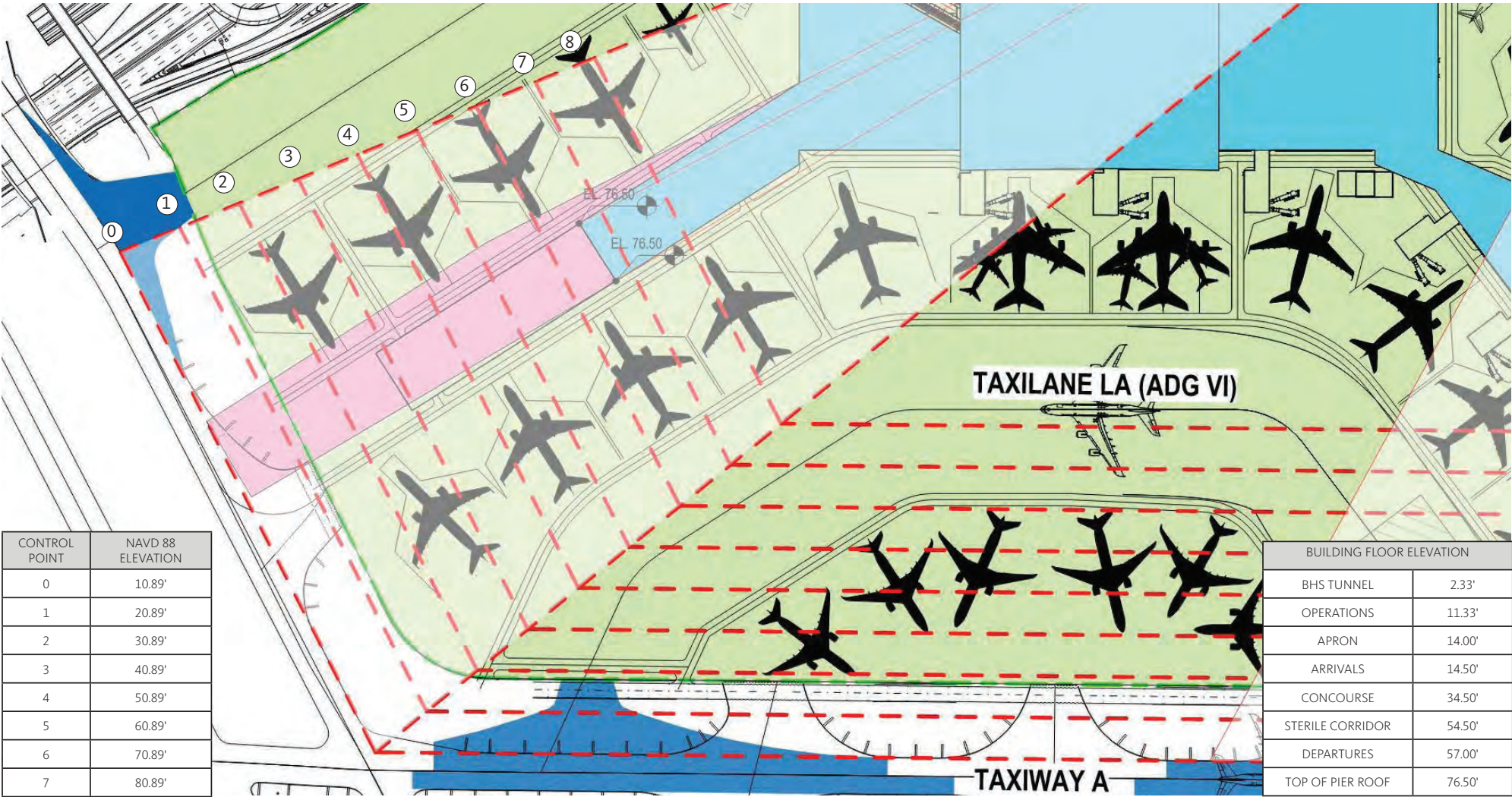
Key Plan



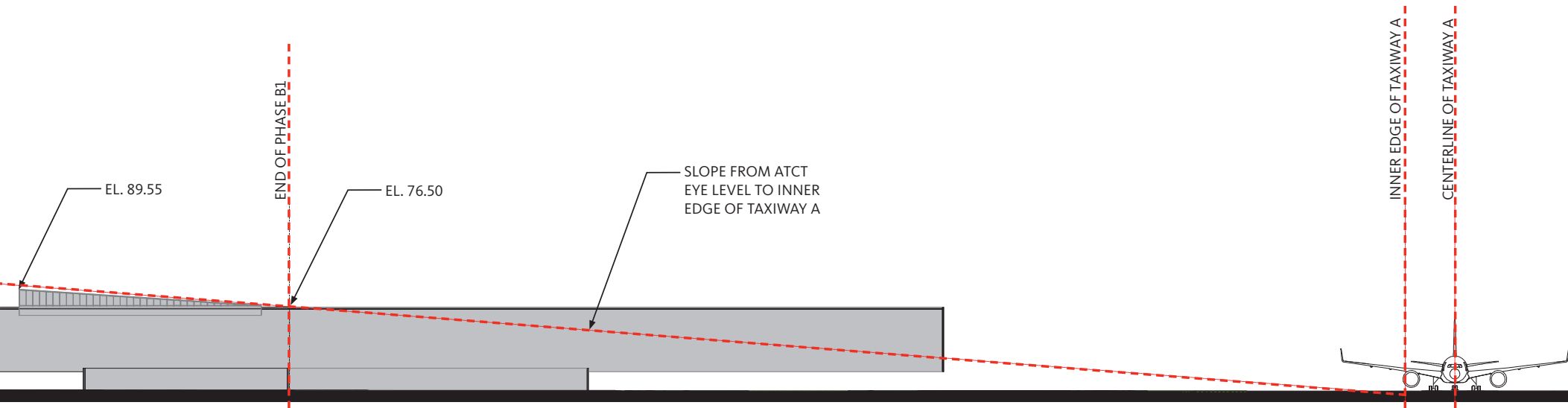
LINE OF SIGHT ANALYSIS | AIRCRAFT SHADOW



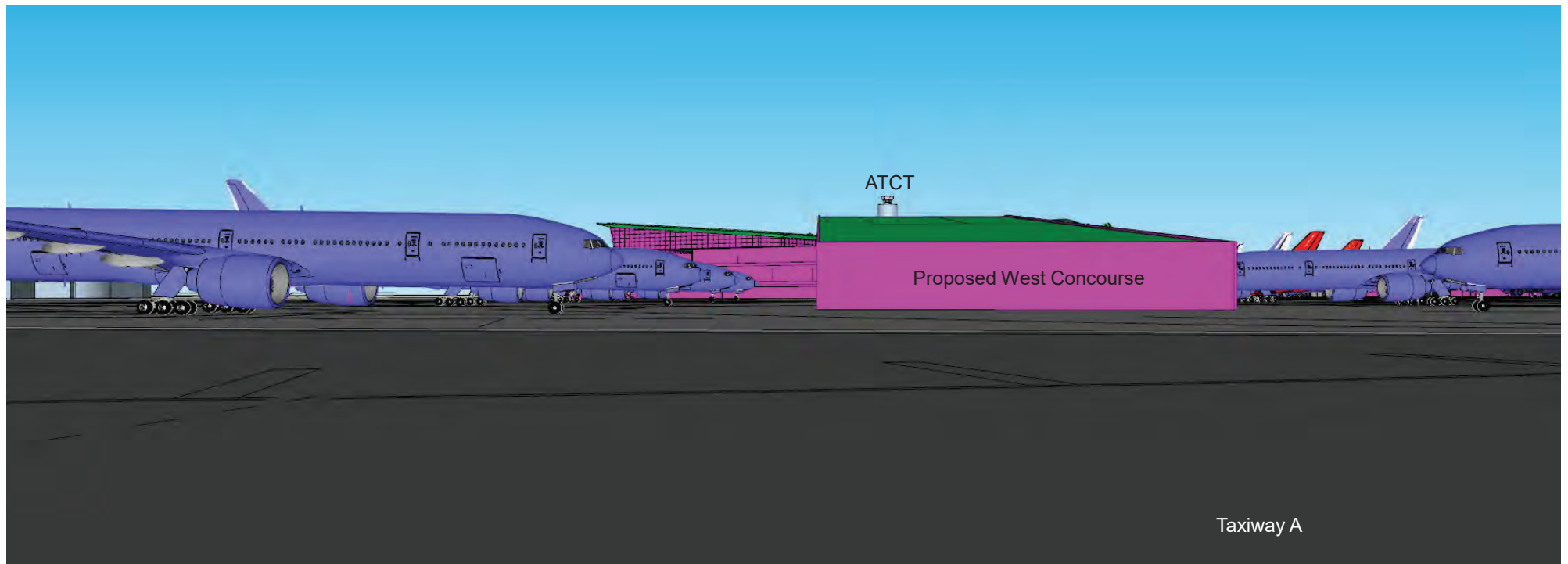
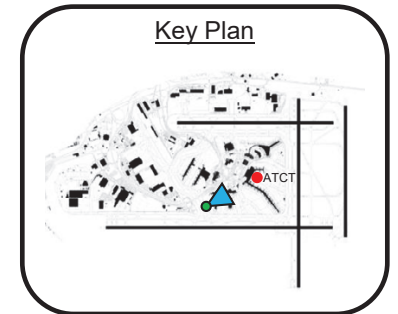
LINE OF SIGHT ANALYSIS | WEST PIER UNDER REVIEW



PHASE B SECTION DIAGRAM



PERSPECTIVE VIEW | WEST CONCOURSE FROM TAXIWAY A



APPENDIX B

Line-of-Sight for Proposed 2022 Plan

APPENDIX C

NYSDOS and NYCDCP Agency Coordination from the 2020EA

January 28, 2020

Marc Helman
The Port Authority of NY & NJ
Engineering Department, 20th Floor
4 World Trade Center, 150 Greenwich St.
New York, NY 10007

Re: F-2019-1213
FAA application for construction of new North and South
Terminals, demolition of Terminals 1, 2, and 7, and
expanding Terminal 5 to replace Terminal 7 gates;
expansion of the Terminal 4 headhouse and extension of its
Concourse A to replace 10 gates from Terminal 2;
realignment of taxiway exits to meet new terminal piers;
reconfiguration of the hydrant fueling system, construction
of a ground transportation Center, demolition of various
buildings and reconfiguration of the roadway system to
support new facility development.
JFK airport, Queens County, Jamaica Bay
General Concurrence

Dear Mr. Helman:

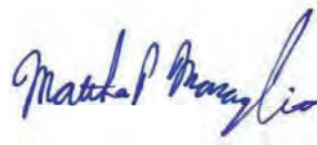
The Department of State (DOS) received your Federal Consistency Assessment Form and consistency certification and supporting information for this proposal on December 3, 2019.

The Department of State has determined that this proposal meets the Department's general consistency concurrence criteria. Therefore, further review of the proposed activity by the Department of State and the Department's concurrence with an individual consistency certification for the proposed activity are not required.

This determination is without prejudice to and does not obviate the need to obtain all other applicable licenses, permits, and other forms of authorizations or approvals which may be required pursuant to existing New York State statutes.

When communicating with us regarding this matter, please contact us at (518) 474-6000 and refer to our file # F-2019-1213.

Sincerely,

A handwritten signature in blue ink, reading "Matthew Maraglio". The signature is fluid and cursive, with the first name "Matthew" and last name "Maraglio" clearly distinguishable.

Matthew Maraglio
Supervisor, Consistency Review Unit
Office of Planning, Development and
Community Infrastructure

MM/rf

Cc: NYC WRP- Chris Wassif



**Parks, Recreation
and Historic Preservation**

ANDREW M. CUOMO
Governor

ERIK KULLESEID
Commissioner

February 3, 2020

Edward Knoesel
Environmental Protection Specialist FAA
New York Airports District Office
1 Aviation Plaza, Suite 111
Jamaica, NY 11434
(via email)

Re: FAA Proposed Redevelopment Program at the John F. Kennedy International Airport.
250-39 Rockaway Blvd, Queens, Queens County
19PR07803

Dear Mr. Knoesel:

Thank you for requesting the comments of the State Historic Preservation Office (SHPO). We had previously reviewed the project in accordance with Section 106 of the National Historic Preservation Act of 1966.

On January 31, our office issued a letter to you relating to this undertaking. In that letter, we noted in error that Building 189 had been determined eligible for inclusion in the National Register of Historic Places. In fact, our office found that none of the buildings identified in the survey of resources to be directly affected by this undertaking were eligible for inclusion in the Register.

As noted in our previous letter, it is SHPO's opinion that the proposed project will have No Adverse Effect upon resources that have been determined eligible for or listed in the National register of Historic Places.

If I can be of any further assistance, please do not hesitate to contact me at (518) 268-2166 or john.bonafide@parks.ny.gov.

Sincerely,

John A. Bonafide
Director,
Technical Preservation Services Bureau
Agency Historic Preservation Officer

cc: Rachel Shatz, ESD (via email)