

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

**WRITTEN RE-EVALUATION AND RECORD OF DECISION FOR THE  
FINAL ENVIRONMENTAL ASSESSMENT PREPARED FOR THE  
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 JFK International Airport Redevelopment Program (JFK Redevelopment Program) on April 21, 2020. Later in 2020, the Port Authority notified the FAA that Delta Airlines, the proponent of the Terminal 4 (T4) component of the JFK Redevelopment Program, would seek to modify certain design and construction schedule aspects of the T4 component of the overall JFK Redevelopment Program. In response, the FAA requested that the Port Authority prepare a Technical Report indicating the changes and containing an analysis of environmental impacts of those changes.

The Port Authority submitted a *Draft 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 4 Design and Schedule Modifications* to the FAA on July 28, 2021. The PA subsequently submitted a revised Final Technical Report, which responded to FAA comments on the draft, on August 25, 2021. The Technical Report analyzed and compared potential impacts associated with proposed design and construction schedule changes, as compared to the potential impacts of the T4 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 potential environmental impacts associated with the design and construction schedule changes of the T4 component of the JFK Redevelopment Program. The analysis within this WR/ ROD identifies FAA decisions and Federal Actions associated with proposed T4 design and construction schedule changes. It also examines consistency with the individual and cumulative impacts discussed in the JFK Redevelopment Program EA and FONSI/ROD. This WR/ ROD also confirms the on-going validity of the information contained in the April 2020 EA and FONSI/ROD. The JFK Redevelopment Program EA and FONSI/ROD is 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 modifications to T4. The April 2020 EA describes the project as entailing the expansion of the existing T4 Headhouse (front portion) of T4, and the extension of T4 Concourse A to replace 10 gates and two live aircraft hardstand parking positions and terminal space lost from the demolition of Terminal 2. The FONSI/ROD followed the April 2020 EA. Copies of both documents are available on the PANYNJ website at <http://www.panynj.gov/about/studies-reports.html>.

Following the issuance of the FONSI/ROD, Delta Airlines informed the Port Authority it was proposing design and schedule changes to the T4 project that are different than those described in the EA, or were not included in the EA. The change to the project elements included in the EA is modifications to the expansion of the existing T4 Headhouse. The change not included in the EA is modifications to existing contact gates on Concourse B of T4. Delta 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 4 Design and Schedule Modifications* in August 2021. The Technical Report analyzes and compares potential impacts associated with the proposed changes to the T4 project as compared to the potential impacts of the project approved in the April 2020 FONSI ROD. A copy of the August 2021 Technical Report can be found as 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 T4 PROJECT**

- T4 Headhouse - The proposed changes to T4 Headhouse involve shifting the majority of the originally proposed T4 Headhouse (or Processor) expansion from the west side (West Bump Out) of the T4 Headhouse to the east side (East Box) of the T4 Headhouse. This East Box of approximately 37,500 sq. ft. will improve domestic arrivals circulation and consolidate the domestic baggage claim area. The West Bump Out of the T4 Headhouse will be expanded to improve passenger screening and checkpoint queue. However, this modest bump-out to the West Bump Out of approximately 4,500 sq. ft. will be significantly less than the proposed 60,000 sq. ft. expansion evaluated in the 2020 EA.

- T4 Concourse B - The proposed changes to T4 Concourse B are the reconfiguration of gates (total approximately 10,000 sq. ft. footprint). Delta would modify three wide-body aircraft (WB) gates to three narrow-body (NB) gates and 1 WB gate. They would also up-gauge 11 regional jet (RJ) gates to seven NB gate and one RJ gate with four small bump-outs for increased holdroom capacity. The gate reconfiguration will entail relocation of several passenger boarding bridges. Also, Delta will reconfigure/enlarge public restrooms and concessions (approximately 10,000 square feet in total) in Concourse B.
- Construction Schedule - In the 2020 EA, the expanded T4 construction duration was assumed to take approximately 2.5 years. The schedule assumed simultaneous construction of the T4 Headhouse and full Concourse A extension (an element of the T4 project that is not changing). However, the schedule has been adjusted to approximately 3.5 years over two phases of construction. Phase 1 will implement the T4 Headhouse expansion, partial expansion of Concourse A and Concourse B gate reconfiguration, with four small bump-outs to allow for the consolidation of T2 and T4 by January 2023. The Phase 2 Concourse A expansion would fully extend Concourse A as described in the EA.

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 4 Design and Schedule Modifications* – Appendix A of this WR/ROD.

## **PROPOSED AGENCY ACTIONS**

The FAA actions involved in the implementation of the Proposed T4 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 T4 project modifications as described in the Technical Report; and determination and approval of the effects of this project on 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 PANYNJ 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 T4 Design and Schedule Modifications Project.

### **Affected Environment**

The April 2020 EA described the existing environment and conditions. The environmental setting has not changed since the April 2020 EA.

### **Environmental Consequences of the Proposed New Projects**

The potential environmental impacts associated with the JFK T4 Design and Schedule Modifications Project are presented in Chapter 6 of the attached Technical Report. Environmental impacts associated with the JFK T4 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 adverse impact on local or regional air quality, as described in the 2020 EA, remains valid. See Chapter 6 of the attached Technical Report that describes the reevaluation of all environmental impacts and the findings of the reevaluation.

## **MITIGATION MEASURES**

As discussed above, the JFK T4 Design and Schedule Modifications Project will have similar impacts to those described for the April 2020 EA and FONSI/ROD. As such, no new mitigation measures are proposed and the mitigation measures identified in the 2020 EA and FONSI/ROD are unchanged.

## **CONCLUSION**

In response to the PA request, the FAA reviewed and analyzed the August 2021 *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 4 Design and Schedule Modifications*, which analyzed and compared potential impacts associated with the T4 Project as compared to the potential impacts of the T4 component of the JFK Redevelopment Program approved in the April 21 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 since the airport sponsor did not make substantial changes to the proposed action that could affect the action's environmental effects. 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/FONSI/ROD contained seven Federal Findings pertaining to the JFK Redevelopment Program the FAA 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<sub>2.5</sub> 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 Terminal 4 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 Terminal 4 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 WRROD 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/FONSI/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 4 Design and Schedule Modifications project. The FAA has independently evaluated the information contained in the April 2020 EA and the August 2021 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 August 2021 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/FONSI/ROD and the August 2021 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 actions summarized in this WR/FONSI/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 T4 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 PANYNJ 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.

**PATRICK W. MAGNOTTA** Digitally signed by  
PATRICK W. MAGNOTTA for  
Date: 2021.09.30  
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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 4 Design and Schedule Modifications**

**August 25, 2021**

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## Appendix A: NYSHPO and NYSDOS 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 evaluated environmental impacts associated with the redevelopment of the north and south terminal developments, including proposed modifications of Terminal 4 (T4). 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.

The design of the T4 project evaluated in the 2020 EA (2020 T4 Design) was modified subsequent to 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.<sup>1</sup> As such, this TR has been prepared for the FAA to assist with their determination as to whether the contents, analysis, and conditions of approval related to the T4 development in the 2020 EA and 2020 FONSI/ROD remain current and valid.

## 2. Background

On April 22, 2021, the Port Authority Board of Commissioners reached an agreement on key terms with Delta Air Lines and JFK International Air Terminal (JFKIAT), the operator of T4, to expand T4. As discussed in the 2020 EA (Section 1.1.2), expansion of T4 is necessary to accommodate aircraft that currently use Terminal 2 (T2), which is scheduled to be demolished in January 2023.<sup>2</sup> Relocating Delta Air Lines' operations from T2 to T4, as contemplated since 2010, would consolidate all of Delta's operations at JFK to a single terminal. Board authorization of the agreements among the Port Authority, Delta Air Lines, and JFKIAT for the expansion and renovation of T4, was an important milestone in moving the JFK Redevelopment Program forward, as JFK continues to recover from the COVID-19 pandemic.<sup>3</sup>

The recent lease amendment modifies the Port Authority Board of Commissioners' February 2020 authorization for the expansion of T4, which was put on hold due to the COVID-19 pandemic. The modifications include changes to both the design and construction schedule compared to the design and schedule evaluated in the 2020 EA.

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<sup>1</sup> For the purposes of this supplemental EA, the Proposed Action in the 2020 EA is referred to as "Original Proposed Action" in this TR.

<sup>2</sup> As stated in the 2020 EA, T2 is the oldest terminal at JFK and has reached the end of its useful life.

<sup>3</sup> Port Authority of New York and New Jersey press release, "Port Authority Board Approves Revised JFK Terminal 4 Redevelopment Project, Advancing Additional Phases of Transforming JFK International Airport", April 22, 2021, from <https://www.panynj.gov/port-authority/en/press-room/press-release-archives/2021-press-releases/port-authority-board-approves-revised-jfk-terminal-4-redevelopment.html>.

### 3. Proposed Project

The proposed T4 design modifications would facilitate the accelerated shift in fleet mix demand, and the associated consolidation of T2 into T4 by January 2023. The design of the phased expansion of Concourse A remains the same as described in the 2020 EA, however there are minor modifications to the T4 Headhouse and Concourse B designs from that which was originally evaluated in the 2020 EA.

**T4 Headhouse:** The revised design of the T4 Headhouse would optimize operational efficiency to meet passenger demand by providing additional passenger screening and processing capacity at the west end of the T4 Headhouse and additional baggage handling equipment at the east end of the T4 Headhouse. The revised design of the T4 Headhouse would reduce the footprint of the T4 Headhouse over the 2020 T4 Design (see **Table 1, Comparison of the 2020 T4 Design and the T4 Design Modifications** and **Table 2, Expanded T4 Footprint Comparison from the 2020 EA (FONSI/ROD April 2020)**). Details of the T4 Headhouse design modifications are as follows:

- Shifting the majority of the originally proposed T4 Headhouse (or Processor) expansion from the west side (West Bump Out) of the T4 Headhouse to the east side (East Box) of the T4 Headhouse. This East Box of approximately 37,500 sq. ft. will improve domestic arrivals circulation and consolidate the domestic baggage claim area.
- The West Bump Out of the T4 Headhouse will be expanded to improve passenger screening and checkpoint queue. However, this modest bump-out to the West Bump Out of approximately 4,500 sq. ft. will be significantly less than the proposed 60,000 sq. ft. expansion evaluated in the 2020 EA.

**Concourse B:** The design modifications to Concourse B is driven by the need to accommodate the accelerated shift of Delta Air Lines' operations from T2 to T4 by January 2023 and the impending shift in the airline's fleet mix since the issuance of the 2020 FONSI/ROD.<sup>4</sup> The demolition of T2 and consolidation of Delta Air Line' operations into T4 involves the shift of 10 contact gates capable of accommodating ADG III and ADG IV aircraft to T4, as described in the 2020 EA.

Recently, Delta Air Lines has been increasing the proportion of ADG III aircraft (or narrow-body aircraft) in its fleet as the airline has increasingly focused on regional flying and potential new flight options to medium- and small-sized destinations. 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. As a result, the T4 Concourse B modifications include changing three existing wide-body (WB) gates to three narrow-body (NB) and one WB gate; closing three regional jet (RJ) gates and upgauging seven RJ gates to NB gates; and one RJ gate will remain untouched. The modifications to the gate configurations will also include four small bump-outs to Concourse B totalling approximately 10,000 sq. ft. to accommodate the need for more holdroom capacity. In addition, the proposed modifications will include the reconfiguration of

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<sup>4</sup> The 2020 EA proposed abatement and demolition of the Terminal 2 processor and gates by June 2023.

public restrooms and concessions to accommodate passenger traffic. Concourse A configuration as described in the 2020 EA remains unchanged.

A comparison of the 2020 T4 Design and the proposed T4 design modifications in this TR is provided in **Table 1** and shown in **Figure 1, Proposed T4 Expansion Evaluated in the 2020 EA (April 2020)** and **Figure 2, Proposed T4 Design Modifications (2021)**.

**Table 1: Comparison of the 2020 T4 Design and the T4 Design Modifications**  
John F. Kennedy International Airport

Expanded T4 Project Description	
2020 T4 Design	Proposed T4 Design Modifications
Increase total area of T4 by approximately 469,000 sq. ft. among three levels.	Total T4 area remains generally consistent with the originally proposed area among three levels. However, due to the reduced footprint of the T4 Headhouse expansion, the total area of T4 is now slightly less than the originally proposed T4 area at approximately 410,900 sq. ft. (see <b>Table 2</b> ).
Expansion of T4 Headhouse to the west (60,000 sq. ft. footprint)	Significant portion of T4 Headhouse expansion shifted to the East Box (37,500 sq. ft.) of the T4 Headhouse to provide additional area for the domestic baggage claim and to improve operations through consolidation. The East Box includes: <ul style="list-style-type: none"> <li>• New domestic baggage claim area with one claim device (260 LF.)</li> <li>• Circulation</li> <li>• Public restrooms</li> <li>• Terminal operation areas</li> <li>• Mechanical, electrical, and plumbing area</li> </ul> Reduced size of “West Bump Out” (4,500 sq. ft.) for: <ul style="list-style-type: none"> <li>• Expanded area for passenger screening checkpoint queue</li> <li>• Reconfiguration of passenger screening checkpoint queue, 2 additional lanes (within existing terminal footprint)</li> <li>• New curbside baggage induction point</li> </ul>
The expanded Concourse A includes the addition of 12 NB gates, 2 WB gates and reconfiguration of 4 aircraft hardstand parking positions.	<i>Concourse A:</i> No design change from 2020 EA
No proposed work at Concourse B.	<i>Concourse B:</i> Proposed reconfiguration of gates (total approximately 10,000 sq. ft. footprint): <ul style="list-style-type: none"> <li>• Modify 3 WB gates to 3 NBs + 1 WB gates</li> <li>• Upgauge 11 RJ gates to 7 NB + 1 RJ gates with 4 small bump-outs for increased holdroom capacity and reconfigure/enlarge</li> </ul>

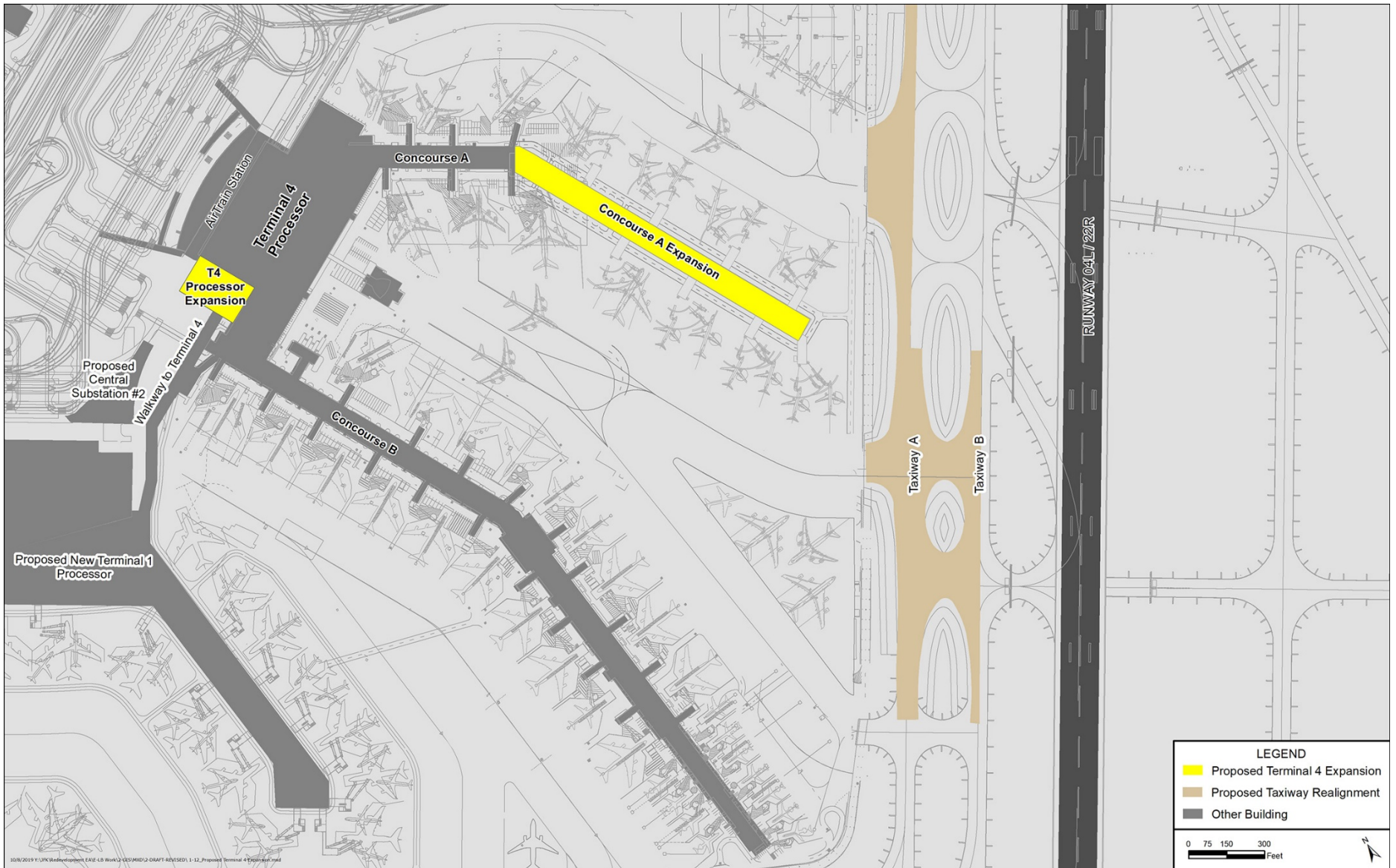
Expanded T4 Project Description	
2020 T4 Design	Proposed T4 Design Modifications
	public restrooms and concessions (approximately 10,000 square feet in total) Relocation of several passenger boarding bridges.
Apron demolition and construction; throat removal and new throat	<i>Airside:</i> No design change

It is important to note the full-build out of the Expanded T4 proposes no design changes to the expanded Concourse A in comparison to the 2020 EA (see **Table 1 and Figures 1 and 2**). The increase in area for the Expanded T4 will remain generally consistent with the originally proposed Expanded T4 in the 2020 EA. However, it is anticipated that the T4 design modification will slightly reduce the originally proposed 2020 T4 design from approximately 469,000 sq. ft. among three levels to an estimated 410,900 sq. ft. among three levels due to the reduced footprint of the expanded areas of the T4 Headhouse. In addition to the slightly reduced area of the Expanded T4, the total footprint of the expansion is slightly less than the originally proposed Expanded T4, as shown in **Table 2**.

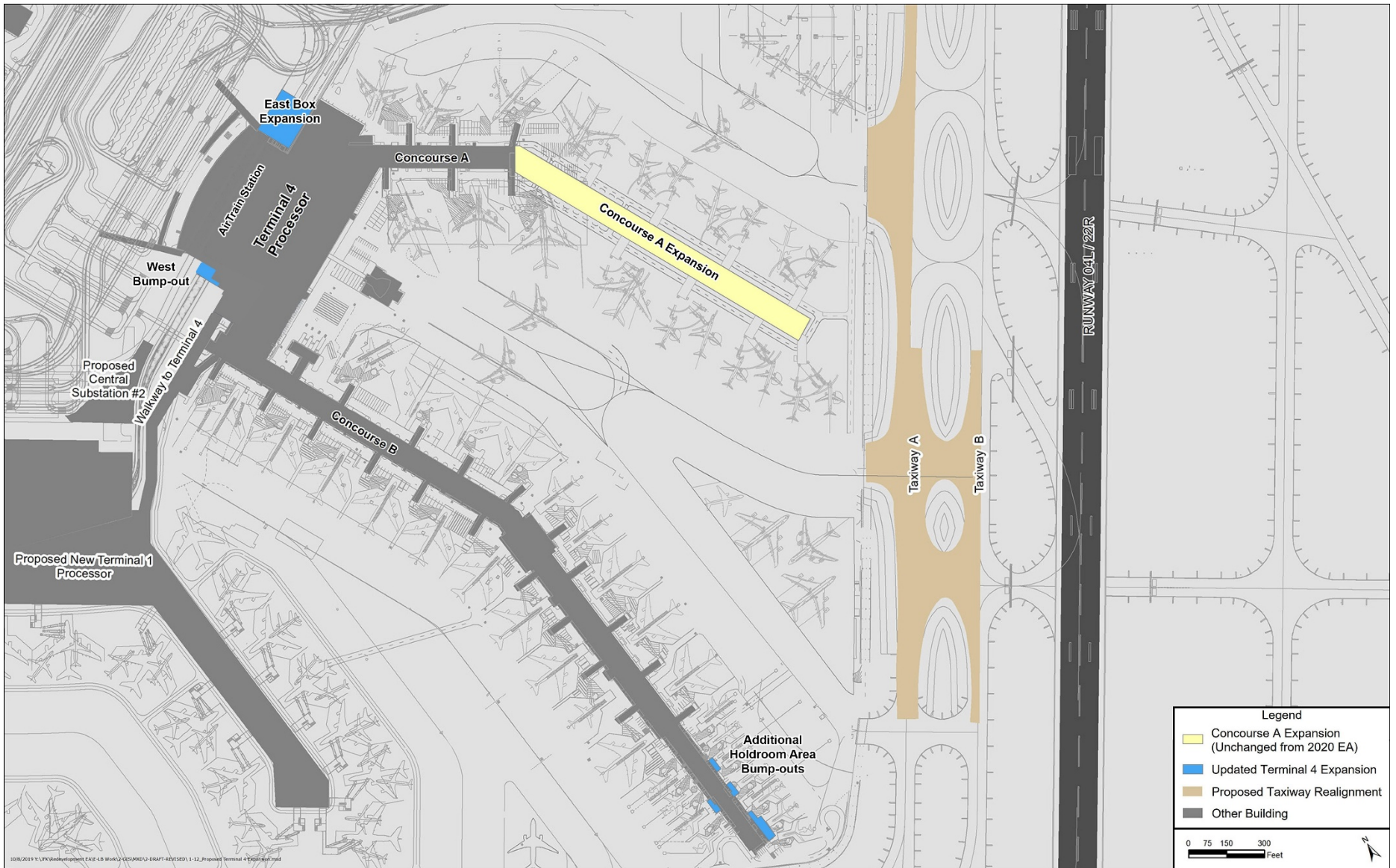
**Table 2: Expanded T4 Footprint Comparison from the 2020 EA (FONSI/ROD April 2020)**  
John F. Kennedy International Airport

Proposed Expanded T4 Footprint Comparison			
Expansion Project	2020 EA	Proposed Design Changes	Difference (Net Change)
Concourse A Expansion	125,000 sq. ft.	125,000 sq. ft.	+/- 0 sq. ft.
Concourse B Additional Holdroom Area (Bump outs)	0 sq. ft.	10,000 sq. ft.	+10,000 sq. ft.
Headhouse Expansion	60,000 sq. ft.	42,000 sq. ft.	-18,000 sq. ft.
<b>Total</b>	<b>185,000 sq. ft.</b>	<b>177,000 sq. ft.</b>	<b>-8,000 sq. ft.</b>

Figure 1: Proposed T4 Expansion Evaluated in the 2020 EA (April 2020)



**Figure 2: Proposed T4 Design Modifications (2021)**





## 4. Construction Schedule

In the 2020 EA, the expanded T4 construction duration was assumed to take approximately 2.5 years. The schedule assumed simultaneous construction of the T4 Headhouse and full Concourse A extension. However, the schedule has been adjusted to approximately 3.5 years over two phases of construction. Phase 1 would implement the T4 Headhouse expansion, partial expansion of Concourse A and Concourse B gate reconfiguration, with four small bump-outs to allow for the consolidation of T2 and T4 by January 2023. The Phase 2 Concourse A expansion would fully extend Concourse A. The full expansion of Terminal 4 will occur over 3.5 years in a less intensive manner over a modestly longer period.

## 5. Project Purpose & Need

### Project Purpose

As set forth in Section 2.1 (*Purpose*) of the 2020 EA, the purpose of the Original Proposed Action *“is to accommodate current and projected passengers with an acceptable level of service (LOS) at JFK through the redevelopment of the CTA, associated landside (parking and roadways) infrastructure, and aircraft parking areas in a manner that efficiently utilizes the available space”*. The proposed T4 design and schedule modifications that are the subject of this TR are consistent with, and do not change the purpose of the Original Proposed Action 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 Original Proposed Action 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 original proposed T4 Headhouse modifications were focused on facilitating departing passenger processing, such as ticketing, baggage handling and security. Upon further terminal operational analysis, it was determined that terminal processing capacity was needed for arriving passengers in terms of baggage handling and circulation space. It was determined that this could be achieved by balancing the T4 Headhouse expansion through the partial reconfiguration of existing terminal space on the west side (or West Bump Out) of the Terminal and an expansion on the east side (or East Box) of the Terminal. The T4 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 T4 design and schedule modifications accommodate existing and forecast passenger demand with a phased Concourse A construction expansion and reconfiguration of contact gates at Concourse B to meet the consolidation of T2 operations to T4 by January 2023. In addition, the T4 design modifications do not result in any changes to apron and taxiway space, nor terminal roadways and curb frontages from the 2020 T4 Design in the 2020 EA.

## 6. 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 Original Proposed Action and the No-Build Alternative. 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 Original Proposed Action will not result in significant environmental impacts in any of the resource categories. The Port Authority reviewed the 2020 EA for potential changes to the analysis that could occur due to the proposed T4 design and schedule modifications. Each of the 13 resource categories have been reviewed per the T4 design and schedule modifications and the findings are summarized below.

### Air Quality

Under the Clean Air Act (CAA), areas that meet the National Ambient Air Quality Standards (NAAQS) are designated Attainment, those that do not meet the standards are Nonattainment and those that were previously in Nonattainment but have met the standard are designated Maintenance. USEPA classifies the degree to which an area is in Nonattainment (in increasing order of seriousness): Marginal, Moderate, Serious, Severe, and Extreme. The current Attainment/Nonattainment statuses of the New York City area (including JFK and Queens County) are shown in **Table 3, Attainment/Nonattainment Status in the New York City Area.**

**TABLE 3 ATTAINMENT/NONATTAINMENT STATUS IN THE NEW YORK CITY AREA (INCLUDING JFK AND QUEENS COUNTY)**  
**John F. Kennedy International Airport**

POLLUTANT	STATUS
Carbon Monoxide (CO)	Maintenance
Lead (Pb)	Attainment
Nitrogen Dioxide (NO <sub>2</sub> )	Attainment
Ozone (O <sub>3</sub> ), 8-Hour (2008)	Serious Nonattainment
Ozone (O <sub>3</sub> ), 8-Hour (2015)	Moderate Nonattainment
Particulate Matter (PM <sub>10</sub> )	Attainment
Particulate Matter (PM <sub>2.5</sub> )	Maintenance
Sulfur Dioxide (SO <sub>2</sub> )	Attainment

Sources: Nonattainment Areas for Criteria Pollutants (Green Book), U.S. EPA, 2019. F.R. No. 84, No. 164 (August 23, 2019)

Based on these Attainment/Nonattainment designations and classifications, the pollutants of greatest importance in reviewing potential impacts associated with the Original Proposed Action are CO, PM<sub>2.5</sub>, and O<sub>3</sub>. Sources of CO and PM<sub>2.5</sub> emissions include industrial (e.g., petroleum production), energy (e.g., power plants) and transportation (e.g., motor vehicles); sectors with open burning (e.g., forest fires) are another contributor. Within the aviation sector, combustion of fossil fuel by aircraft and ground support equipment (GSE) is the primary source of CO and PM<sub>2.5</sub>. Construction activity at the airport is also a source of these emissions.

Ozone is a secondary pollutant; it is formed from the chemical reactions in the atmosphere of other pollutants, primarily nitrogen oxides (NO<sub>x</sub>) and volatile organic compounds (VOCs) known as ozone precursors. At an airport, the combustion of fossil fuel by aircraft and GSE is the primary source of NO<sub>x</sub> and VOCs. Exceedances of ozone in the NYC metropolitan area are due to both regional emissions of NO<sub>x</sub> and VOCs and to the transport of ozone from upwind states. The NYC metropolitan area has for years been subject to significant levels of O<sub>3</sub> pollution that has been transported to the area from upwind states.<sup>5</sup>

### **General Conformity Rule**

The State of New York has developed implementation plans (known as State Implementation Plans) pursuant to the Federal CAA that set forth its strategies to attain and maintain ambient air quality standards for CO, PM<sub>2.5</sub> and O<sub>3</sub>.<sup>6</sup> Pursuant to Section 176(c) of the Federal CAA (42 U.S.C. 7506), Federal agencies are prohibited from actions that do not “conform” to a state’s air quality implementation plans. The procedures for demonstrating that an activity “conforms” with a State Implementation Plan are set forth in Part 93, Subpart B of Title 40 of USEPA’s regulations (the “General Conformity Rule”). According to the General Conformity Rule, “no federal agency (including the FAA) can approve, permit or fund any project or activity that does not conform to an approved State Implementation Plan (SIP)”.

There are four “paths” to meeting this requirement. The most direct approach to meeting the General Conformity requirement is to show that a project’s emissions are below *de minimis*

<sup>5</sup> New York State Implementation Plan for the 2008 Ozone National Ambient Air Quality Standards, Final Proposed Revision (Nov. 2017) (USEPA action pending).

<sup>6</sup> See website for the New York State Department of Environmental Conservation at <http://www.dec.ny.gov/chemical/8403.html>.

levels. These *de minimis* levels for the New York metropolitan area are provided in **Table 4, General Conformity Rule De Minimis Levels.**

**TABLE 4 GENERAL CONFORMITY RULE *DE MINIMIS* LEVELS  
John F. Kennedy International Airport**

POLLUTANT	DE MINIMIS LEVELS (TONS/YEAR)
Carbon Monoxide (CO)	100
NO <sub>x</sub> (as O <sub>3</sub> precursor)	50
VOCs (as O <sub>3</sub> precursor)	50
Particulate Matter (PM <sub>2.5</sub> )	100

Source: General Conformity Rule (40 C.F.R. Part 93, Subpart B)

<sup>a</sup> Pre-cursor pollutants nitrogen oxides (NO<sub>x</sub>) and volatile organic compounds (VOCs) lead to the formation of O<sub>3</sub>.

Given the New York City metropolitan area (including Queens) Serious Nonattainment classification for the 2008 ozone standard,<sup>7</sup> the O<sub>3</sub>-precursors of NO<sub>x</sub> and VOCs threshold of 50 tons was used for the air quality analysis in the 2020 EA. For CO and PM<sub>2.5</sub>, the 100 tons *de minimis* level for Maintenance areas was used.

### **Air Quality Analysis Methodology**

For the purposes of the 2020 EA analysis, sources of emissions associated with the Original Proposed Action were divided into the following three categories:

- **Construction Activities:** These included construction equipment (e.g., graders, cranes, pile drivers) and vehicles (e.g., haul trucks, transport vehicles, construction worker vehicles). Wind erosion of earthen materials (i.e., dust) and evaporative emissions from asphalt paving activities were also included.
- **Aircraft Operations:** These comprised of emissions from aircraft engines (including auxiliary power units (APUs)) running on the airside of the CTA, including emissions associated with aircraft that are taxiing or waiting due to terminal area taxiway, apron and gate delays. Additionally, emissions from GSE servicing the aircraft were included. This accounts for aircraft operational emissions for Years 2020 to 2025 and Year 2030.
- **Motor Vehicle Traffic:** These were emissions associated with passenger-related motor vehicle trips traveling to the CTA that may be affected by the Original Proposed Action.

In accordance with FAA NEPA guidelines and the Original Proposed Action development schedule, air emissions were estimated for both the Construction and Operational Scenarios of the Original Proposed Action and the No-Build Alternative. Sources of emissions during the Construction Scenario included construction equipment, aircraft operations and motor vehicle traffic at intersections. Emissions during the first Operational Scenario (Year 2025), and five years beyond the first Operational Scenario (Build-out Year 2030) were estimated from aircraft operations and on-airport motor traffic.

<sup>7</sup> 84 Fed. Reg., 44238 (Aug. 23, 2019) (Determinations of Attainment by the Attainment Date, Extensions of the Attainment Date, and Reclassification of Several Areas Classified as Moderate for the 2008 Ozone National Ambient Air Quality Standard).

## **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 Original Proposed Action 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 2025, and Build-out Year 2030 and all pollutants for which the JFK area was designated as nonattainment (O<sub>3</sub>) and maintenance (CO and PM<sub>2.5</sub>). Thus, the Original Proposed Action conformed with the approved SIP and no further action was required to meet the requirements of the General Conformity Rule.<sup>8</sup>

The design and schedule modifications to T4 would be consistent with the Original Proposed Action evaluated in the 2020 EA, meet the requirements of the General Conformity Rule, and conform with the approved SIP. At the completion of the T4 design modifications, the net change in the size of T4 would be approximately 8,000 sq. ft. less when compared with the size of the T4 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. In addition, the construction methods assumed in the 2020 EA for the T4 remain the same with these proposed design modifications. For example, there is no additional paving or demolition associated with the T4 design modifications. Roads and utilities are located to the front of the T4 Headhouse. Access to roads and utilities to support the proposed design modifications would remain the same as described in the 2020 EA. Lastly, the intensity of construction activity would be reduced due to the phasing of construction spread out over a modestly longer period (ie. 2.5 to 3.5 years).

As a result, no further action is required to meet the requirements of the General Conformity Rule for the T4 design and schedule modifications. The conclusion of no adverse impact on local or regional air quality, as described in the 2020 EA, remains valid.

## Biological Resources

There are no naturally vegetated areas within the Proposed Action Site that could be impacted by the Original Proposed Action together with the T4 design modifications. The area of the Proposed Action Site does not include any habitat for federally listed species. Although state-listed bird species were identified as potentially occurring at the Airport, bird presence at the Airport would continue to be discouraged and managed in accordance with the JFK Wildlife Hazard Management Plan (WHMP). The Original Proposed Action with the T4 design and schedule modifications would not noticeably modify the limited wildlife habitat that currently exists at the Airport. Further, wildlife at the Airport is actively managed in accordance with the JFK WHMP. The 2020 EA concluded the Original Proposed Action would have no adverse impact on ecological communities and vegetation, no effect on Federally-listed species or

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<sup>8</sup> Should further changes occur to the construction schedule for the Redevelopment Program that are presently unanticipated, it is very unlikely the emission inventory results would change substantially or exceed *de minimis* levels because construction related emissions are well below the applicable *de minimis* levels for CO, VOCs, NO<sub>x</sub>, and PM<sub>2.5</sub> and the construction schedule, which the emission inventory results is based upon, assumes some project variability.

designated critical habitat, and an unlikely adverse impact on wildlife and state-listed species. This conclusion remains valid with the Original Proposed Action together with the T4 design modifications because it is located on previously disturbed developed/industrial land currently used for airport operations and within the Proposed Action Site evaluated in the 2020 EA.

## Climate

Combustion of fossil fuel is a common source of CO<sub>2</sub>. Vehicles and equipment that run on fossil fuels and produce CO<sub>2</sub> 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).<sup>9</sup> 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 Original Proposed Action are presented for disclosure purposes in the 2020 EA and in accordance with FAA guidance. In addition, the conclusion of no significant contributor to climate change as a result of the Original Proposed Action, as described in the 2020 EA, remains valid with the T4 design and schedule modifications. The T4 design and schedule modifications would not substantially change GHG emissions associated with construction. At the completion of the T4 design modifications, the net change in the size of T4 would be approximately 8,000 sq. ft. less when compared with the size of the T4 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.

## 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 (NYS DOS) and New York State Department of City Planning (NYC DCP) designated coastal zone. On January 28, 2020, the Port Authority received a response letter concluding the NYSDOS determined the Original Proposed Action 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 Original Proposed Action 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 Original Proposed Action, as described in the 2020 EA, remains valid because the T4 design modifications does 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 Original Proposed Action in the 2020 EA. A copy of the January 28, 2020 NYSDOS and February 3, 2020 NYCDCP response letters are provided in Appendix A.

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<sup>9</sup> Ibid, p. 14; GAO cites available USEPA data from 1997.

## Department of Transportation (DOT) Act: Section 4(f) Resources

As in the 2020 EA, the design and schedule modifications to the proposed T4 expansion would not adversely affect public parks or recreational facilities, or wildlife or waterfowl refuges. In addition, the design and schedule modifications to the proposed T4 expansion is not likely to result in constructive use of Section 4(f) resources.

## Hazardous Materials, Pollution Prevention and Solid Waste

Construction activities associated with the Original Proposed Action 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 Original Proposed Action, 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 Original Proposed Action 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 T4 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. Therefore, no significant impacts related to hazardous materials and waste would occur.

## Historical, Architectural, Archaeological, and Cultural Resources

There have been no changes relative to historical, architectural, archaeological, or cultural resources since the 2020 EA received a FONSI/ROD in April 2020; the conclusions therein remain valid with the T4 design modifications. The TWA Flight Center is the sole historic resource within the Proposed Action Site. The NY State Historic Preservation Office (SHPO) concluded in their February 3, 2020 response letter to the FAA that the Original Proposed Action would have No Adverse Effect on historic resources remains valid with the T4 design modifications. Furthermore, the February 3, 2020 response letter from the NY SHPO to the FAA stating that no other above ground resources within the APEs associated with the Original Proposed Action are eligible for inclusion in the NRHP remains valid with the T4 design and schedule modifications. A copy of the February 3, 2020, NY SHPO response letter to the FAA is included in Appendix A.

## Land Use

As stated in the 2020 EA, the Proposed Action Site is located on JFK property, which is leased by the Port Authority. No land acquisition would occur as part of the Original Proposed Action. The Original Proposed Action would be compatible with the surrounding area and no impacts to land use would occur with implementation of the Proposed Action. There have been no changes to land use subsequent to the 2020 EA. Therefore, the T4 design modifications would have no effect on land use.

## Natural Resources and Energy Supply

There have been no changes related to natural resources and energy supply; the conclusion of no effect related to this impact topic resultant from the Original Proposed Action, as described in the 2020 EA, remains valid with the T4 design and schedule modifications.

## Noise and Noise-Compatible Land Use

Aircraft operations, fleet mix, runway use, or flight tracks from the Original Proposed Action in the 2020 EA would not change as a result of the T4 design and schedule modifications. Consistent with the 2020 EA, construction noise minimization measures would be implemented, and a Noise Control Plan prepared to minimize the potential for adverse effects on the community during the construction period. For example, construction activities would require a construction Noise Control Plan as mandated in Chapter 28, Title 15 of the City of New York Administrative Code, Citywide Construction Noise Mitigation. The Noise Control Plan would incorporate various noise control measures in accordance with the New York City Citywide Construction Noise Mitigation policy and to demonstrate compliance with the City's Noise Control Code (Local Law No. 113 of 2005).<sup>10</sup> The conclusion of no significant impact from noise as a result of the Original Proposed Action, as described in the 2020 EA, remains valid with the T4 design and schedule modifications.

## Socioeconomics, Environmental Justice, and Children's Health and Safety Risks

There are no proposed changes related to socioeconomic conditions, Environmental Justice, and children's health and safety risks as a result of the schedule and design modifications to the T4. The modifications to the T4 Headhouse and Concourse B would not result in induced growth and would have no adverse impacts to economic growth, no disruption to an established community, no relocation of residences, no adverse impacts to the community tax base, and no adverse impacts to businesses. The conclusion of no effect on socioeconomic conditions, Environmental Justice, and children's health and safety risks as a result of the Original Proposed Action, as described in the 2020 EA, remains valid with the T4 design and schedule modifications.

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<sup>10</sup> The Noise Control Plan developed for the Proposed Action is unrelated to the Noise Compatibility Program that is being developed by the Port Authority pursuant to 14 CFR Part 150 of the FAA's regulations.



## Visual Effects

There have been no changes to light emissions and visual impacts; the conclusion of no effect related to this impact topic resultant from the Original Proposed Action, as described in the 2020 EA, remains valid with the T4 design and schedule modifications.

## Water Resources

There have been no proposed changes related to water resources as a result of the T4 design and schedule modifications. As stated in the 2020 EA, the Original Proposed Action would have no notable impacts on groundwater resources. Furthermore, construction and operation of the Original Proposed Action would abide by applicable regulations related to spill prevention and control regulations to prevent spills from causing significant adverse impacts to groundwater. The Original Proposed Action would not result in noticeable adverse impacts to water resources due to existing and proposed stormwater management measures. The Proposed Action site is not within the 100-year floodplain; therefore, the Original Proposed Action, together with the T4 design modifications, would have no impact on floodplains. The conclusion of no direct impact on wetlands, floodplains, surface water or groundwater as a result of the Overall Proposed Action, as described in the 2020 EA, remains valid with the T4 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 Original Proposed Action. The resources that could be impacted by the Original Proposed Action 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.

The 2020 EA received a FONSI/ROD recently and within the past two-years (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 Action 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 from "present" to "past". The Fuel Tank Installation was originally proposed to be completed during construction of the JFK Redevelopment Program, including the Expanded T4. 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 T4 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 remain substantially valid, and the Original Proposed Action in the 2020 EA, together with the T4 design and schedule modifications, would not be expected to have a significant cumulative impact.

**APPENDIX A:**  
**NYSDOS and NYSHPO Agency Coordination from the 2020 EA**

STATE OF NEW YORK  
**DEPARTMENT OF STATE**

ONE COMMERCE PLAZA  
99 WASHINGTON AVENUE  
ALBANY, NY 12231-0001  
WWW.DOS.NY.GOV

ANDREW M. CUOMO  
GOVERNOR

ROSSANA ROSADO  
SECRETARY OF STATE

January 28, 2020

Marc Helman  
The Port Authority of NY & NJ  
Engineering Department, 20<sup>th</sup> 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 that reads "Matthew Maraglio". The signature is written in a cursive style with a large, looped initial "M".

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](mailto:john.bonafide@parks.ny.gov).

Sincerely,

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

cc: Rachel Shatz, ESD *(via email)*