U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
WRITTEN RE-EVALUATION/RECORD OF DECISION

Baltimore/Washington International Thurgood Marshall Airport
Linthicum, Anne Arundel County, Maryland
Midfield Cargo Facility Improvements

INTRODUCTION

The Maryland Aviation Administration (MAA) has requested that the Federal Aviation Administration (FAA) approve improvements to the existing Midfield Cargo Facility (2018 Proposed Action) at Baltimore/Washington International Thurgood Marshall Airport (BWI). Most of the improvements were initially proposed in 1998 and were analyzed in the FAA's Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) approving Midfield Cargo Facility Improvements (1998 Proposed Action), entitled *Final Environmental Assessment for the Proposed Expansion of Air Cargo Facilities at BWI Airport* (1998 EA). An initial portion of the 1998 Proposed Action was constructed following the approval of the 1998 EA. Additionally, a six-acre apron expansion was constructed in 2017 following a Written Re-Evaluation of the 1998 EA issued on June 22, 2017, entitled *The Expansion of the Midfield Cargo Facility Ramp at Baltimore/Washington International Thurgood Marshall Airport*.

The FAA has reviewed the *Technical Report: Proposed Midfield Cargo Facility Improvements* (Technical Report) dated October 2018, which analyzed and compared potential impacts associated with the Proposed Improvements, as compared to the potential impacts associated with the Air Cargo Facility Improvements approved in the 1998 EA. MAA's proposal was first submitted to FAA in May 2018. FAA reviewed and provided comments on multiple versions of the Technical Report that was finalized in October 2018. This Written Re-Evaluation and Record of Decision (WR/ROD) of the 1998 EA was prepared to determine if the findings of the 1998 EA remain valid and applicable to the 2018 Proposed Action. This WR/ROD identifies FAA decisions and Federal Actions associated with the 2018 Proposed Action as consistent with the individual and cumulative impacts discussed in the 1998 EA and the 2017 Re-Evaluation. The 1998 EA, 2017 Re-Evaluation, and 2018 Technical Report are all hereby incorporated by reference, and are further described below.

BACKGROUND

The FAA issued a FONSI in 1998, which approved a number of projects as part of the full buildout of the Midfield Cargo Facility. The environmental impacts of the projects were analyzed in the 1998 EA, which included public involvement and an opportunity for public review and comment. The design concept approved in the FONSI proposed to construct new all-cargo facilities in a new Midfield area of the Airport. The Proposed Action included construction of the Midfield Cargo Facility, as well as a new connecting and partial parallel taxiway to the north of Runway 10/28 for aircraft to access the existing runway system.

The 1998 Proposed Action included the following improvements:

- Construct new all-cargo facilities in the new midfield area, south of Runway 10/28 and Runway 4/22;

- Construct cargo buildings G, H, I and J (220,000 SF);
- Construct connecting and parallel taxiways;
- Construct access road;
- Construct cargo support area; and,
- Construct fuel farm.

Although it was originally anticipated that development of the proposed facilities would occur over a ten-year period, following the 1998 EA/FONSI, the improvements were only partially implemented. The first cargo building (Building G), along with approximately six acres of ramp area and four acres of air cargo supported facility pavement (vehicle parking) were constructed, and the full development area was graded. Access road improvements were also implemented, along with the majority of the associated connecting and partial parallel taxiways.

In August 2017, the FAA approved a Written Re-Evaluation of the 1998 EA for a six-acre apron expansion later that same year. However, full buildout of the 1998 Proposed Action has not been completed at this time. The future cargo growth that was expected in the 1998 EA is now being realized. To accommodate the growing cargo operations and associated activities, the remainder of the proposed Midfield Cargo Facility Improvements approved in 1998, with small refinements and variations, are now needed.

The Technical Report identifies the limited changes to the Affected Environment that have occurred since the 1998 EA. The Technical Report also analyzes and compares the potential impacts associated with the 2018 Proposed Action to the 1998 Proposed Action.

FAA WRITTEN RE-EVALUATIONS

To ensure full compliance with the National Environmental Policy Act (NEPA), where there are proposed changes to the approved projects, or when implementation of the action is delayed, the FAA evaluates the potential change in environmental impacts, in order to determine if a supplemental Environmental Assessment is required.

FAA Orders 1050.1F and 5050.4B provide guidance as to the circumstances under which it is necessary to prepare a Written Re-Evaluation and determine whether to supplement an EA. FAA Order 1050.1F, paragraph 9-2 states that where 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 and findings of previously prepared environmental documents remain valid or that significant changes require the preparation of a supplement or new EA.

FAA Order 1050.1F, paragraph 9-2(c) 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."

Per FAA Order 5050.4B, paragraph 1402 (b): A supplement to the Final EA for a project is required if:

"(1) The airport sponsor or FAA makes substantial changes in the proposed action that could affect the action's environmental effects; or

(2) Significant new changes, circumstances or information relevant to the proposed action, its affected environment, or its environmental impacts becomes available."

FAA Order 1050.1F does not require that Written Re-Evaluations be released for public review and comment. Consistent with this approach, prior public notification was not provided for the 2017 Written Re-Evaluation of the 1998 EA. Rather, as described in Section 9-2(d) of the Order, Re-Evaluations "should be reviewed internally and may be made public at the discretion of the [FAA]." Here, MAA agrees that prior public notification is not required, but has committed to make this Re-Evaluation public after it is approved by the FAA. MAA also committed to revise the cumulative impacts section of its Draft Environmental Assessment for the Proposed Improvements 2016-2020 at Baltimore/Washington International Airport to account for the cargo improvements discussed herein, and will release the revised draft for additional public comment.

SUMMARY OF THE PROPOSED IMPROVEMENTS

The 2018 Proposed Action is comprised of improvements originally contemplated in the 1998 EA with some variations and refinements. The variations and refinements from the 1998 Proposed Action are disclosed in Table 1.1 of the Technical Report and the impacts to environmental resources categories are discussed in Section 4 of the Technical Report. The 2018 Proposed Action is described below and includes the facilities required to accommodate expected growth in cargo activity including additional aircraft parking apron, landside facilities, and cargo buildings.

DESCRIPTION OF THE PROPOSED IMPROVEMENTS

As noted above, the 2018 Proposed Action is comprised of the 1998 Proposed Action with some variations and refinements.

- Construct approximately 11.0 acres of apron pavement, including 0.6 acres of dedicated truck staging;
- Construct approximately 7.6 acres of truck parking/staging area pavement;
- Construct approximately 9.2 acres of vehicular parking space (5.4 acres) and vehicular pavement (3.8 acres) associated with the proposed building;
- Construct an approximately 200,000 SF warehouse/cargo processing building;

- Construct three (3) 10,000-barrel (1 barrel = 42 US gallons) Jet-A fuel tanks (49' diameter x 30' tall) to store additional volume as well as minor mechanical improvements to accommodate additional fuel storage needs for the midfield cargo facility;
- Construct a taxiway connection to Runway 10 (approximately 2.8 acres of pavement);
- Rehabilitate the existing taxilane and two taxiway connectors in the area north of the proposed new apron pavement up to the Taxiway G and Taxiway R1 hold lines (approx. 21.1 acres);
- Construct storm drain pipes to connect into the existing storm drain system draining to Pond B6; and
- Provide associated site infrastructure such as security fencing and area lighting.

Of these development actions, construction of 7.6 acres of additional truck parking/staging area pavement, construction of 9.2 acres of vehicular parking space and pavement, and construction of three Jet-A fuel tanks were not specifically considered in the 1998 Proposed Action and EA. Taken together, the 2018 Proposed Action proposes approximately 35.3 acres of impervious surface. The 2018 Proposed Action impervious area is within the 1998 EA limit of disturbance, but includes approximately 7.4 acres of impervious surface not considered in the 1998 EA.

PROPOSED AGENCY ACTIONS

The FAA actions involved in the implementation of the 2018 Proposed Action include the following:

a. Unconditional Approval of a revised ALP at BWI, pursuant to 49 U.S.C. §40103(b) and §47107(a)(16) to depict the 2018 Proposed Action 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;

b. 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 1998 FONSI nor this WR/ROD determines eligibility or availability of potential funds);

SUMMARY OF CHANGES TO ENVIRONMENTAL IMPACTS AND MITIGATION

This section describes the affected environment and anticipated impacts associated with the 2018 Proposed Action.

Affected Environment

The 1998 EA described the existing environment and conditions. Several changes to the airfield and terminal area have occurred since the 1998 EA, including the initial development of the Midfield Cargo Facilities. Developments include the parallel taxiway north of Runway 10/28, grading of the full Midfield Cargo Facility, construction of apron and a hangar. The 2018 Proposed Action proposes 35.3 acres of impervious surface within the 1998 Limit of Disturbance, of which 7.4 acres of impervious surface are newly added to the 1998 EA impervious surface footprint. The land uses for the Airport and surrounding area remains the

same. The environmental setting remains similar since the 1998 EA. The No Action and Proposed Action noise exposure contours at the Airport have changed between the 1998 EA and the 2018 Technical Report. However, as discussed in Section 4.4.9, the change is unrelated to the Midfield Cargo area. Rather, it is due to runway use changes that have occurred at the Airport in response to changes in fleet mix, air carriers, terminal use, and other variables.

Environmental Consequences of the Proposed New Projects
The potential impacts associated with the 2018 Proposed Action are presented in Section 4.4 of the attached Technical Report. Impacts associated with the 2018 Proposed Action are similar in nature as those impacts associated with 1998 Proposed Action. Accordingly, impacts to all resources will remain substantially the same as those presented in the 1998 EA and FONSI.

Impacts resulting from implementation of the 2018 Proposed Action, when compared to the implementation of the 1998 Proposed Action, may result in small increases in impacts to air quality, noise, water resources and construction related impacts, however, this incremental increase is not significant and does not alter the findings and conclusions of the 1998 EA.

As such, the updated information in this WR/ROD does not present a substantially different picture of the overall Midfield Cargo Facility Improvements, including the 2018 Proposed Action or their impacts, compared to those presented in the 1998 EA and FONSI. The findings and determinations made based on those analyses remain valid when applied to the 2018 Proposed Action.

MITIGATION MEASURES
As discussed above, the 2018 Proposed Action will have similar impacts to those described for the 1998 Proposed Action. As such, no new mitigation measures are proposed and the mitigation measures identified in the 1998 EA and FONSI still apply.

CONCLUSION
The FAA reviewed and analyzed the October 2018 *Technical Report: Proposed Midfield Cargo Facility Improvements* (Technical Report), that analyzed the potential impacts associated with the 2018 Proposed Action as compared to the potential impacts of the Midfield Cargo Facility Improvements approved in the 1998 EA/FONSI.

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 determines 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 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 1998 FONSI determined that the proposed Federal action is consistent with existing national environmental policies and objectives as set forth in Section 101 (a) of the National Environmental Policy Act of 1969 (NEPA) and that the action will not significantly affect the quality of the human environment or otherwise include any condition requiring consultation pursuant to Section 102 (2) (c) of NEPA.

As this WR/ROD for the 2018 Proposed Action demonstrates, there are no substantial changes relevant to environmental concerns to the project that was the subject of the 1998 EA. Additionally, the Technical Report shows that the 2018 Proposed Action does not result in any significant new circumstances or information relevant to environmental concerns.

DECISION AND ORDER

This WR/ROD was prepared pursuant to FAA Orders 1050.1F, *Environmental Impacts: Policies and Procedures*, and 5050.4B, *National Environmental Policy Act Implementing Instructions for Airport Actions*, Paragraph 1401. This WR/ROD validates the FAA's 1998 EA and FONSI with regard to the Proposed Expansion of Air Cargo Facilities at BWI. The FAA has independently evaluated the information contained in the 1998 EA and FONSI, 2017 Re-Evaluation, and October 2018 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 1998 EA and FONSI, the 2017 Re-Evaluation, the October 2018 Technical Report, and this Written Re-evaluation of the 1998 EA and FONSI. 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 1998 EA FONSI, the 2017 Re-Evaluation, and the October 2018 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/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:

a. Unconditional Approval of a revised ALP, pursuant to 49 U.S.C. §40103(b) and §47107(a)(16) to include the three Proposed New Projects 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;

b. Determination concerning 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 May 2017 FONSI/ROD nor this WR/ROD determines eligibility or availability of potential funds).

APPROVED: _____ 10/23/18

Steven M. Urlass
Airports Division Manager
Federal Aviation Administration
Eastern Region

Date

DISAPPROVED: _____ _____

Steven M. Urlass
Airports Division Manager
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.