

U.S. DEPARTMENT OF TRANSPORTATION
Federal Aviation Administration

As Lead Federal Agency pursuant to
the *National Environmental Policy Act* of 1969

RECORD OF DECISION

PROPOSED
AIRFIELD IMPROVEMENT PROJECT
PALM BEACH INTERNATIONAL AIRPORT
Palm Beach County, Florida



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June 29, 2012

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SECTION 1.0

INTRODUCTION TO THE RECORD OF DECISION

1.1 INTRODUCTION

The Federal Aviation Administration (FAA) undertook the Environmental Impact Statement (EIS) process to fulfill its responsibilities under the *National Environmental Policy Act* of 1969 (NEPA) to identify, evaluate, and disclose the potential environmental impacts associated with the construction and operation of the proposed Airfield Improvement Project (AIP) at Palm Beach International Airport (PBIA). The airport is owned by Palm Beach County, a political subdivision of the State of Florida, and is operated by the Palm Beach County Department of Airports, which is also known as PBC DOA or the Airport Sponsor. The FAA is the lead Federal Agency for the EIS, and is solely responsible for its content. The FAA published a Draft Environmental Impact Statement (DEIS) on September 28, 2008. The Final Environmental Impact Statement (FEIS), published by the FAA on February 4, 2011, identified the Airport Sponsor's overall AIP as the FAA's "Preferred Alternative." This Record of Decision (ROD) provides the Agency's findings and determinations and describes the Federal actions that will be implemented by the FAA with regard to the projects being granted unconditional Airport Layout Plan (ALP) approval in this ROD (see [Section 3.2.3](#) for a detailed discussion of unconditional ALP approval).

In this ROD, the AIP is referenced several ways, depending on which component of the overall AIP is being discussed. This includes the following terminology:

- 1 The "Near-Term AIP" or "Selected Alternative" when referencing those portions of the FAA's Preferred Alternative for which the FAA is granting unconditional ALP approval in this ROD;
- 2 The "Long-Term AIP," when referencing those portions of the Preferred Alternative for which the FAA is granting conditional ALP approval in this ROD (see [Section 3.2.2](#) of this ROD for a detailed discussion of conditional ALP approval); and
- 3 The "AIP" or "overall AIP" when referencing both the Near-Term and Long-Term components of the AIP as a whole (see [Section 1.2](#) of this ROD for a discussion of the overall AIP).

In addition to presenting the Agency's findings and decisions on the requested Federal actions, this ROD identifies alternatives considered by the Agency, specifies which alternatives were considered to be environmentally preferable, and as necessary, clarifies issues and responds to comments on the FEIS.

1.2 OVERVIEW OF THE AIP

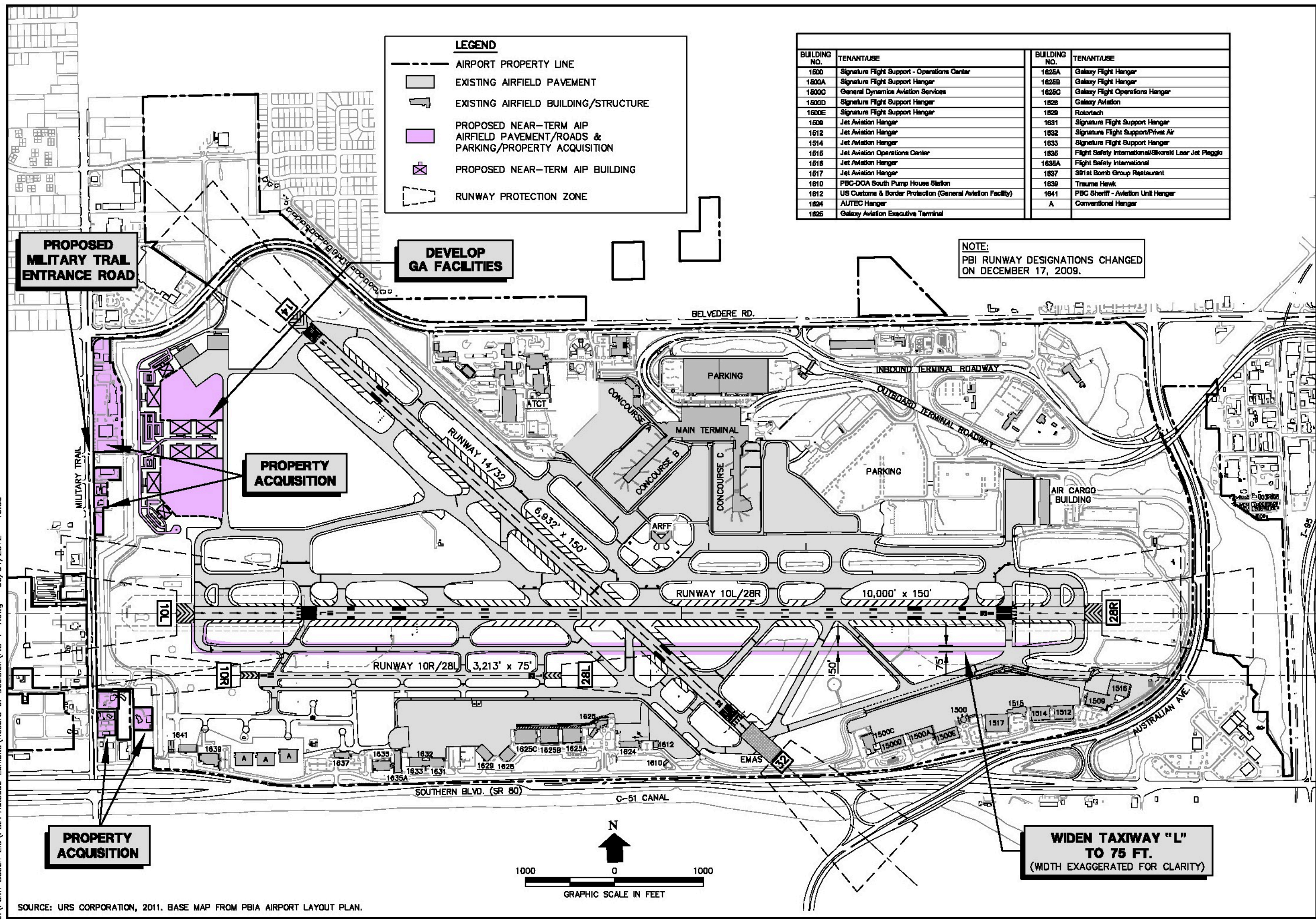
As summarized here and more fully described in Section 1.3 of the FEIS, the AIP is an airport development project with improvements identified for various portions of the airfield. When the EIS process began in 2006, the AIP was proposed by the Airport Sponsor to be a comprehensive development program with construction proposed to be completed in 2013. However, after the publication of the DEIS in 2008 and at the Airport Sponsor's request, the overall AIP's implementation plan and schedule was divided into two components based upon the ripeness for decision of some of the individual projects (components) contained in the overall AIP development program. Specific components of the overall AIP that were no longer considered ripe for final decision based on unforeseen economic events in 2008 are currently only appropriate for conditional ALP approval by the FAA. For further explanation of the events leading up to the changes in the implementation plan and schedule for the AIP, see Section 1.1.2 of the FEIS and [Section 2.4](#) of this ROD.

The Airport Sponsor requested the FAA's "unconditional" ALP approval of the Near-Term AIP in their January 6, 2010 correspondence to the FAA (see [Appendix C](#) of this ROD). The Near-Term AIP includes development projects for which the Airport Sponsor has articulated a near-term objective that does not rely for its justification on the proposed capacity enhancing Runway 10R/28L expansion project and would, therefore, be ripe for decision now, regardless of the timing for implementation of an airfield capacity enhancement project. The FAA carefully examined whether or not the revised AIP implementation plan and schedule would result in segmentation of the overall AIP, thereby failing to provide full disclosure of potential environmental impacts. After full consideration of this issue, the FAA determined that the Near-Term AIP includes projects that have independent utility from the airfield capacity enhancement element of the Long-Term AIP and its Connected Actions. Section 2.3 of the FEIS provides a discussion of the Airport Sponsor's goals and objectives for the individual components of the Near-Term AIP and summarizes the reasons for the FAA's determination that these projects have independent utility and do not depend on the Long-Term AIP for their justification.¹

Components of the AIP that the FAA has determined are ripe for decision at this time (the Near-Term AIP) consist of several PBIA development projects. These projects, which are depicted in [Figure 1-1](#), include:

¹ In addition, the FEIS examines the environmental consequences of both the Near-Term AIP standing alone, and the overall AIP's development collectively.

J:\Palm Beach EIS\PBIA Autocad Exhibits\Record of Decision\FIG 1-1.dwg 06/04/2012 10:03



SOURCE: URS CORPORATION, 2011. BASE MAP FROM PBIA AIRPORT LAYOUT PLAN.

BUILDING NO.	TENANT/USE	BUILDING NO.	TENANT/USE
1600	Signature Flight Support - Operations Center	1625A	Galaxy Flight Hanger
1600A	Signature Flight Support Hanger	1625B	Galaxy Flight Hanger
1600C	General Dynamics Aviation Services	1625C	Galaxy Flight Operations Hanger
1600D	Signature Flight Support Hanger	1626	Galaxy Aviation
1600E	Signature Flight Support Hanger	1629	Rotortach
1609	Jet Aviation Hanger	1631	Signature Flight Support Hanger
1612	Jet Aviation Hanger	1632	Signature Flight Support/Private Air
1614	Jet Aviation Hanger	1633	Signature Flight Support Hanger
1616	Jet Aviation Operations Center	1636	Flight Safety International/Skorokod Lear Jet Pieggo
1618	Jet Aviation Hanger	1636A	Flight Safety International
1617	Jet Aviation Hanger	1637	381st Bomb Group Restaurant
1610	PBC-DOA South Pump House Station	1639	Trauma Hawk
1612	US Customs & Border Protection (General Aviation Facility)	1641	PBC Sheriff - Aviation Unit Hanger
1624	AUTEC Hanger	A	Conventional Hanger
1625	Galaxy Aviation Executive Terminal		

NOTE:
PBI RUNWAY DESIGNATIONS CHANGED
ON DECEMBER 17, 2009.



NEAR-TERM AP

FIGURE
1-1

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- Develop the Fixed Base Operator (FBO) and aeronautical use area in the northwest quadrant of PBI (former Golfview area). This project includes the development of general aviation (GA) facilities and relocation of the Federal Inspection Services (FIS) to the northwest quadrant of the airport.

The Airport Sponsor's plan for the Golfview area is to develop hangars, aircraft parking apron, and supporting infrastructure on an as-needed basis, as the demand arises. Specific site development plans would be formulated on a case-by-case basis and in response to FBO requests to develop facilities at this location. For purposes of disclosing potential environmental impacts in the FEIS, the FAA assumed that the near-term development potential of this area would be approximately 50 percent of existing GA activity/facilities at two of the three existing FBOs located on the south side of the airport, east of Runway 14/32 that are currently operating at PBI, while the main facilities for each of these two FBOs were assumed to remain at their current location on the southeast side of the airport;

- Widen the full length of Taxiway "L," with taxiway connectors, from 50 feet to 75 feet along the full length of existing Runway 10L/28R and maintain a runway-to-taxiway separation distance of 400 feet; and
- Acquire approximately 13.2 acres of property on the east side of Military Trail between the highway and the airport's west property line.

The Long-Term components of the AIP, depicted in [Figure 1-2](#), consist of:

- Relocate and expand Runway 10R/28L 100 feet south of its existing location to a length of 8,000 feet and a width of 150 feet. This would increase the Runway 10R/28L centerline separation distance from 700 feet to 800 feet from the centerline of Runway 10L/28R;
- Shorten the southeast end of Runway 14/32 (currently 6,932 feet in length) by 3,412 feet; and
- Extend the northwest end of Runway 14/32 by 480 feet. The total adjusted length of Runway 14/32 would be 4,000 feet, with standard Runway Safety Areas (RSAs) beyond both ends of the runway.

The following projects are considered to be "Connected Actions"² to the Long-Term AIP described above:

- Construct and install a localizer antenna array and supporting infrastructure, and two Medium Intensity Approach Lighting Systems with Runway Alignment Indicator Lights (MALSR) beyond each end of the relocated and extended Runway 10R/28L to support non-precision instrument approaches with 0.75-mile visibility minimums;

² Although these proposed projects are described as "Connected Actions," the FAA acknowledges that it is unknown at this time when aircraft activity levels at PBI will again cause unacceptable levels of aircraft operational delay. It is, likewise, unknown at this time when the Airport Sponsor will request unconditional ALP approval of the Long-Term AIP from the FAA. Therefore, should the Airport Sponsor later determine that any project listed herein as a "Connected Action" is necessary for other unrelated uses, the FAA will review the proposed uses of the project(s) and the needs of the Airport Sponsor at that time and determine whether consideration of independent unconditional ALP approval is appropriate or not.

- Acquire property west of Military Trail that is within the proposed Runway 10R Runway Protection Zone (RPZ)³;
- Relocate and construct Taxiway “R” 100 feet south, to the full length of expanded Runway 10R/28L (8,000 feet) and to a width of 75 feet;
- Relocate approximately 750 linear feet of the Airport West Canal beyond the established limits of a portion of the expanded Runway 10R/28L’s new RSA;
- Relocate the Very High Frequency Omni-Directional Range (VOR) to another location within the airport property;
- Relocate FBO and GA support facilities that may still be located in the southeast quadrant of the airport to the northwest quadrant (former Golfview area)⁴; and
- Extend Parallel Taxiway “B” by approximately 800 feet and Parallel Taxiway “F” by approximately 380 feet to the relocated Runway 14 end.

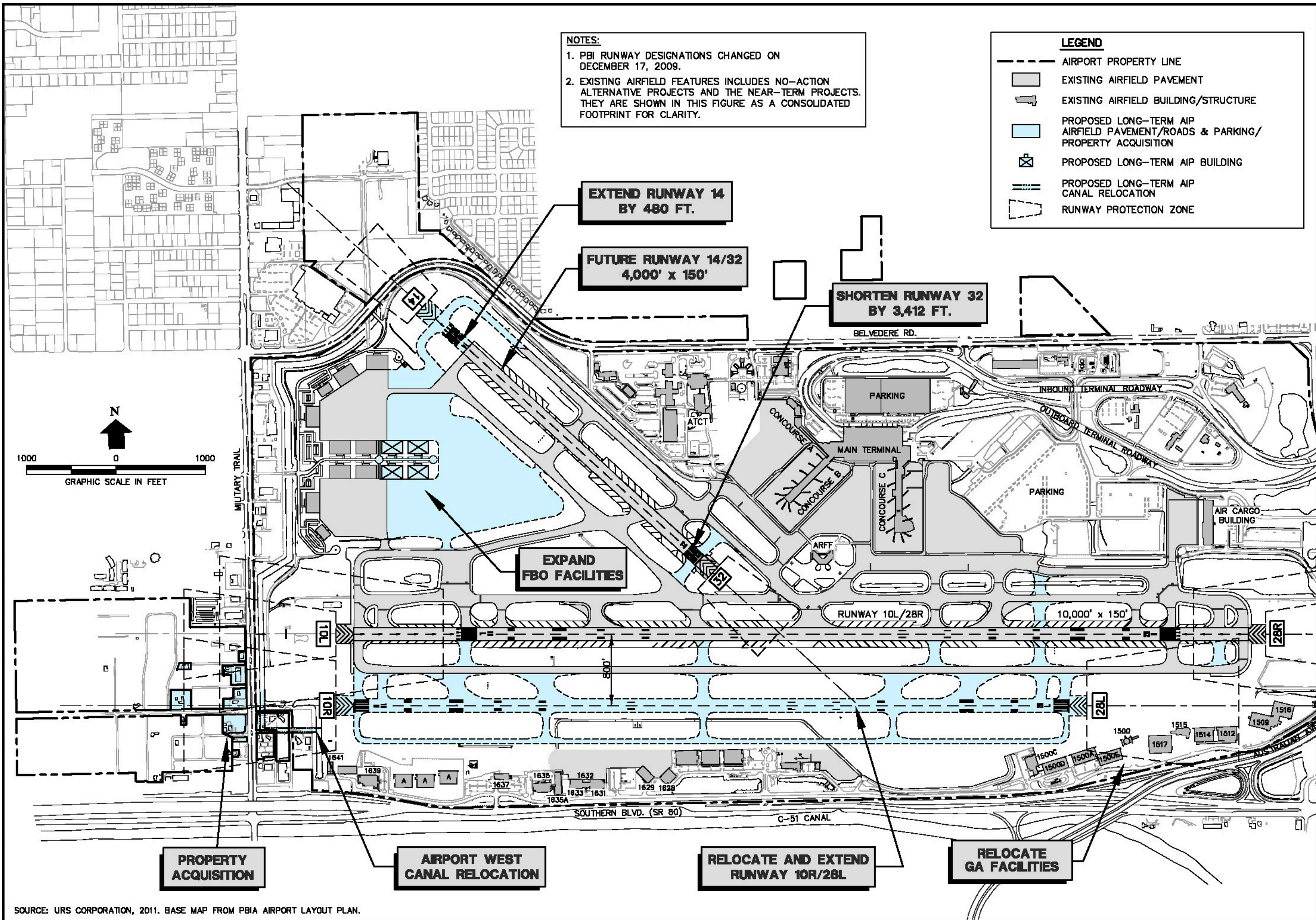
The overall AIP is depicted in [Figure 1-3](#).

1.3 THE ROD AND FAA’S DECISION-MAKING PROCESS

This ROD renders the FAA’s final decision on the Near-Term AIP. The FAA’s decision contained herein is based on and supported by the analysis of potential environmental impacts contained in the *Palm Beach International Airport Final Environmental Impact Statement*, dated February 4, 2011. This ROD has been prepared and issued by the FAA in compliance with NEPA (42 United States Code (U.S.C.) Section 4321, et seq.); the implementing regulations of the Council on Environmental Quality (CEQ) (40 Code of Federal Regulations (CFR) Parts 1500-1508); and FAA Orders 1050.1E and 5050.4B. This ROD also serves to demonstrate and document the FAA’s compliance with the procedural and substantive requirements and environmental, programmatic, and related statutes and regulations that apply to FAA decisions and actions on proposed airport development projects.

³ Some of the subject properties are located within the existing RPZ of Runway 10L/28R. The Airport Sponsor has an established land acquisition program that includes the purchase of property west of the airport and in the vicinity of Military Trail to establish positive control of lands within the RPZs of its existing and proposed runways. The fact that some of these properties are in the proposed expanded Runway 10R RPZ does not limit the Airport Sponsor’s ability to acquire them at any point in time based on the Airport Sponsor’s ongoing Land Acquisition Program for properties within the existing RPZs at PBIA. Acquisition of any remaining properties necessary to comply with FAA RPZ land use compatibility guidelines for the proposed expanded Runway 10R/28L would be addressed in the future when the Airport Sponsor again seeks unconditional ALP approval of the Long-Term AIP.

⁴ To comply with airfield design standards and FAA RPZ land use compatibility guidelines, the Long-Term AIP would require the relocation of any FBO and GA support facilities that may still be located in the southeast quadrant of the airport. Should it become necessary, the mandatory relocation of these businesses would be conducted under the provisions of the *Uniform Relocation and Real Properties Acquisition Policies Act of 1970* (the Uniform Act). The Uniform Act would require that fair market value (FMV) be paid for the properties and that relocation assistance be provided to the property owners. It is noted that voluntary FBO and GA support facility relocations, including all or part of their respective operations, may be undertaken by the FBOs to meet customer service demands at any point in time. Under this voluntary relocation scenario, the provisions of the Uniform Act would not apply.



SOURCE: URS CORPORATION, 2011. BASE MAP FROM PBIA AIRPORT LAYOUT PLAN.



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FIGURE 1-3



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The FAA coordinated extensively with Federal, state, and local agencies; Native American Nations / Tribes; local municipalities; and the public throughout the EIS process. This coordination included, but was not limited to: the United States (U.S.) Environmental Protection Agency (EPA), the U.S. Fish and Wildlife Service (USFWS), the National Marine Fisheries Service (NMFS), the Poarch Band of Creek Indians, the Muscogee (Creek) Nation, the Seminole Nation of Oklahoma, the Seminole Tribe of Florida, the Miccosukee Tribe of Indians of Florida, the Florida Department of Transportation (FDOT), the Florida Department of Environmental Protection (FDEP), Palm Beach County, the City of West Palm Beach, the Town of Palm Beach, and other local municipalities. The FAA also coordinated extensively with other stakeholders, including representatives of local homeowner associations (HOAs) and the general public to facilitate the understanding and consideration of key issues, the Agency's policies and procedures, and the proposed actions being undertaken by both the Airport Sponsor and the FAA. The FAA also undertook and completed Section 106 consultation in accordance with the *National Historic Preservation Act* (NHPA) and the provisions at 36 CFR Part 800, Subpart B, Protection of Historic Properties. This consultation was conducted between the FAA, the Florida Division of Historic Resources (Florida State Historic Preservation Officer (SHPO)) and the Keeper of the National Register of Historic Places (NRHP). Historic resources and issues that were considered during the Section 106 consultation included the potential direct and indirect effects to a National Historic Landmark (NHL) (Mar-a-Lago), the National Register eligibility of properties within the EIS Area of Potential Effect (APE), and the potential effect of the Near-Term and Long-Term components of the AIP on historic resources eligible for, or listed in, the NRHP. [Section 8.0](#) of this ROD further describes the FAA's coordination and consultation activities with respect to all stakeholders.

The FAA conducted comprehensive regulatory agency coordination and developed and implemented an extensive public participation program during the EIS process. Over the course of the EIS process, the FAA participated in meetings with Federal, state, and local resource agencies and governments. The FAA held two Scoping Meetings (Agency and Public), conducted two Public Information Workshops, and held a Public Hearing on the DEIS. In addition, between Scoping and the issuance of the DEIS, the FAA conducted a series of five Focus Group Meetings with representatives of local communities. Comments from Federal, state, and local agencies; Native American Nations / Tribes; local governments; public individuals; and public organizations were solicited by the FAA during each of these agency and public participation opportunities. The FAA's responses to all substantive comments received during the EIS process from the initial Scoping Meetings through the end of the extended 45-day DEIS comment period were included in the FEIS in Appendix K.

Typically, Federal procedure allows for a 30-day administrative hold on an FEIS. However, since the Federal approvals requested by the Airport Sponsor changed after the publication of the DEIS, the FAA actively solicited comments on the FEIS for a period of 45-days after the publication of the FEIS. Public and agency comments on the FEIS, as well as the FAA's responses to substantive comments on the FEIS, are included in [Appendix A](#) of this ROD.

The FAA is responsible for the preparation and content of the DEIS, the FEIS, and this ROD. The FAA is also responsible for reviewing and independently verifying the accuracy of information included in these documents that were provided by outside entities. In developing the FEIS, the FAA relied on certain information prepared by outside sources as permitted by 40 CFR 1506.5. In keeping with its oversight responsibility, the FAA consistently exercised control over the scope, content, and development of the DEIS and FEIS. The FAA selected a Third Party Contractor (TPC), URS Corporation Southern, to assist in the preparation of the EIS documents. The FAA also utilized its own resources, as well as the resources of the TPC, to independently evaluate information and other documentation provided by the Airport Sponsor and/or other entities.

The FAA is responsible for the accuracy of all information within the DEIS, FEIS, and this ROD. The FAA and TPC independently and extensively reviewed the Airport Sponsor-provided information utilized in the EIS process. The FAA believes that the degree of supervision that it exercised over the TPC, and its participation in the preparation of the EIS documents, fully maintained the integrity and objectivity of the DEIS, the FEIS, and this ROD.

SECTION 2.0

BACKGROUND

2.1 LOCATION OF PALM BEACH INTERNATIONAL AIRPORT

PBIA is located in southeast Florida, within the east central portion of Palm Beach County (see [Figure 2-1](#)). The airport is surrounded by multiple municipal jurisdictions including the City of West Palm Beach and the Town of Palm Beach to the east, and Palm Beach County to the north, south, and west. Other municipalities in the vicinity of PBIA include the Towns of Glen Ridge and Cloud Lake to the southeast and the Town of Haverhill to the west.

2.2 AIRPORT HISTORY AND DEVELOPMENT

Commercial aviation operations began at the present site of PBIA in 1936 when it was known as Morrison Field (named for Grace K. Morrison, who was involved in the early planning and organization for the airfield). Eastern Air Lines provided the initial commercial service from the airfield.

The United States (U.S.) Army Air Corps converted Morrison Field for military use in 1941 to accommodate the build-up in defense during World War II. Scheduled commercial service and private aircraft were moved to Lantana Airport (later re-named as the Palm Beach County Park Airport). In 1947, Morrison Field was deactivated by the Federal government and Palm Beach County took over all facilities at the airfield. County officials changed the name of Morrison Field to Palm Beach International Airport in 1948 and it was operated as a civilian airport for the next four years. The Federal government reactivated the airport as Morrison Air Force Base in 1951 during the Korean War. Civilian operations remained at the airport but were moved to the south side of the airfield. Palm Beach County resumed operation of the airport in 1959 and ownership of the airport was officially transferred to Palm Beach County in 1960.

After a period of rapid growth in aviation activity at PBIA during the 1960s, plans for expansion of the airport began in 1965. The main passenger terminal was completed in 1966 and an Airport Traffic Control Tower (ATCT) was built soon thereafter. Delta Airlines constructed PBIA's second passenger terminal in 1974. The current passenger terminal, constructed in 1988 includes concession facilities, airline concourses and gates, a commuter aircraft concourse, a terminal roadway system, and parking facilities. Since the early 1990s, the Airport Sponsor has implemented numerous improvements to accommodate increasing aviation and passenger demand at PBIA, including expanded parking facilities, an air cargo building and aircraft apron, and the extension of Runway 9L/27R (recently re-designated as 10L/28R) to 10,000 feet. In recent years, major developments at PBIA include a multi-level parking garage adjacent to the passenger terminal building, terminal building renovations, a direct connection to U.S. Interstate Highway 95 (I-95), and a new ATCT.

In addition to PBIA, the Airport Sponsor operates three other airports in Palm Beach County, including North Palm Beach County General Aviation Airport (F45 and also known as "North County Airport"), Palm Beach County Park Airport (LNA and also known as "Lantana Airport"), and Palm Beach County Glades Airport (PHK). These three airports collectively serve the small aircraft GA needs of the County. North

Palm Beach County General Aviation Airport and Palm Beach County Park Airport serve as “reliever” airports to PBIA. The role of a reliever airport is to accommodate a portion of the GA demand at a commercial service airport such as PBIA. Collectively, these airports have attracted and retained a substantial number of small (i.e., single-engine) GA aircraft, touch-and-go operations, and GA flight training operations that historically occurred at PBIA.

Large GA aircraft continue to generate a substantial portion of aircraft operations at PBIA⁵. This is because the owner/operators of these larger GA aircraft specifically choose to operate at PBIA due to its proximity to local centers of commerce, the arts, the beachfront, and high-end housing. Similarly, the owners/operators of these types of aircraft choose to operate at PBIA because of the specialized GA support services available at PBIA that cater to large corporate and executive-class aircraft. These services are not available at the County’s other three airports.

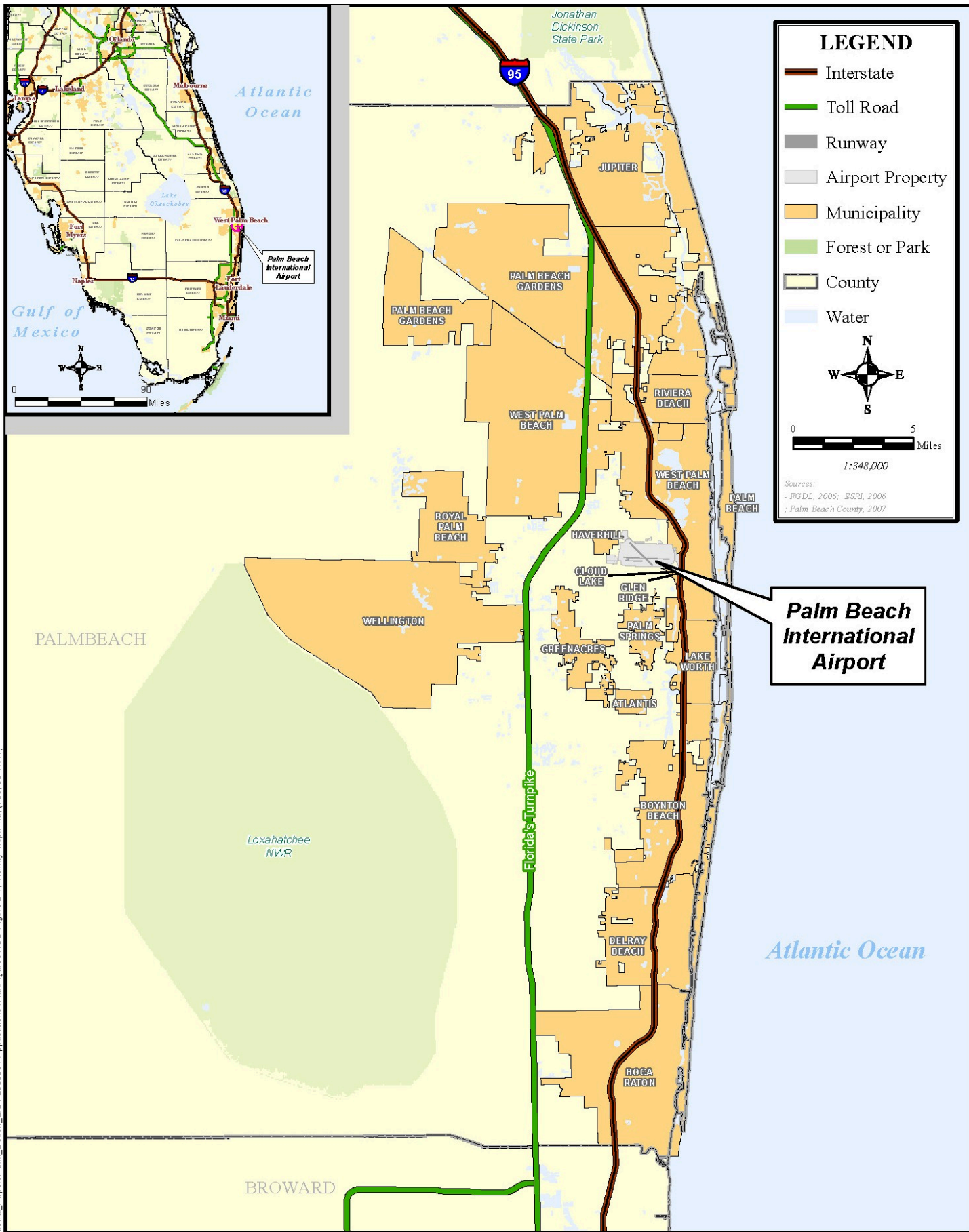
In the early to mid-2000s, the level of congestion and operational delay during peak periods of aircraft activity at PBIA began to increase. In 2006, the Airport Sponsor prepared a Master Plan Update (MPU) and revisions to the ALP that addressed the need for capacity enhancement improvements at PBIA. The Airport Sponsor subsequently requested the FAA’s unconditional approval of its ALP (with subsequent modifications and amendments), which depicted the overall AIP. In response to the Airport Sponsor’s request, the FAA entered into a Memorandum of Agreement (MOA) with the Airport Sponsor in 2006 to prepare an EIS to evaluate alternatives to the AIP and disclose the potential environmental impacts associated with the construction and operation of the Airport Sponsor’s AIP and any reasonable alternatives identified by the FAA.

2.3 PBIA’S ROLE

PBIA is designated as a medium-hub primary commercial service airport in the FAA’s *National Plan of Integrated Airport Systems* (NPIAS). It accounts for between 0.25 and 1 percent of total revenue passengers enplaned (those that board an aircraft at an airport) by U.S. flag air carriers in the U.S. In 2009, 15 commercial passenger air carriers served PBIA and approximately 5,994,606 total passengers used the airport⁶. The role of PBIA in the Palm Beach County airport system is to provide nationwide and international commercial passenger service and to meet the aviation-related needs of owners and operators of large private and corporate GA aircraft.

⁵ The FAA’s 2010 Terminal Area Forecast (TAF), published in December 2010, indicates that approximately 61 percent of all aircraft operations at PBIA were generated by GA, air taxi, and commuter aircraft. The FAA 2011 TAF (published in January 2012) also indicates that approximately 61 percent of aircraft operations at PBIA are generated by GA, air taxi, and commuter aircraft.

⁶ Traffic Report, Palm Beach International Airport. <http://www.pbia.org/Airport/Business/reports/>.



**Record of Decision
 Airfield Improvement Project
 Palm Beach International Airport**

VICINITY MAP

**FIGURE
 2-1**

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2.4 CHANGES IN THE AIRPORT SPONSOR'S IMPLEMENTATION PLAN AND SCHEDULE FOR THE AIP CONSIDERED IN THE FEIS

Around the time that the FAA published the DEIS in September 2008, the nationwide economic recession was having a noticeable effect on the aviation industry. Commercial service airports and GA airports across the country (with just a few exceptions) experienced a notable decrease in aviation activity. This prompted the FAA to revise its annually issued forecast of aviation activity for most airports in the U.S. For PBI, the FAA's revised 2009 TAF 20-year forecast showed a decrease in aircraft operations that was substantial enough, in terms of duration and number of operations, to bring into question the timing for the implementation of the airfield capacity enhancement projects that were evaluated in the DEIS. The FAA made a determination in 2009 that the 2006 PBI MPU forecasts, which were approved by the FAA for use in the DEIS and which were subsequently used as the basis for environmental study of the Airport Sponsor's AIP and the reasonable alternatives, were no longer appropriate for use in determining the timing for the implementation of airfield capacity enhancements at PBI. See [Section 4.0](#) of this ROD for more information and discussion of the aviation forecasts for PBI.

After the publication of the DEIS, and the review of comments on the DEIS, the FAA determined that a more recent forecast of aviation activity that was representative of the changed conditions at PBI should be used for the FEIS, which was published in February 2011. Subsequently, the FAA decided that the Agency's own 2009 TAF would be the most applicable forecast of aviation activity for use in the FEIS.

The FAA's 2009 TAF shows that after an initial notable decrease in operations in the 2009 to 2011 time frame, future aircraft activity at PBI would likely begin to recover and increase at only a modest annual growth rate when compared to the 2006 MPU Forecasts used in the DEIS. After consultation with the FAA, the Airport Sponsor concluded, and the FAA agreed, that when using the number of aircraft operations and the forecast growth rate of aircraft operations predicted in the FAA's 2009 TAF (and in the subsequent FAA's 2010 TAF that was issued in December 2010 and the FAA's 2011 TAF issued in January 2012⁷), the proposed Runway 10R/28L expansion project, which is a component of the overall AIP, would not be warranted at PBI by the initial 2013 implementation year identified in the DEIS. Based on this information, the FAA no longer considered the airfield capacity enhancement components of the AIP and Alternative 2 to be eligible for unconditional approval on the ALP. Similarly, the Airport Sponsor recognized the need to address the changed conditions at the airport, and by letter dated January 26, 2010 (see [Appendix C](#) of this ROD), indicated their desire for unconditional ALP approval in the current environmental process for only a subset of the projects in the overall AIP. As a result, the FEIS identified a revised implementation plan and schedule that consisted of developing the AIP or Alternative 2 in two components rather than one overall development effort. For the FEIS, these two components of the AIP and Alternative 2 were designated and environmentally evaluated as the "Near-Term AIP Project," the "Near-Term Alternative 2," the "Long-Term AIP Project," and the "Long-Term Alternative 2."

⁷ The FAA's annual update of the TAF is typically issued towards the end of the calendar year. The current FAA TAF was issued in January 2012. To maintain consistency with references to past FAA TAF updates, the FAA TAF issued in January 2012 is referred to in this Record of Decision as the "FAA's 2011 TAF."

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SECTION 3.0
FEDERAL ACTIONS AND APPROVALS GRANTED IN THIS ROD

This section describes the specific Federal actions required of and approvals made by the FAA with regard to the AIP.

3.1 *NECESSARY FEDERAL ACTIONS*

The *Airport and Airway Improvement Act* of 1982 (49 U.S.C. Chapter 471) establishes Federal aviation policy that, in part, states “that airport construction and improvement projects that increase the capacity of facilities to accommodate passenger and cargo traffic be undertaken to the maximum feasible extent so that safety and efficiency increase and delays decrease.” The Act also directs the Secretary of Transportation to maintain a plan for developing public use airports. The NPIAS includes eligible airport development projects considered necessary by the Secretary to provide a safe, efficient, and integrated system of public use airports. The FAA takes action to implement national aviation policy through a wide range of programs, including those that establish standards for airport development and provide grants to fund airport capacity enhancement projects that help to meet projected demand and reduce congestion.

The role of the Federal government is to assist airport sponsors with aviation improvements necessary to meet Federal aviation policies and objectives. For the PBIA EIS, the FAA’s role is also to assure that the airport improvements would be implemented and operated in accordance with applicable FAA airport design and safety standards, operating requirements, and Federal grant assurances. The Airport Sponsor has the fundamental role of first proposing what improvements it would like to make. The FAA must then undertake an appropriate level of NEPA evaluation and decide whether or not to approve the Federal actions needed to support the proposed airport improvements, or an alternative examined through the NEPA process. If airport improvements are unconditionally approved, the Airport Sponsor has the role of planning, constructing, operating, and maintaining the improvements, as well as satisfying any conditions of approval contained in an FAA ROD and undertaking any mandatory mitigation that the FAA may require.

The specific Federal Actions being considered by the FAA in this ROD are:

- Mixed ALP approval of the AIP. This would include:
 - The final and unconditional approval of revisions to the 2001 PBIA ALP (with subsequent modifications and amendments) (hereinafter referred to as the “PBIA ALP”) for those portions of the ALP that depict the Near-Term components of the AIP for which the FEIS provides environmental analysis.
 - Conditional approval of revisions to the PBIA ALP for those portions of the ALP that depict the Long-Term components of the AIP for which the FEIS provides environmental analysis.
- Federal actions necessary for processing of an application(s) for Federal funding for the Near-Term AIP development projects qualifying under the Airport Improvement Program, 49 U.S.C. 47101, et seq., as well as Federal actions pertaining to application to impose and use Passenger Facility Charges (PFCs), 49 U.S.C. §40117.

At this time, those portions of the PBIA ALP that depict the Near-Term components of the AIP would be processed by the FAA to:

- Assess operational factors affecting the safe and efficient control of air traffic;
- Establish conformance with FAA airport design criteria, Federal regulations, and Federal grant agreements, CFR Parts 77, 139, 150, 152, 157, and 169);
- Determine conformance with NEPA, the CEQ regulations, and other applicable Federal environmental requirements;
- Review and approval of construction plans and specification, and
- Review and approval of an amended Airport Certification Manual (Part 139).

Appropriate Federal findings, which are discussed in [Section 11.0](#) of this ROD, are required prior to the FAA's unconditional approval of those portions of the PBIA ALP that depict the Near-Term AIP. Appropriate Federal findings are also required for the processing of any Airport Sponsor applications for Federal funding of eligible Near-Term AIP development projects.

The FAA has determined that the Long-Term components of the AIP are not ripe for final decision at this time. In addition, the Airport Sponsor has only requested conditional ALP approval of the Long-Term components of the AIP. Therefore, there are no Federal findings (as discussed further in [Section 11.0](#) of this ROD) required of the FAA at this time with regard to the Long-Term components of the AIP.

3.2 FEDERAL APPROVALS GRANTED IN THIS ROD

In this ROD, the FAA has considered the Airport Sponsor's request for a mixed ALP approval, including unconditional ALP approval of the Near-Term AIP and conditional ALP approval of the Long-Term AIP. The effect of the economic recession on aviation activity at PBIA, and in turn, the Airport Sponsor's revised implementation plan and schedule for the AIP, presented a unique situation for the FAA in its preparation of the FEIS and the Agency's consideration of a mixed ALP approval in this ROD.

The FAA's consideration of granting a mixed ALP approval within a ROD for an airport development project that has been environmentally reviewed in an EIS is uncommon, but permissible under NEPA and FAA guidance. Paragraph 202 of FAA Order 5050.4B (the Order) notes that the approving FAA official may "conditionally" or "unconditionally" approve an ALP. The Order also notes that the responsible FAA official may environmentally and unconditionally approve near-term and immediate range developments shown on an ALP, while deferring environmental action on later stages of proposed development depicted on the same ALP that is not yet ripe for decision. This circumstance is referred to as a "mixed" ALP approval. The following is a discussion of the types of Federal approvals that the FAA can issue in a ROD, and their applicability to the AIP at PBIA.

3.2.1 MIXED ALP APPROVAL

In this ROD, the FAA is undertaking a mixed ALP approval. FAA Order 5050.4B, Paragraph 202.c.(3) states:

ARP [FAA Airports Division] would issue this approval when it unconditionally and conditionally approves the same ALP. ARP would likely issue this approval for ALPs resulting from master plans showing various airport development over a long period of time. In these cases, ARP would environmentally analyze and unconditionally approve the near-term and immediate-term development shown on an ALP that is ripe for decision. However, ARP would defer its environmental review of the long-term development that is not yet ripe for decision. When issuing a 'mixed ALP approval:' (a) The approving FAA official would unconditionally approve that portion of an ALP depicting the proposed near-term and immediate-term development and make applicable assurances (e.g., those addressing Section 4(f), relocation, wetlands, floodplains, and coastal zone management programs) for those actions ripe for decision. If ARP has evaluated the environmental effects for all of the development on the ALP, the official would unconditionally approve the entire ALP. ARP urges sponsors or proponents to begin all of the unconditionally approved development within 3 years of the date ARP completes its environmental review for that development. If they do not, ARP would need to complete a written re-evaluation of or a supplement to the NEPA document ARP completed earlier when it unconditionally approved the ALP. (b) The approving FAA official would conditionally approve that portion of the ALP depicting the long-term development that is not yet ripe for decision. Later, when the airport sponsor or proponent chooses to build this development, it must first obtain the official's unconditional ALP approval for that development. To do so, ARP would have to complete the proper NEPA document, issue the proper assurances, and the official would have to unconditionally approve the ALP segments depicting the development that is now ripe for decision.

FAA Order 5050.4B indicates that a mixed ALP approval is a way for the FAA to address proposals that represent a combination of near-term and long range planning. Such a proposal would contain multiple elements, some meeting the standards set forth in paragraph 202.c.(2) for granting unconditional approval on an ALP, and some that meet the standards set forth in paragraph 202.c.(1) for granting only conditional approval on an ALP. Such is the case here. However, in describing the mixed ALP approval scenario, the Order assumes that the Airport Sponsor and FAA know at the outset of the environmental process that some components of the proposed project analyzed in the NEPA document are not yet ripe for decision in the near-term, while others are ready for immediate FAA review, possible FAA approval, and subsequent implementation by the Airport Sponsor. Paragraph 202.c.(3) of Order 5050.4B states, that in cases where the FAA undertakes a mixed ALP approval, "ARP would environmentally analyze and unconditionally approve the near-term and immediate-term development shown on an ALP that is ripe for decision. However, ARP would defer its environmental review of the long-term development that is not yet ripe for decision." The language in Order 5050.4B did not anticipate a situation such as the one now faced by the FAA in this ROD, where a proposal was appropriate in its entirety for consideration of

unconditional ALP approval at the time the environmental review was commenced, with conditions outside the control of the Airport Sponsor or the FAA arising during the environmental review process that delayed the need for implementation of a subset of the projects being reviewed. The Order does not speak to this possibility; it is silent on the subject because it is rare. Because the circumstances faced by the Airport Sponsor and the FAA as the environmental process for PBIA unfolded were not typical, the FAA has prepared its determination of findings, decisions, and approvals in this ROD with proper consideration of the unique circumstances experienced during the preparation of the PBIA FEIS and the Agency's existing policy and precedent. Therefore, the FAA has concluded that a mixed ALP approval is the most appropriate way to address the AIP, despite some language within the mixed ALP approval discussion in Order 5050.4B that is not precisely on point.

In its discussion of mixed ALP approval, Paragraph 202.c.(3)(a) of FAA Order 5050.4B states that, "If ARP has evaluated the environmental effects for all of the development on the ALP, the [FAA designated] official would unconditionally approve the entire ALP." Taken literally, this statement implies that the FAA official could unconditionally approve the overall AIP depicted on the PBIA ALP because the FAA conducted a detailed environmental review of both the Near-Term and Long-Term components of the AIP in both the September 2008 DEIS and the February 2011 FEIS. However, the FAA determined that it would not be prudent to unconditionally approve the overall AIP depicted on the PBIA ALP for the following reasons:

- The Long-Term AIP is not ripe for decision at this time, and
- Technological, environmental, and operational conditions at PBIA could change over time and affect the need for and the timing of the proposed Long-Term AIP, as well as environmental disclosures contained in the FEIS.

The FAA believes that a mixed ALP approval is prudent and appropriate for the AIP. The mixed ALP approval would allow the Airport Sponsor to proceed with the Near-Term AIP, which is ripe for decision at this time. At the same time, it allows the FAA and Airport Sponsor to take future advantage of, as appropriate, the substantial efforts undertaken in the preparation of the DEIS and FEIS for those components of the AIP that are not currently ripe for decision.⁸ As noted in the FEIS, the Airport Sponsor has indicated its intent to seek unconditional ALP approval of the Long-Term AIP when it believes that operational conditions at PBIA again warrant the project. When the Airport Sponsor approaches the FAA with such a request, the FAA will independently evaluate operational conditions at PBIA and determine if a decision on an airfield capacity enhancement project is ripe. If it is, the FAA will review the FEIS to determine its adequacy to comply with NEPA, including validation of the FEIS in its entirety. That review will be followed by any further environmental documentation deemed necessary to support a final decision on the Federal actions associated with a request for unconditional ALP approval of an airfield capacity enhancement project. The FAA's future environmental documentation will be circulated for public review and comment, and the FAA will issue its decision in a ROD. See [Sections 12.0 and 13.0](#) of this ROD for more details regarding future environmental review of the Long-Term AIP.

⁸ For example, documentation contained in the "Affected Environment" section of the FEIS may continue to be applicable and, therefore, acceptable for use in a future NEPA document, thereby saving work efforts, time, and costs. As required by NEPA, the FAA will ensure that any data and analysis from the 2011 FEIS that may be relied upon in a future NEPA document has been properly validated and, as needed, updated to reflect then-current conditions.

3.2.2 **CONDITIONAL ALP APPROVAL**

According to FAA Order 5050.4B, paragraph 202.c.(1), conditional ALP approval indicates that:

- (a) The proposed ALP depicts features that are safe and efficient for airport operations and airport use.
- (b) ARP has not yet completed its review of the environmental impacts the features depicted on the ALP would cause. ARP has not done so because the features are not yet needed or are not ripe for decision, or
- (c) The approving FAA official has not authorized the airport sponsor or project proponent to begin building the facilities shown on the conditionally approved ALP. The sponsor or proponent may start building those facilities only after ARP completes its environmental analysis of those facilities and the approving FAA official issues an unconditional approval of the ALP depicting those facilities. (Emphasis in original.)

In terms of the Long-Term AIP as proposed by the Airport Sponsor, the FAA's review of the PBIA ALP indicates that this component of the overall AIP is safe and efficient, consistent with paragraph 202.c.(1)(a). In addition, the Long-Term AIP would not be needed within the time frame anticipated and evaluated in the DEIS (DEIS Study Year 2013). Therefore, per FAA Order 5050.4B, paragraph 202.c.(1)(b), the Long-Term AIP is "not yet needed or not ripe for decision" at this time.⁹ For the same reason, the FAA is not providing the Airport Sponsor approval to begin implementation of any of the Long-Term components of the AIP. Thus, under both paragraph 202.c.(1)(b) and 202.c.(1)(c), the FAA finds only conditional ALP approval of the Long-Term AIP to be appropriate at this time.

Regarding the Long-Term components of the AIP, although the individual and combined components have undergone environmental review in both the DEIS and the FEIS, the uncertain need for implementation of airfield capacity enhancements raises the possibility that new or changed information may become available simply due to the passage of time. Conditional approval of the Long-Term components of the AIP permits the FAA to examine the location, dimensions, and other design elements of the proposed improvements to ensure that FAA's design, safety, and efficiency criteria would not be prohibitive of the proposed project. Conditional approval at this time also permits the FAA to address the adequacy of the previously prepared FEIS when an airfield capacity enhancement project is again ripe for decision. Therefore, the intent of FAA Order 5050.4B, paragraph 202.c.(1)(b) is equally applicable regardless of whether environmental review has or has not been undertaken for as-yet-unripe ALP features.

⁹ FAA Order 5050.4B, paragraph 202.c.(1)(b) makes it clear that conditional ALP approval can be, and typically is, granted without prior environmental review of the conditionally approved ALP features. In this instance, although not necessary for conditional ALP approval of the Long-Term AIP, environmental review was nonetheless completed because the review was well underway at the time the Airport Sponsor determined that it would only seek conditional ALP approval for that portion of the project. Rather than discontinue environmental review efforts that were already substantially completed, the FAA decided to complete the analysis in the FEIS so that the work already completed would be available for future use, as appropriate, when unconditional ALP approval might again be appropriate for consideration.

3.2.3 UNCONDITIONAL ALP APPROVAL

As discussed previously in this section, a “mixed” ALP approval is an ALP approval where certain proposed airport improvement projects depicted on an airport sponsor’s ALP are currently ripe for decision and justified for construction, while other proposed airport improvement projects depicted on the ALP are not yet ripe for decision or justified for construction. Therefore, for the purposes of this ROD and to support the FAA’s findings, determinations and Federal actions pertaining to the AIP, not only must the Long-Term components of the AIP be appropriate for conditional ALP approval, the Near-Term components of the AIP must also be appropriate for unconditional ALP approval. According to FAA Order 5050.4B, paragraph 202.c.(2), unconditional ALP approval signals that:

- 1) The proposed ALP depicts features that are safe and efficient for airport operations and airport use and that the features are ripe for Federal decision.
- 2) ARP has completed the environmental review process this Order requires for the near-term and immediate-term development that is ripe for decision, and
- 3) The approving FAA official *has* authorized the airport sponsor or project proponent to begin building the facilities or equipment depicted on the unconditionally approved ALP. (Emphasis in original).

The Near-Term AIP at PBIA meets all of these criteria. First, the FAA’s review of the PBIA ALP indicates that the Near-Term components of the AIP are safe and efficient for airport operations and airport use, and that these specific components of the AIP are ripe for decision. Second, environmental review of the Near-Term AIP is contained in both the DEIS and the FEIS for PBIA, and is complete. Finally, through the approving FAA official’s signature in this ROD, and the subsequent mixed ALP approval that will be issued by the Orlando Airport District Office (ADO), the FAA is unconditionally approving the Near-Term AIP on the airport’s ALP and authorizing the airport sponsor that it can proceed with the implementation of the Near-Term AIP projects, pending receipt of all state and local approvals and permits.

3.3 LIST OF OTHER FEDERAL AND STATE PERMITS AND APPROVALS

The following are reasonably foreseeable permits and approvals that may be required by Federal (other than the FAA), state, and local resource agencies in order for the Airport Sponsor to implement the Near-Term AIP. The FAA acknowledges that this list may not be all-inclusive and that the Airport Sponsor may be required to obtain other permits and approvals that are not included in this list:

- South Florida Water Management District (SFWMD) - Clean Water Act Section 401 Water Quality Certification;
- SFWMD – Approval of modifications to PBIA’s Surface Water Management Plan;
- SFWMD – Approval of modifications to PBIA’s National Pollutant Discharge Elimination System (NPDES) permits for certain industrial activities and construction-related activities;

- FDEP - determination of continued consistency with the Florida Coastal Management Program;
- FDOT – approval of permits for state highway access and/or work within state rights-of-way;
- FDOT and/or Palm Beach County - approval of non-Federal funds for implementation and/or construction of the Near-Term AIP; and
- Various other local zoning approvals, building permits, occupancy permits, and traffic permits.

3.4 *FAA'S DECISION TO MOVE FORWARD WITH THE FEIS*

At about the same time as the DEIS was released in September 2008, the FAA was presented with a unique and unanticipated situation. The effects of the economic recession contributed to a substantial decrease in the number of aircraft operations at PBIA, which, in turn, eliminated most of the aircraft operational delay that was being experienced at PBIA. As a result, there is no current need to expand Runway 10R/28L, which is the primary component of the Long-Term AIP. With the expansion of Runway 10R/28L no longer justified at the present time and having received the Airport Sponsor's request to instead seek only conditional ALP approval for expansion of the runway, the FAA was faced with a decision of whether or not to proceed with the FEIS and this subsequent ROD. The FAA considered several factors that led to the Agency's decision to proceed with the FEIS and address the Airport Sponsor's request for mixed (conditional and unconditional) ALP approval of the AIP in this ROD. These factors included:

1. The Airport Sponsor revised its request for Federal action on the Long-Term component of the AIP in acknowledgement that the current needs of the airport had changed. Given the fact that certain portions of the AIP had independent utility from the Runway 10R/28L expansion project and that the Airport Sponsor and the FAA cannot accurately predict when an airfield capacity enhancement project may again be justified (or needed) at PBIA, converting from unconditional ALP approval for the overall AIP to mixed ALP approval was a reasonable means of allowing certain components of the AIP to proceed while deferring a final decision on others. FAA noted that aircraft activity could increase sooner or later than what is projected in the Agency's 2009, 2010, and 2011 TAFs.
2. The FAA invested a large amount of work and expense in compiling data, conducting environmental analyses, and preparing the DEIS. Depending on when the Airport Sponsor's proposed Long-Term AIP is again considered ripe for decision by the FAA, much of the analyses and information in the FEIS may continue to be valid or may be useful for any subsequent environmental documentation that is prepared at a later date.
3. Because of substantial community interest and concerns, publication of the FEIS would provide the public with the answers to a number of questions that were asked during the EIS process, such as: the effect of the economic recession on the need for the project, the Airport Sponsor's revised implementation plan and schedule for the AIP, responses to comments received on the DEIS, and potential environmental impacts if the overall AIP or Alternative 2 was implemented.

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SECTION 4.0

AVIATION FORECASTS

4.1 FORECASTS OF AVIATION OPERATIONS

4.1.1 PBIA MASTER PLAN FORECAST

Forecasts of aviation activity at PBIA, in terms of aircraft operations and passenger enplanements, were developed by the Airport Sponsor during the preparation of the 2001 Master Plan, after a period of growth in commercial and GA activity that occurred in the late 1990s. In the wake of the economic downturn of 2000/2001, the events of September 11, 2001, and corresponding airline bankruptcies, the number of passengers and aircraft operations declined not only at PBIA, but across the nation as well.

Aviation activity showed a positive trend at PBIA in the 2002 to 2005 time frame and the Airport Sponsor prepared an update of the aviation forecasts as part of its 2006 Master Plan Update (MPU) to take into account a number of factors influencing the commercial aviation industry and aircraft activity at PBIA after 2001. Various methodologies were used in the preparation of the forecasts, while coordinating with the FAA's Forecast Branch in Washington, D.C.

The 2006 MPU forecast showed that the demand for air transportation service at PBIA was projected to increase in future years, with or without the airfield capacity enhancement component of the AIP. This was due to several reasons, most notably the increasing population in Palm Beach County, an increasing propensity for air travel to the Palm Beach area, and increased corporate jet activity at PBIA. A summary of the 2006 MPU forecast, which was reviewed and approved by the FAA and was used as the basis of analysis for the DEIS, is provided in [Table 4-1](#).

TABLE 4-1
SUMMARY OF PBIA 2006 MPU FORECAST OF AVIATION ACTIVITY

Forecast Category	Forecast Year					
	2006	2010	2013	2018	2020	2025
Aircraft Operations	204,054	212,804	221,693	238,457	245,954	267,644
Passenger Enplanements	3,649,482	4,138,279	4,544,313	5,277,229	5,585,580	6,463,910

Notes: Aircraft operations for 2013 and 2018 were interpolated by URS Corporation.

The forecasts included in the 2006 MPU were prepared in 2005 by CH2M HILL and published in the 2006 MPU.

Source: CH2M HILL, December 2005; adapted by URS Corporation.

The 2006 MPU aviation activity forecast was compared to the FAA's 2005 TAF to determine if the two forecasts were consistent. The FAA guidelines for forecast approvals at medium-hub airports, such as PBIA, specify that forecasts developed by a party other than the FAA are considered consistent with the TAF if they meet either of the following criteria:

1. The forecasts differ from the TAF by less than 10 percent in the 5-year forecast period and less than 15 percent in the 10-year period, or
2. Forecast activity levels do not affect the timing or scale of an airport project.

In accordance with FAA Order 5100.38C, *Airport Improvement Program Handbook*, the FAA reviewed and approved the Airport Sponsor's 2006 MPU forecasts on February 15, 2006 based on Criteria No. 1

and the forecast's consistency with the FAA's 2005 TAF. That approval allowed the Airport Sponsor to use the 2006 MPU forecasts for planning future airport improvements at PBI. The FAA-approved 2006 MPU forecasts were also used to evaluate airfield capacity and aircraft operational delay at PBI for the 2006 MPU, the DEIS, and the FEIS.

4.1.2 FAA TERMINAL AREA FORECASTS

Since late 2008, after the release of the DEIS, the ongoing economic recession has resulted in reductions in the FAA's forecasts of aviation activity for PBI, as well as for most airports in the national system. The FAA's 2009 TAF reflects the decrease in aviation activity that has occurred at PBI since 2008. The FAA's 2009 TAF also indicated that aviation activity at PBI would decline through the 2010 to 2011 time frame, but that it would begin to recover in the 2011 to 2012 time frame, and then begin to experience a moderate, but steady rate of growth. The projected average annual growth rate (AAGR) of approximately +1.7 percent per year (varying over time) starting in the 2011 to 2012 time frame, is projected to continue through 2030, the last year for which the FAA's 2009 TAF provides forecast data. A summary of the actual 2009 operations and enplanements at PBI, as well as the FAA's 2009 TAF, is provided in [Table 4-2](#).

**TABLE 4-2
SUMMARY OF 2009 ACTUAL AVIATION ACTIVITY AT PBI AND
THE FAA'S 2009 TAF OF FUTURE AVIATION ACTIVITY AT PBI**

Forecast Category	2009 Actual	TAF Year					
		2010	2013	2018	2020	2025	2030
Aircraft Operations	138,370	138,643	147,074	161,968	168,137	184,139	200,589
Passenger Enplanements	3,010,891	3,026,257	3,311,134	3,828,210	4,022,114	4,495,817	4,969,418
Percent Change in Aircraft Operations (FAA's 2009 TAF vs. the 2006 MPU Forecast)	N/A	-34.8%	-33.7%	-32.1%	-31.6%	-31.2%	Beyond 2006 MPU Forecast

Note: 2009 actual data from PBI Airport Noise and Operations Monitoring System (ANOMS), 2009.

Sources: FAA's TAF, December 2009; PBC DOA 2006 MPU Forecasts of Aviation Activity, 2006; and URS Corporation, 2011.

The FAA's 2010 TAF was released in December 2010, at the same time that the FEIS was being readied for printing, reproduction, and distribution. The FAA reviewed the 2010 TAF at the time it was issued and determined that it was generally consistent with the 2009 TAF. The 2010 TAF indicated that aviation activity will continue to decline at PBI through 2011, but that in 2012, aviation activity at PBI is expected to experience a moderate, but steady rate of growth similar to that forecasted in the 2009 TAF. During the preparation of this Record of Decision, the FAA's 2011 TAF was reviewed and found to be consistent with both the 2009 TAF and 2010 TAF. The 2011 TAF also projects a moderate, but steady rate of growth in aviation activity at PBI, but with a slightly lower annual rate of growth in outer years (after 2017). A summary of actual aircraft operations and enplanements at PBI in 2011, as well as the FAA's 2011 TAF, is provided in [Table 4-3](#).

TABLE 4-3
SUMMARY OF 2011 ACTUAL AVIATION ACTIVITY AT PBIA AND
THE FAA'S 2011 TAF OF FUTURE AVIATION ACTIVITY AT PBIA

Forecast Category	2011 Actual	TAF Year				
		2013	2018	2020	2025	2030
Aircraft Operations	143,194	140,767	153,216	157,327	168,218	180,041
Passenger Enplanements	2,904,588	2,753,902	3,144,958	3,277,108	3,632,690	4,027,467
Percent Change in Aircraft Operations (FAA's 2011 TAF vs. the 2006 MPU Forecast)	N/A	-36.5%	-35.7%	-36.0%	-37.1%	Beyond 2006 MPU Forecast

Note: 2011 actual data from PBIA Traffic Report for the Period Ending December 2011.
Sources: FAA's TAF, January 2012; and URS Corporation, 2012.

A review of the FAA's 2009, 2010, and 2011 TAFs, as well as the 2006 MPU Forecast, shows that at PBIA, the rate of forecasted annual growth in operations and enplanements between the 2011 to 2012 time frame and 2030 will be relatively consistent. However, as shown previously in [Table 4-2](#), the projected number of aircraft operations forecast in the FAA's 2009 TAF is approximately 31 to 35 percent below the aircraft operational levels forecast in the 2006 MPU. [Table 4-3](#) shows that the projected number of aircraft operations forecast in the FAA's 2011 TAF is approximately 35 to 37 percent below the aircraft operational levels forecast in the 2006 MPU.

Based on the current level of aircraft operational activity at PBIA and the FAA's 2009, 2010, and 2011 TAFs, the airfield capacity enhancement component of the Long-Term AIP (expansion of Runway 10R/28L) will not be needed at PBIA by the original 2013 implementation year identified in the DEIS. For the FEIS evaluation of environmental consequences, the implementation time frame for the Long-Term AIP was based on a point in time when aircraft operational delay at PBIA would again reach unacceptable levels and would again justify an airfield capacity enhancement project at PBIA. The FAA's 2009, 2010, and 2011 TAFs suggests that the same number of aircraft operations as were generated at PBIA in 2006, and which resulted in unacceptable levels of operational delay may not be reached until sometime after the year 2030¹⁰.

4.2 AIRCRAFT ACTIVITY TRENDS AT PBIA

Overall, the total number of aircraft operations at PBIA has been declining since the early 1980s. Based on this information, several members of the public who commented on the FEIS questioned the need for additional airfield capacity to accommodate existing and projected levels of aircraft operational demand at PBIA. The argument is that the airport has experienced higher levels of aircraft operations in the past without comparable levels of aircraft operational delay and, accordingly, there could not have been any delay at 2006 operational levels and there was no need for the proposed Runway 10R/28L expansion component of the Long-Term AIP.

¹⁰ The FAA's 2011 TAF suggests that the same number of aircraft operations as were experienced at PBIA in 2006 may not be reached until the 2039 time frame.

The argument above is based upon the assumption that delay is based solely upon the total number of aircraft operations at an airport. This assumption is incorrect. In fact, delay stems from not only the total number of aircraft operations, but also the type of aircraft operating at an airport, the type of services provided at an airport, and the configuration of the airfield. The FAA notes that the types of aircraft generating aviation activity at PBI have changed substantially over the last few decades. For instance, production of and activity by small GA aircraft peaked in the 1980s, generating the highest levels of historic aircraft operational activity at PBI and many other airports across the nation. As the GA industry experienced its highest number of entry-level pilots, the associated levels of training and practice, usually in the form of "touch-and-go's" and low-level approaches, served to substantially increase the overall number of recorded aircraft operations. For reasons of increased cost of operations and aircraft manufacturer liability, the level of flight activity by these smaller GA aircraft has decreased markedly throughout the nation since that time.

During the 5-year period from 1976 through the end of 1980, locally-based small GA aircraft operations represented as much as one-third of all GA operations at PBI and as much as 27 percent of all aircraft operations at the airport. To accommodate this increased level of GA operations at the airport, the majority of the training operations were conducted on the short parallel runway (Runway 10R/28L) rather than the airport's primary Runway 10L/28R. By design, the use of the shorter parallel runway at PBI served to offer acceptable levels of capacity and helped to minimize aircraft operational delay for all other users on the two other runways at PBI.

In response to growth trends of GA activity in Palm Beach County and at PBI, the Airport Sponsor developed the North Palm Beach County General Aviation Airport (F45 or North County Airport) in 1996 to accommodate the anticipated continued growth of GA activity in the area. Combined with the Airport Sponsor's other GA reliever airport, Palm Beach County Park Airport (LNA or Lantana Airport), the overall number of GA aircraft operations at PBI has steadily decreased over time to approximately 93,000 operations in 2006, down considerably from a high of over 215,000 operations that were experienced in 1979. During this same time frame, operations by air carrier, air taxi, and large GA aircraft at PBI were increasing. For example, the FEIS discloses that in 1980, the number of air carrier operations at PBI was 50,947 and by 2009, this number increased to 59,140. Likewise, the FEIS discloses that in 1980, the number of air taxi operations at PBI was 2,263 and by 2009, this number increased to 35,947.

In closing, the predominant type of GA, air taxi, and commuter aircraft currently operating at PBI is the large "cabin-class" turbine (jet) aircraft. While these itinerant operations accounted for more than 60 percent of all aircraft operations at PBI, the increased need for air traffic control and aircraft in-flight separation distances, avoidance of wake turbulence, and the adherence to the safe and efficient use of the runways and airspace, all served to produce the increasing need to more efficiently accommodate both large GA and air carrier operations at PBI.

SECTION 5.0

PURPOSE AND NEED

5.1 INTRODUCTION

A detailed description of the Purpose and Need for the overall AIP, the Airport Sponsor's goals and objectives for the AIP, and the FAA's Federal action(s) was included in the DEIS. However, after publication of the DEIS, due to the national recession and the subsequent reductions in aircraft activity levels at PBIA, the Airport Sponsor revised its requested ALP approval to newly seek a mixed ALP approval of the AIP. Under a mixed ALP approval, implementation in the near-term of only a subset of projects contained in the overall AIP would be permitted to occur. All remaining elements of the project would be subject to subsequent decision-making regarding unconditional ALP approval, and construction would be permitted only if that subsequent unconditional ALP approval were granted. For the FEIS, environmental consequences were evaluated consistent with this approach, with two implementation components for analyses purposes. For ease of reference and understanding in the FEIS, the two implementation components of the AIP and Alternative 2 were designated as the Near-Term AIP Project and the Long-Term AIP Project and the Near-Term Alternative 2 and Long-Term Alternative 2.

This section of the ROD provides a summary of the FAA's Purpose and Need statement presented in the DEIS, discusses the independent utility of the Near-Term AIP, presents the Purpose and Need for the AIP, and summarizes the Airport Sponsor's goals and objectives for the AIP.

5.2 PURPOSE AND NEED FOR THE AIP AS PRESENTED IN THE 2008 DEIS

The Airport Sponsor approached the FAA in 2006 with a request to evaluate certain proposed airfield development projects depicted on PBIA's ALP that were collectively referred to as the AIP. The Airport Sponsor also requested that after having completed an appropriate level of NEPA evaluation and documentation, the FAA unconditionally approve the portions of the ALP that depict the AIP. The FAA reviewed the Airport Sponsor's data, studies, and other supporting information that indicated the airport was experiencing unacceptable levels of aircraft operational delay. The FAA conducted its own analyses as part of the EIS process and closely coordinated with other FAA Lines of Business (LOB), including the Air Traffic Organization (ATO) and its local representatives at the PBIA ATCT. The results of the FAA's independent analysis indicated that PBIA was experiencing unacceptable levels of aircraft operational delay, and that this delay would continue to worsen as the number of annual aircraft operations at PBIA increased as predicted in the FAA-approved 2006 Master Plan forecasts.

The Purpose and Need for the AIP, as defined in the DEIS, was as follows:

"Based on the increasing number of annual aircraft operations forecasted to occur at PBIA, as well as other relevant factors affecting the PBIA airfield capacity, the FAA has determined that levels of average annual aircraft operational delay at PBIA currently exceed the agency's threshold of acceptable levels of aircraft operational delay. FAA further finds that aircraft operational delay will worsen substantially by 2013 and through 2018 due to the increased number of aircraft operations forecast to occur at PBIA during

this time frame. Therefore, the purpose of the Federal actions contemplated by the FAA are to accommodate existing and forecasted demand for travel within the Palm Beach Service Area with an acceptable level of aircraft operational delay at PBIA.” [*PBIA Draft Environmental Impact Statement*, September 28, 2008]

The justification for the Purpose and Need statement in the DEIS was based on the analysis of conditions that had been experienced at the airport from approximately 2001 through 2008, and that were expected to worsen based on the approved forecast of aviation operations contained in the 2006 PBIA MPU forecasts. These conditions and the 2006 MPU forecast indicated that PBIA was then experiencing unacceptable levels of aircraft operational delay and that aircraft operational delay would continue to increase through the DEIS Study Years of 2013 and 2018.

5.3 INDEPENDENT UTILITY OF NEAR-TERM AIP PROJECTS

In the wake of significant declines in aircraft activity at PBIA in late 2008, the Airport Sponsor decided to seek approval to implement in the near-term only a subset of projects included in the overall AIP. The FAA examined the Airport Sponsor’s goals and objectives for the specific projects included in the Near-Term AIP to determine whether independent utility existed for those items. The FAA’s review examined whether sufficient needs exist at the airport today to justify their approval at this time. The FAA also examined whether those needs are independent of and not dependent on the expansion of Runway 10R/28L for their justification. The FAA’s review of these issues is summarized below.

5.3.1 DEVELOPMENT OF GENERAL AVIATION FACILITIES

The Airport Sponsor’s objective for this element of the Near-Term AIP is to accommodate the demand for GA facilities at PBIA. In a January 2010 letter to the FAA (see [Appendix C](#) of this ROD), the Airport Sponsor stated that there “...is an immediate demand for additional Fixed Based Operator (FBO) ramp and hangar space for existing FBOs, which cannot be met elsewhere at the Airport. This additional space is unavailable in the vicinity of the existing FBO facilities on the south side of the Airport.”

In support of this objective, FAA’s review of the PBIA ALP shows: 1) that the existing FBO operating area on the south side of the airfield (most notably in the southeast quadrant of the airfield) is essentially built-out, 2) the potential for expansion in this area is limited, and 3) there is not enough space at this location to adequately meet the demand for additional GA facilities at a level of service expected by the airport’s FBOs and GA customers. The proposed development of GA facilities in the Golfview area would allow the Airport Sponsor to address existing FBO needs for additional facilities and would allow the Airport Sponsor to develop additional GA facilities to meet future facility needs that may arise from natural growth in aviation activity at PBIA, as forecasted in the FAA’s 2009 TAF.

In regard to the overall AIP, this element of the Near-Term AIP does not depend on the proposed expansion of Runway 10R/28L (Long-Term AIP) for its execution or efficacy. Although the Long-Term AIP would eventually require the relocation of existing GA facilities located in the southeast quadrant of the airfield, the need for additional GA facilities may arise whether the Long-Term AIP is implemented or not. Therefore, the future expansion of Runway 10R/28L requested by the Airport Sponsor would not be a prerequisite for the near-term construction and operation of additional GA facilities.

5.3.2 *WIDEN TAXIWAY “L”*

The Airport Sponsor’s objective for this element of the Near-Term AIP is to increase the utility of Taxiway “L” for aircraft currently using Runway 10L/28R and to improve the efficiency of aircraft ground movements at PBIA for aircraft up to and including Airplane Design Group (ADG) IV type aircraft. The FAA considered the requested widening of Taxiway “L” and determined that it would provide a benefit for current airport users, as ADG IV aircraft already use Runway 10L/28R and occasionally use facilities on the south side of the airport.

In regard to the timing and need for widening Taxiway “L,” the FAA acknowledged that Taxiway “L” should be widened to 75 feet when the Runway 10R/28L expansion project was implemented, as it would be located between two closely-spaced parallel runways serving ADG IV aircraft. However, widening the taxiway to 75 feet as part of the Near-Term AIP would improve the utility of the taxiway for current airport operations. Because the type of aircraft that would benefit from this improvement currently operate at the airport, and will continue to do so regardless of the Long-Term AIP’s implementation schedule, the FAA determined that the widening Taxiway “L” does not depend on the Long-Term AIP for its justification.

5.3.3 *LAND ACQUISITION ON THE EAST SIDE OF MILITARY TRAIL*

The Airport Sponsor’s objectives for this element of the Near-Term AIP is to acquire sufficient interest in adjacent properties between Military Trail and the existing west airport property line to better secure and define the airport’s boundary and/or convert the land to aeronautical use, including revenue-generating use.

The FAA concurred that this proposed Near-Term AIP would meet the Airport Sponsor’s objectives. The FAA also found that the acquisition of land in this area would enhance airport operations and security by moving the airport’s boundary and fence lines to coincide with existing geographic boundaries.

The FAA acknowledges that several parcels of property located near the Military Trail and Southern Boulevard interchange would need to be acquired for the proposed Runway 10R/28L RPZ if the Long-Term AIP was implemented. However, the properties could be acquired to meet the Airport Sponsor’s objectives, including enhanced security and aeronautical and/or revenue generating uses, regardless of the implementation of the Long-Term AIP. Therefore, the FAA concluded that the acquisition of these parcels in particular does not depend on the Long-Term AIP for its justification.

5.4 PURPOSE AND NEED FOR THE OVERALL AIP

The FAA identified two conditions that have previously occurred at PBIA, which may again affect the ability of PBIA to efficiently accommodate aviation demand with an acceptable level of aircraft operational delay. First, the existing airfield infrastructure and geometry has contributed to congestion and operational delay during peak periods of airport operations. Second, using the FAA's 2009, 2010, and 2011 TAFs, aircraft operations at PBIA, although much lower than forecasted in the 2006 MPU forecasts, are still projected to increase over time at a moderate rate of growth and, if this growth trend continues, unacceptable levels of aircraft operational delay may again occur at PBIA. The following is a discussion of the above-noted conditions and how they have in the past, and may again in the future, result in operational shortcomings and problems at PBIA.

As noted previously in [Section 3.2](#) of this ROD, when the Airport Sponsor submits a request to the FAA for unconditional ALP approval of the Long-Term AIP in the future, the FAA will review the FEIS to determine the continuing validity of the analyses and undertake any necessary environmental documentation to support a final decision regarding unconditional ALP approval of the airfield capacity enhancement project. See [Sections 12.0 and 13.0](#) of this ROD for more information.

5.4.1 CAPACITY LIMITATIONS CONTRIBUTE TO CONGESTION AND DELAY DURING PEAK PERIODS

Studies conducted by the FAA and the Airport Sponsor found that PBIA is operationally constrained by both the current airfield layout and its connection to the FAA enroute airspace system. The existing airfield infrastructure and geometry at PBIA has in the past, and based on the FAA's 2009, 2010, and 2011 TAFs, may again contribute to airfield congestion during peak periods of aircraft arrivals and departures. The existing commercial service Runway 10L/28R accommodates a majority of air carrier and GA departures and arrivals because of its orientation, length, and instrumentation. The airport's crosswind runway, Runway 14/32, is used mostly by GA aircraft because its length can impose operational penalties for certain air carrier aircraft. However, Runway 14/32 is used significantly less frequently by GA aircraft than Runway 10L/28R, mostly due to prevailing winds, ATCT routing, runway instrumentation, and preference by some pilots to request a longer runway, when available. Runway 14/32 intersects Runway 10L/28R near its mid-point. This reduces airfield capacity, more so during peak operational periods, because of ATCT policies and procedures for handling arrivals and departures on intersecting runways. Closely-spaced parallel Runway 10R/28L is used almost exclusively by small GA aircraft (weighing less than 12,500 pounds) due to its 3,213-foot length. Because PBIA no longer supports substantial levels of GA flight training operations, Runway 10R/28L contributes little to airfield capacity. As a result of the factors discussed above, under certain conditions, PBIA previously operated, as a practical matter, as a one-runway airport (*Airfield Improvement Project – Project Definition*, CH2M HILL, 2006). From an airfield capacity standpoint, the existing runway configuration (two dependent air carrier runways and one dependent GA runway) has not in the past provided enough capacity for PBIA to operate efficiently during peak periods and it has contributed to aircraft operational delay. Similar delays may again occur if the number of aircraft operations at PBIA returns to previously experienced and previously predicted levels. Such an occurrence would be consistent with the growth trend predicted in the FAA's 2009, 2010, and 2011 TAFs, although the point in time when such conditions may return cannot accurately be predicted at this time.

The 2005 Florida Airspace Optimization initiative and the December 2009 implementation of Radar Navigation (RNAV) procedures, has helped to reduce airspace-related delays in south Florida. However, during peak periods of high demand at PBIA (i.e., winter tourist season), the local ATCT was previously required to optimize the movement of arriving and departing aircraft both on the ground and in the air. Due to airfield configuration and air traffic procedures, the ability of the ATCT to efficiently stage and handle departing aircraft based on route of flight, departure fix, and/or destination airport was reduced and aircraft departure delays would occur. During these periods, the ATCT was also forced to increase spacing between arrivals to accommodate departing aircraft to avoid further impacting the overall efficiency of the terminal and enroute operations. These factors contributed to past aircraft operational delays at PBIA. This situation would again present itself when the number of aircraft operations at PBIA returns to previously experienced levels.

5.4.2 AIRCRAFT OPERATIONS AT PBIA AND AVERAGE ANNUAL DELAY

A review of planning studies conducted by the Airport Sponsor and independent analyses conducted by the FAA for the EIS showed that unacceptable aircraft delay has historically occurred at PBIA under the current airfield configuration. The FAA expects that similar delays at PBIA may again occur if the number of aircraft operations at PBIA returns to previously experienced levels, which would be consistent with the growth trend predicted in the FAA's 2009, 2010, and 2011 TAFs. The FAA found that the average annual delay per aircraft operation at PBIA in 2006 was approximately 4.8 minutes, with approximately 204,054 annual aircraft operations. In the DEIS, it was estimated that annual aircraft delay would reach approximately 10.2 minutes when the number of annual aircraft operations reach 221,693 and approximately 20.6 minutes when annual operations reach 238,457. The actual number of aircraft operations at PBIA has decreased from 204,054 in 2006 to 138,370 in 2009. The FAA's 2009 TAF indicated that the above-referenced number of aircraft operations generated at PBIA in 2006 and their associated delay levels will not be reached until the 2030 time frame. The subsequent 2010 and 2011 TAFs pushed that date further into the future (2034 and 2039, respectively). However, it cannot be accurately and definitively determined when aircraft operations at PBIA may return to levels that would result in unacceptable operational delay or if the number of aircraft operations could return to historic levels sooner than projected in the FAA's TAF.

5.4.3 NEED FOR THE AIP¹¹

The overall need for the AIP is to:

- Address anticipated future insufficient annual and hourly operational capacity at PBIA resulting from the runway configuration at PBIA and
- Reduce anticipated future projected levels of aircraft operational delay at PBIA resulting from the existing runway configuration at PBIA.

¹¹ Because the FAA acknowledges that there is not currently a congestion or delay issue at PBIA, the FEIS evaluated the purpose and need and a reasonable range of alternatives for the AIP based upon the operational levels which existed and/or were forecast to exist at the time the DEIS was prepared. Thus, the discussion of purpose and need assumes the existence of operational levels and resulting congestion and delay that are reflective of the conditions described in the DEIS.

5.4.3.1 Increase Annual and Hourly Capacity

The ability of the runways and taxiways at PBIA to efficiently accommodate aircraft operations at levels identified in the PBIA 2006 MPU forecast was assessed using standard FAA techniques provided in FAA Advisory Circular (AC) 150/5060-5, *Airport Capacity and Delay*, and the computer-based Airport and Airspace Simulation Model (SIMMOD™). The FAA conducted an independent evaluation of the Airport Sponsor's analyses of annual and hourly operational capacities and demand and documented the results in the DEIS. The FAA's evaluation concurred with the Airport Sponsor's findings at the time the DEIS was published in September 2008. A summary of the airfield evaluation studies is provided below.

Annualized and Hourly Operational Capacity

Utilizing FAA-prescribed methods contained in AC 150/5060-5, the airfield's Annual Service Volume (ASV) was calculated. ASV is an estimate of an airfield's annual capacity (ability to accommodate aircraft operations).

The ASV for the existing airfield was calculated to be 263,444 annual operations (*Airfield Improvement Project – Project Definition*, CH2M HILL, 2006). Over time, however, changes in the type and size of air carrier aircraft operating at PBIA would serve to decrease the calculated estimate of ASV to a value of 221,039. This reduced ASV capacity is primarily related to the planning assumption that the number of larger-sized commercial service aircraft providing scheduled air carrier service at PBIA would increase between 2006 and 2018. This assumption was considered by the FAA to be reasonable, and is based on industry trends and not on the implementation of the AIP at PBIA.

For the purpose of long-range airport planning, FAA Order 5090.3C, *Field Formulation of the NPIAS*, indicates that airfield capacity improvement projects should be identified and planned when annual operations represent 60 to 75 percent of the calculated ASV. These early airfield capacity assessments are prudent because airport improvement projects typically require long lead times for planning, environmental review, design, permitting, and construction.

Estimates of ASV are useful for evaluating the ability of an airfield to accommodate existing and projected levels of aircraft operations with acceptable levels of operational delay as measured in minutes of delay per aircraft operation. As the annual level of aircraft operations increase, the minutes of delay per aircraft operation would, at an increasingly faster rate, increase substantially. When the ratio of the total number of annual aircraft operations approaches or equals the estimated airfield ASV, the average minutes of delay per aircraft operation can typically range from 1 to 3.5 minutes. When the total number of annual aircraft operations exceeds the ASV by as little as 10 percent, the associated level of average aircraft delay increases substantially and can range from 1.45 minutes to as much as 7 minutes.

[Table 5-1](#) compares the calculated ASV of the existing airfield configuration to the projected levels of annual aircraft operations at PBIA for the FEIS' revised baseline year 2009 and for the number of aircraft operations evaluated in the DEIS (DEIS Study Years of 2006, 2013, and 2018). As shown in [Table 5-1](#), total annual operations were approximately 52 percent of the existing airfield's calculated ASV in 2009. If the number of aircraft operations at PBIA return to the levels evaluated in the DEIS, the annual demand as a percentage of annual capacity, or ASV, would reach 78 percent when PBIA experiences 204,054 aircraft operations, 84 percent with 221,693 operations, and 108 percent with 238,457 operations.

TABLE 5-1
ASV VS. AIRCRAFT OPERATIONAL DEMAND
EXISTING AIRFIELD CONFIGURATION

Forecast Category	2009 Actual	Future Year 1 ³	Future Year 2 ³	Future Year 3 ³
Forecast Annual Operations ¹	138,370	204,054	221,693	238,457
ASV ²	263,444	263,444	263,444	221,039
Demand as a percent of ASV	52%	78%	84%	108%

Sources: ¹ PBIA Airport Noise and Operations Monitoring System (ANOMS) 2009; FAA's 2009 TAF, December 2009.

² *Palm Beach International Airport System Study - Phase I PBIA Airspace/Airfield Constraints Analysis*, CH2M HILL, November 2005, Table 3-11.

³ Future years to be determined based on actual rate of operational recovery at PBIA. Operations numbers for Future Years 1, 2, and 3 are representative of the September 2008 DEIS operations for Study Years 2006, 2013, and 2018, respectively.

Updated by URS Corporation, March 2010.

In 2009, the demand as a percent of ASV was below the planning threshold of 60 to 75 percent of ASV at PBIA. Using FAA AC 150/5060-5, the weighted average hourly capacity of the existing airfield configuration at PBIA and SIMMOD™ (rolling) peak hour operational demand modeling assumptions, the airfield's peak hour capacity was assessed. This measure of peak hour capacity revealed that the existing airfield configuration would have a weighted average hourly capacity of 64 peak hour aircraft operations. As shown in [Table 5-2](#), when comparing the projected number of rolling peak hour aircraft operations (operational demand) against the calculated weighted peak hour capacity of the airfield at PBIA, it is evident that PBIA's existing airfield configuration would not provide the needed peak hour capacity to efficiently serve projected levels of peak hour operational demand if the number of annual aircraft operations at PBIA reach the levels shown in [Table 5-2](#).

TABLE 5-2
WEIGHTED AVERAGE HOURLY CAPACITY AND PEAK HOUR DEMAND
EXISTING AIRFIELD CONFIGURATION

Forecast Category	204,054 Operations ³	221,693 Operations ³	238,457 Operations ³
Weighted Average Hourly Capacity ¹	64	64	64
Rolling Peak Hour Demand ²	69	73	79
Net Excess/(Shortfall) of Hourly Capacity	(5)	(9)	(15)

Sources: ¹ *Palm Beach International Airport System Study - Phase I PBIA Airspace/Airfield Constraints Analysis*, CH2M HILL, November 2005, Table 3-11.

² As derived using SIMMOD™ modeling assumptions developed by Ricondo & Associates and the FAA-approved forecast of aviation activity for PBIA at the time the DEIS was prepared and published (2006 PBIA MPU forecasts).

³ Operations numbers are representative of the DEIS operations for Study Years 2006, 2013, and 2018.

Updated by URS Corporation, March 2010.

Reduce Aircraft Operational Delay at PBIA

The Airport Sponsor's PBIA 2006 MPU included estimates of then-current and future levels of aircraft delay at PBIA. Estimates of aircraft delay at PBIA were independently evaluated and validated by the FAA in the DEIS for Study Years 2006, 2013, and 2018. At the time the DEIS was prepared, the FAA's evaluation indicated that the existing airfield configuration at PBIA would not be able to accommodate

then-projected levels of aircraft operations without experiencing levels of average aircraft operational delay greater than 4 to 6 minutes.

Aircraft operational delay levels at PBIA for the then-existing and projected levels of aircraft operational demand (based on the PBIA 2006 MPU forecasts), were calculated using SIMMOD™. As the data in [Table 5-3](#) indicates, an average delay per aircraft operation at PBIA of greater than 4 minutes would be anticipated to occur under the current airfield configuration when the airport experiences approximately 204,054 annual aircraft operations. Minutes of delay are anticipated to more than double to 10.2 minutes per aircraft operation when annual aircraft operations reach 221,693. When aircraft operations at PBIA reach 238,457, the level of delay is projected to again double to approximately 20 minutes per aircraft operation. As shown in [Table 5-3](#), future increases in aircraft operations, in conjunction with PBIA's existing runway configuration capacity limitations, would generate unacceptable levels of delay at PBIA when aircraft operational levels reach approximately 200,000 operations.

**TABLE 5-3
ANNUALIZED AVERAGE DELAY –
EXISTING AIRFIELD CONFIGURATION**

Annual Aircraft Operations	Minutes of Delay per Operation
204,054 ¹	4.8
221,693 ¹	10.2
238,457 ¹	20.6

¹ Operations numbers are representative of the DEIS operations for Study Years 2006, 2013, and 2018.

Sources: *Palm Beach International Airport, Airfield Improvement Project, Modeling Assumptions*, Ricondo & Associates, November 2006, Tables VII-3 and VII-4.
Updated by URS Corporation, March 2010.

5.5 THE FAA'S AND THE AIRPORT SPONSOR'S OBJECTIVES FOR THE AIP

In a letter dated January 6, 2010 (see [Appendix C](#) of this ROD), the Airport Sponsor requested the FAA's unconditional ALP approval of only the Near-Term components of the AIP, for which there was an immediate need at PBIA. The Airport Sponsor's current objectives are to receive the FAA's unconditional ALP approval of the Near-Term AIP and to obtain Federal funding to design, permit, and construct the eligible components of the Near-Term AIP.

Based on actual aircraft activity records and the FAA's 2009 TAF, the FAA has determined that the level of aircraft activity at PBIA does not currently result in unacceptable levels of operational delay. The FAA acknowledges that the economic recession has reduced the level of aircraft activity at PBIA such that the level of aircraft operational delay at PBIA that previously justified the need for the airfield capacity enhancement project will not occur within the time frame identified and evaluated in the DEIS (Study Years 2013 and 2018). As further noted in the FAA's FEIS, economic conditions continue to influence aviation activity levels and the FAA cannot predict with certainty when operational levels creating unacceptable levels of delay at PBIA will return. However, based on the moderate growth trend evident in the FAA's 2009, 2010, and 2011 TAFs, which show a modest annual rate of aircraft operational

recovery and growth, the FAA expects that delay levels at PBIA may return to levels that again justify the Long-Term AIP's airfield capacity enhancement improvements (expansion of Runway 10R/28L and its Connected Actions). The FAA also acknowledges that local aviation activity at PBIA could recover more slowly or more quickly than predicted in the Agency's 2009, 2010, and 2011 TAFs.

The Airport Sponsor acknowledges that the Long-Term AIP is not warranted at this time; therefore, it has requested only the FAA's conditional ALP approval for the Long-Term AIP through this ROD. The FAA agrees that the Long-Term AIP is not ripe for decision at this time. Therefore, the FAA is not considering issuing unconditional ALP approval of the Long-Term AIP in this ROD.

However, when it is again appropriate to consider a request from the Airport Sponsor for unconditional ALP approval of an airfield capacity enhancement project, the FAA's objective associated with such a request would be to accommodate the existing (at that time) and forecasted demand for air travel within the Palm Beach Service Area with an acceptable level of operational delay through the forecast period, and to assure that any airfield capacity enhancement project would be implemented and operated by the Airport Sponsor in accordance with applicable FAA airport design and safety standards, operating requirements, and Federal grant assurances.

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SECTION 6.0

ALTERNATIVES

6.1 INTRODUCTION¹²

This section of the ROD describes the alternatives evaluation and screening process that was used by the FAA in the September 2008 DEIS and the February 2011 FEIS, summarizes the evaluation of alternatives to the Airport Sponsor's AIP; provides reasoning as to why some alternatives were eliminated from detailed study, describes those reasonable alternatives that were retained for detailed evaluation, and presents a comparative analysis of the reasonable alternatives retained for detailed environmental impact evaluation in the FEIS.

Although the AIP was examined in the FEIS in two implementation phases, the AIP, as examined in the FEIS, is materially the same as what was described in the DEIS as a single phase comprehensive Airport Development Program.¹³ Accordingly, in the FEIS alternatives analysis, the FAA evaluated the AIP in its entirety as a single proposal (referred to herein as the "overall AIP"). The potential environmental impacts of the overall AIP, however, were separated into two components, designated as the Near-Term AIP and the Long-Term AIP. See [Section 1.2](#) of this ROD for a description of the proposed airport improvement projects that make-up these two components of the overall AIP.

Neither the Airport Sponsor nor the FAA can accurately predict when aviation activity may return to the previously experienced levels that resulted in unacceptable operational delay at PBI. The FAA acknowledges that aircraft operational levels at PBI have declined substantially since the DEIS was published in September 2008 and that conditions at PBI, FAA policies and guidance, and aviation-related technology may change over time. However, the FAA determined that it could provide an analysis of alternatives based on the conditions that were valid at the time the DEIS was prepared, and that might again occur in the future based on the gradual but steady increase in operations predicted in FAA's 2009, 2010, and 2011 TAFs. Therefore, for the FEIS, the FAA retained the alternatives analysis contained in the DEIS. The FEIS alternatives analysis includes some revisions that were made by the FAA in response to public and agency comments on the DEIS.

6.2 ALTERNATIVES EVALUATION AND SCREENING PROCESS

The CEQ regulations implementing NEPA require that the Federal decision-maker, in this case the FAA, among other responsibilities, perform the following tasks:

¹² The FAA acknowledges that there is not currently a congestion or delay issue at PBI and that unconditional ALP approval of the Long-Term AIP is not under consideration by the FAA in this ROD. The FAA evaluated a reasonable range of alternatives for the Airport Sponsor's overall AIP in the DEIS based upon the operational levels which existed at the time and were forecast to occur in the future when the DEIS was published. The alternatives evaluation in the FEIS assumed the existence of operational levels and resulting congestion and delay at two future points in time (LTSY 1 and LTSY 2) that are reflective of the DEIS Study Years 2013 and 2018, based on the FAA-approved 2006 MPU forecasts.

¹³ The AIP was amended to include the near-term acquisition of approximately 13.2 acres of property on the east side of Military Trail, between the highway and the airport's west property line.

- “Rigorously explore and objectively evaluate all reasonable alternatives and, for alternatives which were eliminated from detailed study, briefly discuss the reasons for their elimination.” (CEQ regulations (40 CFR 1502.14(a)));
- “Devote substantial treatment to each alternative considered in detail, including the proposed action, so that reviewers may evaluate their comparative merits;”
- “Include reasonable alternatives not within the jurisdiction of the lead agency;” and
- “Include the alternative of no action.”

A wide range of alternatives were examined to determine if they would satisfy the Purpose and Need criteria described in [Section 5.0](#) of this ROD and discussed in more detail in Chapter 2.0, Purpose and Need, of the FEIS. Based on guidance regarding reasonable alternatives provided by the CEQ, detailed evaluations were limited by the FAA to those alternatives that met the Airport Sponsor’s goals and objectives and the FAA’s Purpose and Need for the AIP, as well as the other screening criteria described below.

The alternatives evaluation process used a three-level screening process. At the conclusion of the screening process, those alternatives that remained were considered reasonable alternatives and were subject to detailed analysis in the EIS. The alternatives screening process included the following levels of evaluation:

Level 1: Purpose and Need – The Level 1 analysis was performed to determine which alternatives met the Purpose and Need criteria for the AIP. Alternatives that did not meet the Purpose and Need criteria were not subject to further consideration in Level 2.

Level 2: Airfield Design Criteria, Constructability, and Cost – The Level 2 analysis considered the alternatives’ compliance with FAA design criteria, constructability issues, and cost. Alternatives that did not satisfy all of the Level 2 criteria were not retained for further evaluation in Level 3.

Level 3: Environmental Considerations – The preliminary environmental impacts of the remaining alternatives were evaluated in Level 3 of the screening process. The environmental categories considered in Level 3 are associated with “special purpose laws” that require the avoidance and minimization of environmental impacts. Special purpose laws are Federal laws, regulations, executive orders, or departmental orders that are outside of NEPA and which the FAA must address in completing its environmental analyses of major Federal actions involving airports. Level 3 evaluation criteria included:

- *Department of Transportation (DOT) Act* Section 303(c) resources (known as “Section 4(f)” Resources) (i.e., land from a public park, recreation area, wildlife/waterfowl refuge, or historic site);
- 100-Year Floodplains;
- Historic, Architectural, Archaeological, or Cultural Properties;
- Wetlands; and

- Water Quality.

Alternatives that remained after the Level 3 evaluation were considered reasonable and feasible and were evaluated in detail in Chapter 5.0 of the FEIS.

6.3 EVALUATION OF ALTERNATIVES

The FAA initially considered a wide range of alternatives to the AIP for evaluation in the screening process. Alternatives evaluated in the screening process by the FAA included:

- No-Action Alternative,
- Other modes of transportation,
- Development of a new commercial service airport to replace PBIA,
- Use of an existing airport as a supplement to PBIA,
- Operational and Demand Management measures with the No-Action Alternative airfield configuration at PBIA,
- Alternatives originally developed and evaluated by the Airport Sponsor during the 2001-2006 Master Planning process,
- Airport Sponsor's AIP at PBIA,
- Other runway configuration alternatives at PBIA,
- Alternatives submitted during the EIS Public Participation process, and
- Alternatives developed during the EIS process.

Each alternative was subjected to the screening process described above. [Table 6-1](#) summarizes the results of the screening process for each alternative. The following sections describe the alternatives considered by the FAA and the alternative's evaluation process.

6.3.1 NO-ACTION ALTERNATIVE

In accordance with the requirements of CEQ and NEPA, the No-Action Alternative was evaluated for a basis of comparison with other alternatives. The No-Action Alternative assumes that none of the Airport Sponsor's proposed AIP projects would be developed at PBIA, and that only those projects that are needed for safety, security, or maintenance reasons, or that were already environmentally reviewed, programmed, or undertaken by the Airport Sponsor would be constructed. This included projects such as:

- Extension of Taxiway "L" from Taxiway "F" eastward to the approach end of Runway 28R;
- Construction of two high-speed exits from Runway 10L/28R to Taxiway "C;"

- Extension of Taxiway “F” from Taxiway “C” to the approach end of Runway 14;
- Development of previously approved GA facilities in the northwest quadrant of the airfield;
- Relocation of the Remote Receiver at PBIA;
- Correction of the non-standard RSA on the approach end of Runway 32 through the use of an Engineered Materials Arresting System (EMAS);
- Seven parcels of property west of Military Trail located within the existing Runway 10L RPZ that were previously approved for acquisition; and
- Other safety, security, or maintenance projects not yet identified by the Airport Sponsor.

Separate Categorical Exclusions (CatEx) from NEPA’s Environmental Assessment (EA) and EIS requirements were previously approved by the FAA for the airfield development projects listed above (except for the safety, security, and maintenance projects yet to be implemented by the Airport Sponsor).

PBIA’s ASV, or annual capacity to accommodate the level of aviation activity identified in the FEIS with acceptable levels of operational delay, is projected to be approximately 221,039 annual aircraft operations. When the number of aircraft operations at PBIA reaches approximately 238,457 operations, the demand would equate to 108 percent of the ASV. The weighted hourly capacity of PBIA under the No-Action Alternative would be 64 operations. This would fall short of the needed hourly demand by nine hourly operations and 15 hourly operations when the number of aircraft operations reaches 221,693 and 238,457, respectively. Therefore, the No-Action Alternative would not increase capacity at PBIA and would not reduce the projected levels of aircraft operational delay to acceptable levels.

Evaluation Level	Evaluation Criteria		No-Action Alternative ¹	Other Modes of Transportation			Development of a New Commercial Service Airport to Replace PBIA	Use of an Existing Airport as a Supplement to PBIA	Operational and Demand Management Measures with the No-Action Alternative Airfield Configuration at PBIA			Other Runway Configuration Alternatives at PBIA				
				Roadway	Conventional Rail	High-Speed Rail			Airport Sponsor's Master Planning Alternatives							
									Alt. A-2	Alt. A-3	Alt. A-4	Alt. A-5	Alt. A-6			
LEVEL 1: Purpose and Need	Provide sufficient annual and hourly capacity to safely and efficiently accommodate the level of aircraft operations identified in the FEIS.		No	No	No	No	No	No	No	No	No	No	Yes	No	No	No
	Reduce existing and projected levels of aircraft operational delay to acceptable levels		No	No	No	No	No	No	No	No	No	No	Yes	No	No	No
Continue to Level 2? Yes or No			Yes	No	No	No	No	No	No	No	No	No	Yes	No	No	No
LEVEL 2: Airfield Design Criteria, Constructability, and Cost	Airfield Design Criteria	Fully satisfies FAA ARC D-IV design standards	Yes										No			
	Complexity of staging, phasing, and construction activities	Unacceptable disruptions to PBIA Terminal airside and landside operations	No										No			
		Residential relocations (number of parcels)	0										5			
		Business relocations (off-airport/on-airport)	0										15/4			
		Roadway modifications	No										No			
		Construction or Relocation Issues	No										Relocate FBO facilities on south side of airport			
	Estimated cost		\$50 Million										\$365 million			
Continue to Level 3? Yes or No			Yes	No	No	No	No	No	No	No	No	No	No	No	No	No
LEVEL 3: Environmental Considerations	DOT Act: Section 4(f)		No Direct or Indirect Use													
	Historic Architectural, Archaeological, or Cultural Properties		No Direct or Indirect Effects													
	Floodplains		None													
	Wetlands		None													
	Water Quality		None													
Analyze in Chapter 5.0: Environmental Consequences?			Yes	No	No	No	No	No	No	No	No	No	No	No	No	No

¹ The No-Action Alternative was retained for detailed analysis for baseline comparative purposes and to meet FAA's NEPA and CEQ requirements.

TABLE 6-1
THREE-LEVEL ALTERNATIVES
EVALUATION PROCESS SUMMARY

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Evaluation Level	Evaluation Criteria		Other Runway Configuration Alternatives at PBIA													
			Airport Sponsor's Master Planning Alternatives									AIP	Scoping Alternative	Alternative 1	Alternative 2	
			Alt. A-7	Alt. A-8	Alt. A-9	Alt. A-10	Alt. A-11	Alt. A-12	Alt. A-13	Alt. A-14	Alt. A-15					Alt. A-16
LEVEL 1: Purpose and Need	Provide sufficient annual and hourly capacity to safely and efficiently accommodate the level of aircraft operations identified in the FEIS.		No	Yes	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	No	Yes
	Reduce existing and projected levels of aircraft operational delay to acceptable levels		No	Yes	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	No	Yes
Continue to Level 2? Yes or No			No	Yes	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	No	Yes
LEVEL 2: Airfield Design Criteria, Constructability, and Cost	Airfield Design Criteria	Fully satisfies FAA ARC D-IV design standards		Yes	Yes		Yes		No		No		Yes			Yes
	Complexity of staging, phasing, and construction activities	Unacceptable disruptions to PBIA Terminal airside and landside operations		Yes	Yes		Yes		No		No		No			No
		Residential relocations (number of parcels)		0	~ 14		0		0		0		5			1
		Business relocations (off-airport/on-airport)		0/3	26/5		1/6		11/0		11/0		27/4			33/0
		Roadway modifications		Relocate portions of Australian Ave., I-95 Ramps, Terminal Roadway	Relocate portions of Australian Ave. between Southern Blvd. and Belvedere Rd.; Relocate Southern Blvd.		Relocate portions of Belvedere Rd., Australian Ave., Southern Blvd., I-95, and PBIA entrance roads		None		None		None			None
		Construction or Relocation Issues		Relocate terminal and long-term parking garage, surface lots, on-airport car rental facilities; relocate FBOs, portion of Airport West Canal, Hilton Hotel, PBC DOA buildings; possible C-51 Canal re-alignment; fuel farm impacts	Relocate terminal and long-term parking garage, surface lots, on-airport car rental facilities; relocate FBOs, portion of Airport West Canal, Hilton Hotel, PBC DOA buildings; possible C-51 Canal re-alignment; fuel farm impacts		Relocate overflow parking, on-airport car rental facilities, All-Cargo Bldg. 1475; Belly Cargo Bldg. 1300; impacts to former Golfview area; relocate Hilton Hotel and PBC DOA buildings; relocate FBO facilities		Relocate gates from Concourses "B" and "C;" construct new East and West Concourses; relocate Airport West Canal and stormwater retention pond; relocate Aircraft Rescue and Fire Fighting (ARFF) building, electrical vault, and Air Cargo building and apron		Relocate gates from Concourses "B" and "C;" construct new East and West Concourses; relocate Airport West Canal and stormwater retention pond; relocate ARFF building, electrical vault, and Air Cargo building and apron		Relocate FBO facilities on south side of airport; Airport West Canal relocation; relocate Very High Frequency Omni-Directional Range (VOR) antenna			Relocate 11 gates from Concourses "B" and "C;" construct new East and West Concourses; relocate Airport West Canal, and stormwater retention pond; relocate ARFF building, electrical vault, and Air Cargo building and apron
	Estimated cost			\$1.8 Billion	\$1.8 Billion		\$1.9 Billion		\$690 Million		\$692 Million		\$370 million			\$730 million

TABLE 6-1 (CONTINUED)
THREE-LEVEL ALTERNATIVES
EVALUATION PROCESS SUMMARY

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Evaluation Level	Evaluation Criteria	Other Runway Configuration Alternatives at PBIA													
		Airport Sponsor's Master Planning Alternatives										AIP	Scoping Alternative	Alternative 1	Alternative 2
		Alt. A-7	Alt. A-8	Alt. A-9	Alt. A-10	Alt. A-11	Alt. A-12	Alt. A-13	Alt. A-14	Alt. A-15	Alt. A-16				
Continue to Level 3?	Yes or No	No	No	No	No	No	No	No	No	No	No	Yes	No	No	Yes
LEVEL 3: Environmental Considerations	DOT Act: Section 4(f)											No Direct Use			No Direct Use
	Historic Architectural, Archaeological, or Cultural Properties											No Direct Effects			No Direct Effects
	Floodplains											None			9.2 acres
	Wetlands											None			None
	Water Quality											None			None
Analyze in Chapter 5.0: Environmental Consequences?			No	No	No	No	No	No	No	No	No	Yes	No	No	Yes

Source: URS Corporation, 2010.

TABLE 6-1 (CONTINUED)
THREE-LEVEL ALTERNATIVES
EVALUATION PROCESS SUMMARY

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Airfield simulation analysis of the No-Action Alternative utilizing SIMMOD™ revealed that the average delay per aircraft operation would be approximately 20 minutes when aircraft operations at PBIA reach 238,457, or 14 to 16 minutes greater than the acceptable level of delay (4 to 6 minutes).

Minimal environmental impacts would occur from implementation of the No-Action Alternative. As noted above, CatEx documentation noting no significant environmental impacts have already been approved by the FAA for the taxiway improvements, high-speed exits, EMAS construction, and GA facility development. Although the No-Action Alternative did not meet the Purpose and Need criteria, it was retained for detailed analysis in the DEIS and FEIS to provide a baseline comparison in accordance with CEQ guidance.

6.3.2 OTHER MODES OF TRANSPORTATION

Depending on the markets served by an airport, other modes of transportation (such as roadway improvements, conventional rail, and high-speed rail) may serve as alternatives to a proposed airport project by potentially decreasing operational demand at the airport in question. A summary of alternatives evaluated in the FEIS that involve other modes of transportation is below.

Roadways – Even taking into account travel time to and from the airport, air travel provides considerable time savings and enables certain trips to be made in one day instead of two days. This, in turn, affects the likelihood that a road trip would be made at all when considering the additional costs, such as accommodations and food, associated with two-day trips. The substantial time savings provided by air travel is an important consideration to both tourists and business travelers.

Conventional Rail – Based on the FAA's review of rail service schedules, travel time by conventional rail to PBIA's top 10 domestic markets is not competitive with travel times by air. For this reason, alternatives that use conventional rail were not considered efficient when compared to air travel when travel distances exceed 500 miles.

High-Speed Rail – Because there is no funding or timetable for implementation of high-speed rail through Palm Beach County, the FAA determined that this was not a reasonable alternative.

Summary

Because none of the Other Modes of Transportation alternative concepts could compete with the efficiency of air travel service provided by PBIA, they would not reduce the demand for air travel services at PBIA. Under operational conditions examined in the DEIS and the FEIS, this alternative concept would not reduce aircraft operational delay at PBIA to acceptable levels. Because this alternative concept did not meet the Purpose and Need criteria, it was not considered a reasonable alternative and was not retained for further consideration.

6.3.3 DEVELOPMENT OF A NEW COMMERCIAL SERVICE AIRPORT TO REPLACE PBIA

The FAA evaluated the development of a new airport to replace PBIA as an alternative to the AIP. The construction of a new commercial service airport is a major undertaking that requires numerous

considerations including the identification of a “willing airport sponsor” (owner and operator), the identification and availability of a suitable site, the time required to plan and construct the facility, airspace considerations, potential environmental impacts, costs, and vehicular access.

The FAA is not an airport sponsor and the FAA does not own or operate airports. The decision to construct a new airport facility does not lie with the FAA, but rather with an operating body, such as a state, county, city, or airport authority. The request for the FAA to consider the development of a new airport facility must come from one of these entities. In addition, the FAA does not have the authority to shift operations from one airport to another. Airlines are free to choose which airports they want to operate from and the levels of service that they provide at each facility. Likewise, GA aircraft owners/operators are free to decide which airport they want to be based at and which airports they want to operate to and from. Consequently, it is not within the FAA’s purview to propose the development of a new airport and, even if a new airport were built, the FAA does not have the authority to shift commercial service, air cargo service, or GA operations from PBIA to a new airport. Although the Airport Sponsor may have the authority to designate specific airports within an airport system as commercial service only, in this instance the other airports in the system do not provide adequate facilities for the types of large GA aircraft using PBIA. In addition, the Airport Sponsor does not have the authority to place restrictions on a targeted segment of the GA fleet that operates at PBIA or any other public use airport.

Given that there is no “willing airport sponsor,” and the fact that FAA cannot shift either commercial or GA operations from one airport to another, there is no evidence that the development of a new airport facility would reduce operational delay to acceptable levels at PBIA. Therefore, this alternative did not meet the Purpose and Need for the AIP and it was not retained for further consideration.

6.3.4 *USE OF AN EXISTING AIRPORT AS A SUPPLEMENT TO PBIA*

This alternative consists of the use and/or expansion of other airports in the West Palm Beach area to accommodate a portion of future PBIA operations, such that the AIP is no longer needed at PBIA. This alternative assumes that aviation demand that would naturally occur at PBIA is artificially shifted (disaggregated) to one or more nearby airports. For this alternative, Palm Beach area airports that were considered included those in Palm Beach, Martin, St. Lucie, and Okeechobee counties, as well as those in the northern portion of Broward County.

In keeping with the FAA’s NPIAS, the Airport Sponsor has designated two of its GA airports, North Palm Beach County General Aviation Airport (F45, and also known as North County Airport) and Palm Beach County Park Airport (LNA, and also known as Lantana Airport), as Reliever Airports for PBIA, which by design, role, and function serve to off-load small aircraft operations from PBIA. Historical PBIA aircraft operational records maintained by the FAA document the effectiveness of the Airport Sponsor’s Reliever Airports in attracting and accommodating a substantial portion of the operations generated by the smaller GA aircraft that historically were conducted at PBIA.

As discussed previously, it is important to note that neither the FAA nor the Airport Sponsor has the authority to direct or place influence upon commercial service providers or GA operators to shift aircraft operations or services from one airport to another. Since this concept of reallocating (or shifting) either

GA or air carrier services to or from PBIA is not reasonable, this concept did not meet the Purpose and Need for the AIP and was not retained for further consideration by the FAA.

Many comments were received on the DEIS and FEIS requesting that the Airport Sponsor's North County Airport (F45) be developed further and used to divert more GA traffic away from PBIA, with the intent of eliminating the need for the AIP. The FAA considered the Airport Sponsor's long-range plans for the North County Airport and its potential, as an existing reliever airport, to reduce aircraft operational delay at PBIA. The Master Plan for the North County Airport notes that light jets and medium-sized jets are expected and encouraged to use this airport. The Master Plan further states that meeting "the needs of the small and mid-size jets, along with the piston and turbo-prop market, is consistent with the role that F45 [North County Airport] needs to play in the region, given the limitations affecting small GA aircraft operations at PBIA and the local issues and operational considerations established by the Airport Sponsor that preclude such a role at LNA [Lantana Airport]." The Master Plan for North County Airport also notes that the potential future Runway 13/31 length of 6,000 feet would enhance the capability of the airport to act in its role as a reliever facility to PBIA. The Master Plan states that potential development at the North County Airport is not intended to duplicate facilities at PBIA. With this in mind, the FAA recognizes that the Airport Sponsor's objectives are to accommodate and serve a different market in the north end of the county and not develop commercial aviation facilities at the airport (i.e., runway capable of accommodating air carrier operations). The Airport Sponsor's goals are to serve commercial and large GA aircraft at PBIA.

In regard to development plans for the North County Airport, the Airport Sponsor has informed the FAA that the North County Airport is subject to a State of Florida Development Order that limits expansion of its airside facilities. The Development Order restricts airport development within two major environmental preserve areas situated immediately off the east and west ends of existing parallel Runways 8R/26L and 8L/26R. The location of the environmental preserves and their protection in perpetuity, in conjunction with the physical barriers east of the airport (CSX railroad and SR 710), limit the consideration of the extension of either parallel runway beyond their current lengths. Although the Airport Sponsor may explore potential expansion options at the North County Airport during normal management actions or through the update of its Master Plan, the Airport Sponsor has not informed the FAA that the Development Order is subject to revision or that the County would seek to expand the North County Airport.

The Lantana Airport is closed to all jet aircraft and aircraft with a maximum gross take-off weight of more than 12,500 pounds. Due to limited runway length (3,256 feet and 3,421 feet), operating restrictions, and substantial adjoining water features and residential developments, the Lantana Airport could not reasonably be expanded to attract and accommodate large GA and/or air carrier aircraft that currently use PBIA.

6.3.5 OPERATIONAL AND DEMAND MANAGEMENT ALTERNATIVES (EXISTING AIRFIELD CONFIGURATION)

Operational and Demand Management Alternatives were evaluated to determine if the Purpose and Need for the AIP could be met without any physical airfield improvements (aside from those described in the No-Action Alternative). Operational measures (increased use of alternate departure headings and

increased use of the crosswind Runway 14/32) and Demand Management measures (Administrative, Market-Based, and Voluntary) are described and evaluated in the following sections.

Operational Alternatives

Increased Use of Alternate Departure Headings

The FAA evaluated the increased use of alternate departure headings (also referred to as “fanning”) to accommodate existing and future operational levels at PBI with an acceptable level of operational delay. It should be noted that the practice of fanning is contrary to the informal noise abatement departure procedure enacted by the Airport Sponsor and implemented by the PBI ATCT in 1997 after its recommendation in the airport’s Part 150 Noise Compatibility Study. Fanning is a practice that is used by the PBI ATCT to gain departure capacity increases during peak departure demand periods.

Through the use of the SIMMOD™ airfield simulation model, it was determined that the short-term capacity benefits of the increased use of alternate departure headings realized during peak departure periods would not occur when activity levels increase to the projected levels of approximately 221,000 annual aircraft operations. This is due to the fact that periods of increased departure demand would also include increased arrival demand to Runway 10L/28R. Therefore, multiple departures (which would benefit from the fanning procedure) could not occur without delaying arriving aircraft. Although the use of alternate departure headings is currently used during peak departure periods at PBI to relieve congestion, this alternative would not increase the annual and hourly capacity of the airfield to reduce average aircraft operational delay to acceptable levels. Based on these considerations, the FAA determined that this alternative would not meet the Purpose and Need criteria and, therefore, it was not retained for further consideration.

Increased Use of the Crosswind Runway 14/32

The FAA, in coordination with the PBI ATCT, considered the operational and aircraft handling aspects of the proposed increased use of crosswind Runway 14/32 during East Flow operations at PBI. The FAA found that the taxiway layout, among other issues, creates a host of problems for using Runway 14 for arrivals and Runway 10L for departures and that this alternative would not increase the efficiency of aircraft movements on the airfield. Computer-based SIMMOD™ simulations were conducted by the FAA to examine various alternative airfield use scenarios. The SIMMOD™ analysis was specifically used to assess changes in airfield capacity that might occur with proposed increased use of Runway 14/32 during East Flow conditions during Visual Meteorological Conditions (VMC) at PBI. The SIMMOD™ analysis revealed that the increased use of Runway 14/32 would provide a short-term decrease in average minutes of operational delay. However, the delay reductions would be short-lived and would not reduce average aircraft operational delay to acceptable levels under operational conditions identified in the FEIS and, thus, not satisfy the Level 1 Purpose and Need criteria. Therefore, this alternative was not retained for further consideration.

Demand Management Alternatives

Administrative Measures

High Density Rule

Limitations on scheduled operations have historically been the most common administrative measure used by the FAA to address capacity and delay problems. This approach attempts to limit the number of aircraft operations per hour to the airfield's capacity at an acceptable level of delay.

In the context of airport congestion, Congress articulated a policy that artificial restrictions on airport capacity are not in the public interest; should be imposed to alleviate air traffic delays only after other reasonably available and less burdensome alternatives have been tried; and should not discriminate unjustly between categories and classes of aircraft (49 U.S.C. 47101(a)(9)(A)(B)).

Although an alternative like the High Density Rule (HDR) could force users to shift some flights from peak hours to off-peak hours through limiting the number of operations per hour at PBIA, the HDR was not retained as an Administrative-Based Demand Management Alternative at PBIA because:

- As a matter of Congressional policy, administrative actions, such as operational controls or caps, are not desirable to serve as a long-term solution to delay at an airport where capacity expansion is physically possible.
- It would be inconsistent with Congress' intent of promoting competition among airlines and prevent air carriers from satisfying their customers' demands.

Even prior to the phase out of the HDR at severely congested airports, such as Newark International Airport and John F. Kennedy International Airport, application of the HDR has historically only been used in situations where a severe and extraordinary level of delay has existed and created ripple effects on the National Airspace System (NAS). Even at the operational levels analyzed in the FEIS, these conditions do not exist at PBIA. As such, use of the HDR did not satisfy the Level 1 Purpose and Need criteria. Therefore, this alternative was not retained for further consideration.

Perimeter Rule

Perimeter rules restrict the destinations or markets an airport can serve to effectively distribute demand across a multi-airport system. This concept can be utilized when an airport sponsor operates multiple commercial service airports. It typically designates specific airports within its system for either long- or short-distance operations, but not both. This alternative concept has the potential to reduce operational congestion and delay at each of the airports.

If this alternative were implemented at PBIA, it would require the Airport Sponsor to either construct a new air carrier airport or make improvements to one of its other airports such that it was capable of accommodating air carrier operations. The Airport Sponsor would then have to attempt to shift operations between the two airports to allow for short- and long-haul operations at either, but not both of the airports, and also provide for sufficient capacity and acceptable levels of operational delay at each airport.

Perimeter Rules do not increase capacity at an airport; they simply limit the number of operations that can occur. The Airport Sponsor does not operate another commercial service airport and it does not have the authority to impose any restrictions on other commercial service airports in the region. In addition, the Airport Sponsor does not have any plans to make improvements to the other airports in its system such that they are capable of accommodating air carrier aircraft and providing commercial air service. Therefore, a Perimeter Rule alternative is not feasible and could not be implemented at PBIA. Because this alternative concept could not be implemented at PBIA, FAA determined that it is not a reasonable alternative and it was not retained for further consideration.

Market-Based Measures

Locally-Imposed Aircraft Landing Fees

The Airport Sponsor implemented landing fees for GA aircraft at PBIA in November 2008. The purpose of the landing fee was to address cost equity issues between air carriers and GA users of the airport. The landing fee structure was not designed to be discriminatory or to shift activity from one airport to another.

The application of landing fees at PBIA affects mostly the decisions of small- to mid-sized GA aircraft owners as to whether to operate and/or base their aircraft at the airport. It should be noted, however, that peak period GA operations at PBIA are primarily generated by larger corporate and executive-class GA aircraft. The FAA concurs with the Airport Sponsor's position that the owners/operators of large GA aircraft at PBIA would be influenced less by landing fees than small aircraft owners/operators. This is because the owner/operators of these larger GA aircraft specifically choose to operate at PBIA due to its proximity to the local centers of commerce, the arts, and high-end housing. Similarly, the owners/operators choose to operate at PBIA because of PBIA's GA support services that cater to large corporate and executive-class aircraft. In addition, the viability of operating these larger GA aircraft at other Airport Sponsor-owned airports is extremely limited because of the lack of needed aviation facilities (runway length) and comparable levels of service. Based on this reasoning, the FAA determined that landing fees would not reduce operational levels at PBIA sufficiently to reduce operational delay to acceptable levels and satisfy the Purpose and Need for the AIP. Therefore, this alternative was not retained for further consideration.

Peak Period Pricing

The FAA notes that peak period pricing has not yet been successfully implemented at any airport in the U.S. over an extended period of time. The FAA and the Office of Secretary of Transportation (OST) continue to research whether Market-Based approaches would be effective in managing congestion. Market-Based approaches raise many issues including: 1) the most practical type of approach to implement, 2) their effect on airfares, and 3) their consistency with international agreements. In order to implement a peak period pricing system, it must be consistent with OST/FAA policy.

Although peak period pricing could be implemented at PBIA, it was not considered a reasonable or practicable alternative by the FAA for the reasons listed below and; therefore, this alternative was not retained for further consideration in the EIS process.

- The use of Market-Based measures to reduce demand by raising airfield use fees (peak period pricing) did not meet the Purpose and Need criteria for the AIP.

- Peak Period Pricing would not enhance capacity or reduce demand at PBIA.
- Assuming the Airport Sponsor developed a properly structured peak pricing policy, its implementation would be unlikely to address the unique congestion problems at PBIA because peak period pricing traditionally attempts to change scheduling habits of commercial airlines and PBIA's delay problems result from a combination of activity by commercial and non-commercial (GA) users during peak periods.
- Peak period pricing would not substantially alter arrival and departure time preferences of the owners/operators of large GA aircraft at PBIA (which comprise the majority of GA aircraft types at PBIA). Corporate and executive-class aircraft users have the ability to operate independently from scheduled airline service, base arrival and departure time decisions on personal needs and preferences, and would be less likely to change an arrival or departure time to off-peak periods on the basis of increased operating costs.
- PBIA's commercial service schedules are dictated, more or less, by airline schedules at the major hub airports to which PBIA provides connecting flights. Forcing airlines to "de-peak" locally would have potential to impact airlines and PBIA customers through reduced number of available connecting flights or increased hold-over times at the hub airports.

Voluntary Approaches

Voluntary approaches to demand management can include actions such as de-peak or outright schedule reductions to reduce the number of aircraft operations occurring during peak periods. Although voluntary measures have been successfully implemented at certain airports in the U.S., they have occurred at congested, major metropolitan airports that operate as connecting hubs rather than at origin and destination (O&D) airports, such as PBIA. Another factor considered is that many hub airports have one air carrier that is the dominant carrier. Thus, unilateral or negotiated actions by the dominant carrier to de-peak or reduce their flight schedule can have a substantial effect because they account for a significant percentage of aircraft operations at the airport. However, competition among airlines may result in an airline reverting to their previous "congested" schedule at the end of negotiated agreement periods. Other airlines may also schedule new flights in the de-peaked periods, negating the efforts of the voluntary de-peak at the airport.

PBIA is not a connecting hub airport with a dominant carrier. No airlines currently hub at PBIA and none are expected to do so in the future. Flight schedules at O&D airports, such as PBIA, are primarily designed to meet the travel needs of leisure and business travelers and to tie into flight banks at hub airports. Thus, a voluntary measure such as de-peak flight schedules is not applicable to PBIA because the flight schedules at PBIA are influenced primarily by the flight bank schedules at connecting hub airports.

As previously noted, the peaks that do occur at PBIA tend to be a combination of scheduled air carrier flights and operations by large, executive type GA aircraft. This combination of aircraft operations does not lend itself to a de-peak action because GA operations are single operations by individual operators. For this reason, voluntary measures, such as voluntary de-peak, is not a reasonable alternative for increasing airfield capacity and reducing aircraft operational delays at PBIA. Therefore, this alternative was not retained for further consideration.

Demand Management Summary

None of the Demand Management alternatives discussed above would increase the capacity of the airport to accommodate the operational levels identified during the EIS process or reduce operational delay to acceptable levels. Therefore, the Administrative, Market-Based, and Voluntary Measures evaluated in the DEIS and FEIS would not meet the Purpose and Need criteria and they were not retained for further consideration by the FAA.

6.3.6 AIRPORT SPONSOR MASTER PLAN AND OTHER ON-SITE RUNWAY CONFIGURATION ALTERNATIVES

Based on the FAA's analysis, Alternatives A-2, A-4, A-5, A-6, A-7, A-10, A-12, A-14, and A-16 would not increase the annual and hourly capacity of the airport to efficiently accommodate operational levels identified in the FEIS (238,457 annual operations, 79 hourly Visual Flight Rules (VFR) operations, and 56 hourly Instrument Flight Rules (IFR) operations). Each of these alternatives consists of a single primary runway with an intersecting crosswind runway or an "Open V" configuration. Due to their inability to accommodate operational levels identified in the FEIS, each of these alternatives would also not be able to reduce operational delay at PBIA to acceptable levels. Since these alternatives did not meet the Purpose and Need criteria, they were not considered to be reasonable alternatives and were not retained for further consideration.

Alternatives A-3, A-8, A-9, A-11, A-13, and A-15, which all provide parallel runway configuration layouts, could provide adequate annual and hourly capacity at PBIA to accommodate operational levels identified in the FEIS. Because of their ability to accommodate the annual and hourly operational levels identified in the FEIS, each of these alternatives could also reduce operational delay to acceptable levels. Therefore, these alternatives met the Purpose and Need screening criteria and were retained for further consideration in the Level 2 analysis.

Alternative A-3

Alternative A-3 did not provide a minimum runway centerline-to-runway centerline separation distance of 800 feet. With this alternative's 700-foot runway-to-runway centerline separation, the centrally-located, full-length parallel taxiway would have a runway centerline-to-taxiway centerline separation distance of only 350 feet. Therefore, Alternative A-3 did not meet the Level 2 screening criteria for ARC D-IV airfield design standards. In addition, constructability issues associated with Alternative A-3 include the relocation of some of the FBO facilities on the south side of the airport. In the Level 2 evaluation, Alternative A-3 did not meet the FAA's airport design criteria, but it did meet the constructability and cost criteria. Since this alternative did not meet all of the Level 2 criteria, it was not considered a reasonable alternative and it was not retained for further evaluation in the FEIS.

Alternative A-8

The complexity of staging, phasing, and construction activities directly associated with the development of Alternative A-8 would include significant impacts to the existing terminal building and adjacent long-term parking garages and surface lots, the terminal roadway, the on-airport rental car facilities, and the GA support facilities located on the south side of the airfield. In addition, this alternative would require the

relocation of Southern Boulevard and Australian Avenue, both of which are major crosstown connector and arterial roadways.

Alternative A-8 was not considered to be a reasonable or practicable alternative due to its complexities of construction, the unacceptable disruptions to PBIA terminal facilities, the major area roadway relocations, and because of its cost of \$1.8 billion (2008 dollars). Therefore, Alternative A-8 was not retained for further consideration.

Alternative A-9

Alternative A-9 required the relocation of all tenants on the south side of the airport and development of the new north side parallel Runway 10L/28R would have significantly impacted the existing passenger terminal complex, on-airport roadways, on-airport rental car facilities, and parking facilities. The total estimated planning level cost estimate for Alternative A-9 was \$1.8 billion (2008 dollars). As a result of the significant disruptions to PBIA airside and landside operations, roadway modifications, and financial cost, Alternative A-9 was not considered to be a reasonable or practicable alternative and, therefore, was not retained for further consideration.

Alternative A-11

The complexity of staging, phasing, and construction activities directly associated with the development of Alternative A-11 included the relocation of sections of Belvedere Road, Australian Avenue, Southern Boulevard, and possibly a portion of I-95. Direct impacts or relocations would occur to overflow parking areas, on-airport rental car facilities, All-Cargo Building 1475, and airport tenants located on the south side of the airport. The development costs associated with Alternative A-11 were estimated to be approximately \$1.9 billion (2008 dollars).

As a result of the significant disruptions to PBIA airside and landside operations, roadway modifications, and financial cost, Alternative A-11 was not considered to be a reasonable or practicable alternative for further consideration.

Alternative A-13

Under Alternative A-13, a new Runway 10L/28R would be constructed to a length of 10,000 feet and a width of 150 feet, and existing Runway 10L/28R would be re-designated as Runway 10C/28C. The runway centerline-to-runway centerline separation distance between Runways 10L/28R and 10C/28C would be 700 feet¹⁴. Runways 10R/28L and 14/32 would remain operational in their current configurations. Alternative A-13 did not provide the FAA recommended minimum runway centerline-to-runway centerline separation of 800 feet; therefore, it did not meet the FAA's ARC D-IV airfield design standards of the Level 2 screening criteria. Because this alternative did not meet all of the Level 2 alternatives screening criteria, it was not considered a reasonable alternative and it was not retained for further evaluation in the FEIS.

¹⁴ FAA design standards allow a minimum 700-foot separation between runways for simultaneous landings and take-offs using VFR flight rules. However, a 700-foot separation would not allow the use of a parallel taxiway between the two runways.

Alternative A-15

Similar to Alternative A-13, this alternative included a new Runway 10L/28R that would be constructed to a length of 10,000 feet and a width of 150 feet. The new runway would be located 700 feet north of the existing Runway 10L/28R. Existing Runway 10L/28R would be re-designated as Runway 10R/28L. Existing Runway 10R/28L would be closed. Runway 14/32 would remain operational in its current configuration. Alternative A-15 did not provide the FAA recommended minimum runway centerline-to-runway centerline separation of 800 feet; therefore, it did not meet the FAA ARC D-IV airfield design standards of the Level 2 screening criteria. Because this alternative did not meet all of the Level 2 alternatives screening criteria, it was not considered a reasonable and was not retained for further evaluation in the FEIS.

6.3.7 *AIRPORT SPONSOR'S AIP*

The Airport Sponsor's AIP was developed as the result of detailed planning efforts by the Airport Sponsor, through the Master Planning process, to meet PBIA's operational needs. The AIP would increase both the annual and hourly capacity of the airfield to accommodate the forecasted aviation demand and reduce aircraft operational delay to acceptable levels. Because the AIP met all of the Level 1 Purpose and Need criteria, it was retained for further evaluation in Level 2 of the alternatives screening evaluation.

With a runway centerline separation distance of 800 feet between existing Runway 10L/28R and proposed new Runway 10R/28L, the AIP met the FAA's ARC D-IV airfield design standards. The AIP would have minimal impacts to airside and commercial landside facilities and operations, since the relocated Runway 10R/28L would be located away from the most active part of the existing airfield and terminal complex. The proposed modifications to Runway 14/32 would also have minimal impacts to airside operations and no impacts to landside operations or facilities. Therefore, the AIP avoided the existing passenger terminal complex area, including the parking and on-airport roadway systems.

This alternative would require the relocation of five residences within the relocated Runway 10R RPZ, approximately 27 off-airport businesses, one non-profit organization, and four on-airport businesses on the south side of the airfield. The AIP would require the construction of ingress/egress roads off of Military Trail and Belvedere Road to/from the relocated FBO facilities in the northwest quadrant of the airport. Relocation of a 750-foot portion of the Airport West Canal would be required to avoid the relocated Runway 10R RSA. The estimated cost for the AIP was \$370 million (2008 dollars). Because it met all of the Level 2 criteria, this alternative was retained for Level 3 evaluation.

In the Level 3 evaluation, it was determined by the FAA that the AIP would not result in any direct impacts to DOT Act Section 4(f) resources, historic architectural, archaeological, or cultural properties; encroach or result in adverse impacts to 100-year floodplains; or result in significant impacts to wetlands, surface water, or ground water resources. Because the AIP would not result in significant impacts to the environmental categories used in the alternatives screening process, this alternative met the Level 3 Environmental Considerations criteria and was retained for detailed evaluation in the FEIS.

6.3.8 SCOPING ALTERNATIVE

The Scoping Alternative would not increase the annual and hourly capacity of the airfield to accommodate the aircraft operational levels identified in the FEIS or reduce existing and projected levels of aircraft operational delay to acceptable levels.

It is important to note that because of the proximity and location of the intersection of Runways 10L/28R and 14/32, PBIA utilizes Land and Hold Short (LAHSO) procedures on a limited basis and only when converging operations are limited exclusively to GA aircraft. Mixed-use of LAHSO by air carrier and GA aircraft is prohibited by Federal Regulations. Because a majority of all operations at PBIA are generated by large commercial and GA aircraft and because of the location of the runway intersection (effectively dividing Runway 10L/28R in half versus a more favorable (i.e., more distant) intersection location), air carrier aircraft operating at PBIA cannot utilize LAHSO.

In addition, the LAHSO Available Landing Distance (ALD) of the proposed extended Runway 14 under the Scoping Alternative would be only slightly greater than 5,000 feet. Therefore, the implementation of a LAHSO procedure at PBIA, even with the increase in the length of Runway 14/32, results in less capacity than the No-Action Alternative due to the small number of aircraft that could land within the runway distance provided.

The Scoping Alternative did not meet the Level 1 Purpose and Need criteria; therefore, it was not considered a reasonable alternative and it was not retained for further evaluation in the FEIS.

6.3.9 ALTERNATIVES DEVELOPED DURING THE EIS PROCESS

Alternative 1

Alternative 1 would provide adequate hourly capacity to meet the hourly demand at PBIA. However, this alternative would not provide adequate annual capacity to accommodate the aircraft operational levels identified in the FEIS. As a result of the deficiency in annual capacity, this alternative would not reduce average delay per aircraft operation to acceptable levels when operations reach the levels identified in the FEIS. Because Alternative 1 did not meet all of the Level 1 Purpose and Need criteria, it was not considered a reasonable alternative and it was not retained for further consideration in the FEIS.

Alternative 2

Alternative 2 met both the annual and hourly capacity needs at PBIA for the aircraft operational levels identified in the FEIS. This alternative would also reduce average delay per aircraft operation to acceptable levels. Because Alternative 2 met all of the Level 1 criteria, it was retained for further analysis in Level 2 of the alternatives screening evaluation.

The 800-foot runway centerline-to-runway centerline separation associated with Alternative 2 and the subsequent 400-foot separation from each parallel runway centerline to the taxiway centerline meets FAA ARC D-IV airfield design standards. Alternative 2 would result in some constructability issues associated with construction activities between the passenger terminal and new Runway 10L/28R. The most intrusive of these being the construction activities on Concourses B and C and the temporary restriction of taxi flows during construction periods. However, the FAA believed that these constructability issues could

be minimized through the development of construction specifications, staging plans, and phasing techniques.

The acquisition of 33 businesses, one non-profit organization, and one residence required by Alternative 2 would not affect airfield construction activities and there are adequate replacement commercial properties and housing units in the Palm Beach area to accommodate the displaced businesses and residence. The Air Cargo facility, electrical vault, ARFF facility, and portion of the Airport West Canal that would need to be relocated with this alternative could be accomplished on existing airport property without resulting in significant constructability issues.

The planning level cost estimate for Alternative 2 indicates that it would cost approximately \$730 million (2008 dollars). Although the cost is significantly higher than the AIP, FAA considered the cost reasonable based on the magnitude of the construction activities. Because Alternative 2 met all of the Level 2 criteria, it was retained for further evaluation in Level 3 of the alternatives screening evaluation.

In the Level 3 evaluation, it was determined by the FAA that Alternative 2 would not result in any direct impacts to DOT Act Section 4(f) resources, historic architectural, archaeological, or cultural properties; or result in significant impacts to wetlands, surface water, or ground water resources. Alternative 2 would result in approximately 9.2 acres of floodplain impact within Zone A-7 100-year floodplains. The Airport Sponsor has an existing permit with the SFWMD that regulates flood storage capacity within PBIA property. The additional runway and taxiway pavement would require a modification to the permit, to offset the floodplain encroachment, such that there would be no net loss of floodplain storage volume within the airport surface water sub-basins. With the implementation of the modified permit conditions, the 100-year floodplain impacts associated with Alternative 2 would not be considered significant.

Because Alternative 2 would not result in significant impacts to the environmental categories used in the Level 3 screening process, this alternative met the Level 3 Environmental criteria, and it was retained for detailed evaluation in the FEIS.

6.4 DESCRIPTION OF ALTERNATIVES RETAINED FOR DETAILED ANALYSIS

At the completion of the alternatives development, evaluation, and screening process, the FAA determined that three alternatives would be retained for detailed evaluation in the FEIS. These alternatives consisted of the No-Action Alternative, the Airport Sponsor's AIP, and Alternative 2. [Table 6-2](#) contains a comparative summary of purpose and need, constructability and cost, and environmental factors associated with the alternatives retained for detailed evaluation.

A description of the Environmentally Preferred Alternative, the FAA's Preferred Alternative, and the FAA's Selected Alternative is provided in [Section 7.0](#) of this ROD.

TABLE 6-2
COMPARISON SUMMARY OF ALTERNATIVES RETAINED FOR DETAILED EVALUATION

Evaluation Criteria	No-Action Alternative	Airport Sponsor's AIP	Alternative 2
Purpose and Need			
Provide sufficient annual and hourly capacity to safely and efficiently accommodate the aircraft operational levels identified in the FEIS	No	Yes	Yes
Reduce existing and projected levels of aircraft operational delay to acceptable levels	No	Yes	Yes
Airfield Design Standards, Constructability, and Cost			
Fully satisfies FAA ARC D-IV Airfield Design Standards	Yes	Yes	Yes
Unacceptable disruptions to PBIA airside and landside operations	No	No	No
Residential relocations (number of parcels)	0	5	1
Commercial relocations (number of off-airport/on-airport)	0	27/4	33/0
Non-Profit Relocations	0	1	1
Off-airport roadway modifications	None	None	None
Estimated cost (millions) (2008 dollars)	\$0	\$370	\$730
Environmental Factors			
Air Quality	None	Reduced Emissions	Reduced Emissions
Coastal Resources	None	None	None
Compatible Land Use Impacts	None	Yes	Yes
Construction Impacts	None	Temporary	Temporary
DOT Act Section 4(f) (number sites Direct/Indirect impacts)	0/0	0/0	0/0
Prime Farmland (acres)	0	0	0
Fish, Wildlife, and Plants	None	None	None
Floodplains (acres)	0	0	9.2
Hazardous Materials, Pollution Prevention, and Solid Waste	None	Yes	Yes
Section 106 Historic Sites (Direct/Indirect)	None	0/0	0/0
Historic Architectural properties or districts (Direct/Indirect Impacts)	None	0/0	0/0
Archaeological resources (number of sites)	0	0	0
Light Emissions	None	None	None
Energy Supply and Natural Resources	None	None	None
Noise	None	Yes	Yes
Secondary (Induced) Impacts	None	None	None
Socioeconomic Impacts, Environmental Justice, and Children's Environmental Health and Safety Risks	None	None	None
Water Quality	None	Temporary	Temporary
Wetlands (acres; waters of the U.S.)	0	0	0
Wild and Scenic Rivers	None	None	None
Surface Transportation	None	None	None
Cumulative Impacts	Yes	Yes	Yes

Source: URS Corporation, 2010.

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SECTION 7.0

ENVIRONMENTALLY PREFERRED, AGENCY PREFERRED, AND SELECTED ALTERNATIVE

CEQ regulations require lead Federal agencies to identify, at different points in the NEPA process, several alternatives. First, the agency must identify the “proposed action,” referred to as the AIP in the FEIS for this project (See 40 CFR §1502.14). In addition, not later than the FEIS, the CEQ regulations require the lead agency to identify a preferred alternative (See 40 CFR §1502.14(e)). Finally, at the time of the Record of Decision, the lead agency must also identify the environmentally preferred alternative (See 40 CFR §1505.2(b)). Those alternatives and the reasons for their designation as such, are described below.

7.1 ENVIRONMENTALLY PREFERRED ALTERNATIVE

In accordance with 40 CFR §1505.2(b), the responsible Federal agency shall identify in its ROD the alternative (or alternatives) which were considered to be environmentally preferable. The environmentally preferred alternative is the “alternative that will promote the national environmental policy as expressed in NEPA’s Section 101. Ordinarily, this means the alternative that causes the least damage to the biological and physical environment; it also means the alternative which best protects, preserves, and enhances historic, cultural, and natural resources” (CEQ Memorandum, Forty Most Asked Questions Concerning NEPA Regulations, Question Number 6a).

Based upon the detailed analysis of the No-Action Alternative in the FEIS, the No-Action Alternative would have minimal environmental impact when compared to the impacts associated with the AIP and Alternative 2. When evaluating the No-Action Alternative to both of these alternatives, the No-Action Alternative would result in higher primary air quality pollutant emissions at PBIA due to the fact that it would result in higher levels of airfield congestion and aircraft operational delay at PBIA. However, as demonstrated in the FEIS, when examining all resource categories and based upon the comparative impacts of the alternatives examined in detail, the No-Action Alternative is the Environmentally Preferred Alternative.

7.2 FAA’S PREFERRED ALTERNATIVE

CEQ regulations require all Federal agencies to identify a preferred alternative when undertaking an EIS. According to FAA Order 5050.4B, the approving FAA official must select a preferred alternative after reviewing each alternative’s ability to fulfill the Agency’s statutory mission, and considering the alternative’s economic and environmental impacts, as well as other technical factors. As disclosed in Chapter 3.0 of the FEIS, the FAA identified the Airport Sponsor’s proposed project, the AIP, as the Agency’s preferred alternative. Chapter 3.0 of the FEIS provides a full discussion of the basis for the FAA’s identification of the AIP as the preferred alternative, which is summarized below.

Agency Statutory Mission

The AIP and Alternative 2 would both meet the project's purpose and need in terms of the FAA's statutory charter and mission. The AIP and Alternative 2 would serve to enhance capacity and reduce operational delay at PBIA to acceptable levels. However, the AIP provides a substantially greater benefit in terms of future, long-term increased airfield capacity and potential to reduce aircraft operational delay. The No-Action Alternative did not meet the FAA's Purpose and Need or the Airport Sponsor's goals and objectives for the proposed airport improvement project. Therefore, with respect to statutory mission considerations as articulated in the EIS' stated purpose and need, the AIP was preferred.

Airfield Design, Constructability and Cost

Consideration of airfield design, constructability, and cost issues favor the AIP over Alternative 2. Alternative 2 would require modifications to the passenger terminal building and relocation of several airfield facilities that are not required under the AIP. Thus, Alternative 2 would be more operationally disruptive and cause more inconveniences to PBIA's customers than the AIP.

Construction costs for Alternative 2 would be almost double that of the AIP. Funding Alternative 2 would impact not only FAA grant programs, but would require additional PFC collections and require substantially increased state and local funding.

Environmental Considerations

With respect to environmental considerations, the AIP would have fewer environmental impacts when compared to Alternative 2 when considering the environmental categories having direct, physical impact, such as biotics, wetlands, water quality, floodplains, and hazardous materials. In addition, the AIP would have fewer noise impacts on Section 4(f) resources such as parks and other recreation resources. While Alternative 2 has fewer impacts with respect to other noise-sensitive land uses, such as residential properties, noise impacts to those land uses would be the subject of required mitigation. With mitigation, those noise-sensitive land uses would be rendered compatible. Because of the availability of mitigation to render significantly noise-impacted properties compatible under both alternatives, and somewhat lesser environmental impacts associated with the AIP in a number of other resource categories, on balance, the AIP is slightly more attractive from an environmental standpoint.

The FAA has conducted a comprehensive evaluation of alternatives and considered the factors summarized briefly above. In addition, the FAA gave full consideration to all comments received during the Scoping process, the EIS Public Involvement Program, and on the DEIS and FEIS documents. Based on the foregoing, and in consideration of the potential benefits, costs, and environmental impacts associated with the Airport Sponsor's AIP and Alternative 2, the FAA has selected the Airport Sponsor's AIP as the Agency's Preferred Alternative.

7.3 *FAA'S SELECTED ALTERNATIVE*

Typically, the FAA selects an alternative from its EIS for unconditional approval in its ROD. Ordinarily, the FAA makes its selection with the expectation that the alternative's construction will be commenced shortly after issuance of the ROD with the alternative as a whole being completed in a single, continuous undertaking. However, such is not the case here. That is because unexpected circumstances arose in the midst of the NEPA process that rendered the typical course of events invalid for this specific decisional process. In light of the economic recession's impact on aviation activity at PBIA, the FAA was faced with the choice of discontinuing the NEPA process that was already substantially underway, or proceeding forward with the EIS with the intention of delaying final decision on the primary component of the proposed project (the Runway 10R/28L expansion and related components of the project) until a time when additional capacity is again needed at PBIA. The FAA decided to preserve the efforts made in the NEPA process prior to the economic recession, and to continue forward with preparation of an FEIS and ROD. However, as indicated throughout the FEIS and this ROD, it is impossible to accurately predict when unacceptable levels of aircraft delay may again occur at PBIA. For that reason, the FAA cannot select either the AIP or Alternative 2 in its entirety for unconditional ALP approval and construction at this time. Because a decision on airfield capacity enhancement at PBIA is not ripe, the FAA has decided to limit its selection among alternatives to the Near-Term components of the alternatives, and selects the Near-Term components of the AIP for implementation.

The FAA is approving the Near-Term AIP in this ROD for several reasons. Neither the Near-Term components of the AIP nor the Near-Term components of Alternative 2 have any environmental consequences that reach a level of significance in any resource category. Almost all impacts are confined to the airport environs, with the exception of property acquisition. However, property acquisition is identical under both Near-Term alternatives. Where the impacts for the alternatives are not identical, their variations are very minor. Slight variations in environmental impacts can be seen in the following categories: air quality, surface waters, and impervious surfaces. Overall, however, the impacts are so similar for both the Near-Term AIP and Near-Term Alternative 2 that environmental impacts do not influence the choice among Near-Term alternatives.

As with environmental considerations, the FAA's statutory mandates do not favor selection of one alternative over another. In fact, the components of the project that have been identified as the Near-Term AIP are project components that were lesser included elements of the overall AIP. They serve near-term business needs of the Airport Sponsor, such as addressing lack of space for FBO expansion or new entrant FBOs on the airport, improving the utility of an existing taxiway, and enhancing airport operations and security by moving the airport's boundary and fence lines to coincide with existing geographic boundaries. The FAA finds these business needs of the airport to be legitimate, current, and independent of the larger project. But those needs are not of a nature that inspire Congressional action, and are not addressed in the FAA's statutory mission as defined by Congress. As a result, the FAA's statutory mission does not provide any basis for selecting one near-term alternative over another for unconditional ALP approval and implementation. Therefore, the FAA cannot look to its statutory mission

or project statement of purpose and need¹⁵ for direction in the selection of a near-term alternative for implementation.

However, the Airport Sponsor did indicate the goals and objectives it hoped to achieve through implementation of the Near-Term AIP. Those goals and objectives are discussed in Section 2.3 of the FEIS. In the absence of any significant environmental consequences associated with either of the Near-Term alternatives, and lacking any statutory or mission-related reasons to prefer one alternative over the other, the FAA believes it is appropriate to defer to the Airport Sponsor's preferences for the Near-Term development, and has identified the Near-Term AIP as the Agency's Selected Alternative.

¹⁵ The project statement of purpose and need is based upon relevant components of the FAA's statutory mission, which is in part identified in the *Airport and Airway Improvement Act* of 1982. See Section 2.2 of the FEIS for a discussion of the relationship between FAA's statutory mandates and the Federal actions requested by the Airport Sponsor for this project.

SECTION 8.0

PUBLIC PARTICIPATION AND AGENCY COORDINATION

8.1 INTRODUCTION

NEPA directs Federal agencies to “make diligent efforts to involve the public in preparing and implementing their NEPA procedures” and to “provide public notice of NEPA-related hearings, public meetings, and the availability of environmental documents” (42 CFR §4321, Part 1506.6).

The FAA’s *Community Involvement Policy Statement*, dated April 17, 1995, states:

“The FAA is committed to complete, open, and effective participation in agency action. The agency regards community involvement as an essential element in the development of programs and decisions that affect the public.”

FAA Orders 1050.1E and 5050.4B provide agency guidance for public participation and agency coordination during the preparation of an EIS. In accordance with this guidance, and in response to community concerns, the FAA implemented an extensive public involvement program for the PBI A EIS process to ensure that information was provided to the public and government agencies from the earliest stages of project planning, and that input from interested parties was received, reviewed, and considered by the FAA throughout the EIS process.

The FAA, as the lead Federal agency for the PBI A EIS, coordinated with other Federal agencies that have jurisdiction by law or have special expertise to participate in Scoping and the EIS process as Cooperating Agencies. Although coordination was accomplished between the FAA and other Federal agencies throughout the EIS process, no other Federal agency requested to participate in the EIS process as Cooperating Agency.

Documentation pertaining to agency coordination accomplished throughout the PBI A EIS process is contained in [Appendix C](#) of the FEIS. Documentation of the FAA’s agency and public involvement program for the EIS is provided in Section 7.0 and Appendix J of the FEIS.

8.2 PUBLIC INVOLVEMENT AND AGENCY COORDINATION

The primary components of the FAA’s public involvement program for the PBI A EIS included:

- Establishment of an EIS website,
- Agency and Public Scoping Meetings,
- Focus Group Meetings,
- A Public Workshop on the EIS’ Alternatives evaluation,
- A Public Workshop on the DEIS,

- A Public Hearing on the DEIS,
- Public notification of the release of the DEIS and an extended public and agency DEIS comment period, and
- Public notification of the release of the FEIS and an extended public and agency FEIS comment period.

8.2.1 EIS WEBSITE

An internet website was established by the FAA specifically for the PBIA EIS¹⁶ and was used by the FAA to inform the public of the Airport Sponsor's proposed AIP, project-related information, the status of the study, and opportunities for public involvement. Documents related to the EIS process, the DEIS, and the FEIS were also available on the website for viewing and download by the public. To address the minority population in the Palm Beach area, Spanish language versions of the Executive Summary of the DEIS and FEIS were also posted on the EIS website. In addition, an EIS e-mail address was established for the purpose of allowing the public to submit comments to the FAA at any time throughout the EIS process.

8.2.2 AGENCY AND PUBLIC SCOPING MEETINGS

Two Scoping Meetings, consisting of an Agency Scoping Meeting and a Public Scoping Meeting, were conducted by the FAA to provide an early and open process for determining the scope of issues to be addressed within the EIS and for identifying significant issues to resource agencies and the public related to the Airport Sponsor's proposed project (AIP) at PBIA.

8.2.2.1 Agency Scoping Meeting

The FAA held an Agency Scoping Meeting on February 27, 2007 with Federal, state, and local agencies. The meeting included a presentation by the FAA on the EIS' scope and schedule. The FAA conducted a discussion session after the presentation. At the meeting, the FAA solicited agency input, information, and comments relative to the proposed AIP, alternatives, and the scope of the technical studies to be conducted for the EIS.

Because of their importance to the EIS process, the FAA offered to conduct individual agency Scoping Briefings to three agencies that were not able to attend the Agency Scoping Meeting in West Palm Beach. Two agencies, the EPA and the USFWS accepted FAA's offer for an individual Scoping meeting. The third agency, the U.S. Army Corps of Engineers (USACE) was not able to participate in an individual Scoping meeting. The FAA conducted the EPA individual Scoping meeting on March 13, 2007 at the EPA's office in Atlanta, Georgia. As a result of this meeting, the EPA provided written comments to the FAA for consideration in the EIS process. The USFWS individual Scoping meeting was held on March 21, 2007 in Vero Beach, Florida. At this meeting, the USFWS provided written comments to the FAA for consideration in the EIS.

¹⁶ www.pbias-eis.com

8.2.2.2 *Public Scoping Meeting*

A Public Scoping Meeting was held in an open-house workshop format on February 27, 2007, in West Palm Beach, Florida. The Public Scoping Meeting format allowed attendees to review presentation boards and ask questions of the FAA's project team. Representatives of the FAA and the Airport Sponsor were available to answer questions from the public. Pre-addressed Comment Forms were available for the public to submit written comments to the FAA and a court reporter was available to transcribe oral comments.

8.2.3 *FOCUS GROUP MEETINGS*

The FAA conducted a series of Focus Group Meetings during the EIS process. The purpose of the Focus Group Meetings was to provide information to the public as it became available during the EIS process and to provide feedback opportunities for the public. The Focus Groups included key public stakeholders who represented communities in the vicinity of PBI that may be affected by the proposed AIP and alternatives.

A series of five Focus Group Meetings were held during the period of September 2007 through July 2008. Each Focus Group meeting consisted of two identical meetings held on consecutive nights with approximately 25 to 35 homeowners association (HOA)/community representatives invited to participate each night. The key topics discussed during the Focus Group Meetings are listed below.

- Focus Group Meeting #1: Overview of Phase 2 of the EIS (Preparation of the DEIS)
- Focus Group Meeting #2: The Alternatives Evaluation Process
- Focus Group Meeting #3: Historic, Archaeological, and Architectural Historic Resources
- Focus Group Meeting #4: Aviation-Related Noise
- Focus Group Meeting #5: Air Quality

Specific information and feedback from each Focus Group Meeting is contained in Appendix J of the FEIS.

8.2.4 *ALTERNATIVES PUBLIC WORKSHOP*

An Alternatives Public Workshop was held on November 27, 2007 in West Palm Beach, Florida. The subject material presented and discussed with the public during this workshop consisted of a detailed description of the AIP and alternatives, an overview of the alternatives evaluation process, an explanation of the process used by the FAA to screen alternatives, and the preliminary identification of alternatives retained by the FAA for detailed evaluation in the DEIS document.

Newspaper advertisements were placed in local newspapers in both English and Spanish language to advise the public of the meeting and notification letters were sent to Federal, state, and local resource agencies and local elected officials to invite them to the meeting. Information was presented to the public via video presentation, board-mounted graphics, and handouts. FAA representatives were available for

one-on-one discussions with the public. Three methods of providing comments to the FAA were provided to the public: written comments submitted at the Public Workshop on pre-printed and addressed comment forms; verbally, at the Public Workshop to a court reporter; and in writing after the Public Workshop via mailed letter or e-mail to the FAA. Approximately 132 people attended the Alternatives Public Workshop.

8.2.5 DEIS PUBLIC INFORMATION WORKSHOP AND PUBLIC HEARING

Following publication of the DEIS in September 2008, a DEIS Public Information Workshop and Public Hearing were held at the Palm Beach County Convention Center on November 12, 2008. The Public Information Workshop included an open-house style workshop with presentation boards, maps, an informational video, and handouts. FAA representatives were available during the workshop to discuss the DEIS and answer questions. A private comment area was provided during the Information Workshop and the Public Hearing that allowed individuals to make private verbal comments that were recorded by a court reporter.

A formal Public Hearing immediately followed the DEIS Public Information Workshop. The Public Hearing, conducted in association with issuance of the DEIS, was hosted by the FAA for purposes of meeting the Agency's statutory requirements. The Public Hearing was presided over by an impartial Hearing Officer and it lasted until all public comments on the DEIS were received. Comments made by the public during the Public Hearing were made publicly before all those in attendance. A total of 137 people attended the DEIS Public Information Workshop and Public Hearing and 41 individuals provided verbal comments during the Public Hearing.

8.2.6 PUBLIC AND AGENCY NOTIFICATION OF THE DEIS

The DEIS, which in its entirety consists of an Executive Summary, a one volume DEIS documentation and two volumes of Technical Appendices, was made available for review by Federal, state, and local resource agencies; Native American Nations / Tribes; local elected officials; and the general public. The FAA published a Notice of Availability (NOA) of the DEIS as per the requirement for public disclosure per CEQ guidance in the Federal Register on September 28, 2008 and also published notices of the availability of the DEIS in the Palm Beach Post and La Palma (Spanish language) newspapers. The DEIS was available for review and comment by the public for an extended period of 45 days.

Individual copies of the DEIS, in hard-copy and/or electronic format, were sent to Federal, state, and local resource agencies; Native American Nations / Tribes; local governments; local elected officials; and community representatives. Copies of the DEIS Executive Summary (in English and in Spanish), the DEIS, and its Appendices were also placed at local libraries in the EIS study area for public review. Copies of the DEIS were available for public review at the Airport Sponsor's office at PBIA and the FAA's Airports District Office in Orlando, Florida. Section 9.0 of the FEIS contains a listing of the parties to whom copies of the DEIS were sent, as well as locations at which the DEIS was made available to the public. The DEIS was also posted in its entirety in a downloadable PDF format on the EIS website. Anyone wishing to comment on the DEIS was able to do so either in writing during the DEIS review period or in person, verbally, at the DEIS Public Hearing/Information Workshop.

The FAA responded to all substantive comments received from the public, local elected officials, and resource agencies on the DEIS. Summaries of the comments received and the FAA's responses to the comments are included in Appendix K of the FEIS.

8.2.7 PUBLIC AND AGENCY NOTIFICATION OF THE FEIS

On February 4, 2011, the FAA published a NOA of the FEIS in the Federal Register. The FAA also published a total of four public notices – two in English and two in Spanish - in the Palm Beach Post newspaper¹⁷ announcing the release of the FEIS and identifying where copies of the FEIS could be found for public review. Individual copies of the FEIS, in both hard-copy and/or electronic format, were mailed to Federal, state, and local resource agencies; Native American Nations / Tribes; local governments; local elected officials; and community representatives. Multiple copies of the Executive Summary, the FEIS, and the FEIS Appendices were placed at local libraries in the EIS study area for public review. Copies of the FEIS were also available for public review at the Airport Sponsor's office at PBIA and the FAA's Airports District Office in Orlando, Florida. Section 9.0 of the FEIS contains a listing of the parties to whom copies of the FEIS were sent, as well as locations at which the FEIS was made available to the public. The FEIS was also posted in its entirety, in a downloadable PDF format on the EIS website.

Even though not legally obligated to do so, it is FAA's practice, to the extent practicable, to consider, and in its ROD to respond to, comments received during the mandated 30-day administrative "hold" period for a FEIS (40 CFR §1506.10(b)(2)). Due to the extended EIS schedule, the implications of the FAA's 2009 TAF, and the Airport Sponsor's request to revise the AIP implementation plan, the FAA decided to formally solicit comments on the FEIS during the administrative "hold" period and voluntarily committed to render no decision for at least 45 days (rather than the 30 days allowed by law) following publication of the FEIS (40 CFR §1506.10(b)(2)). Therefore, the FEIS was made available for review and comment for a period of 45 days after the date of publication of the NOA for the FEIS in the Federal Register.

The administrative hold period, during which the FAA accepted public and agency comments began on February 4, 2011 and ended on March 21, 2011. The FAA received a total of 54 comment letters on the FEIS. This total includes three comment letters from Federal agencies, two from state agencies, two from local agencies, and 47 from members of the public. The comments on the FEIS are further described in [Section 10.0](#) of this ROD. All comments on the FEIS received were evaluated and considered by the FAA in the preparation of this ROD. FAA's responses to the substantive comments received on the FEIS are contained in [Appendix A](#) of this ROD.

8.3 ADDITIONAL AGENCY COORDINATION

During preparation of the DEIS and FEIS, the FAA coordinated with numerous Federal, Native American Nations / Tribes, state, and local agencies, including, but not limited to, the EPA, USFWS, USACE, NMFS, NRCS, FDEP, FDOT, Florida Department of Community Affairs (FDCA), Florida Department of Historic Resources (FDHR), SFWMD, Palm Beach County, the City of West Palm Beach, the Town of Palm Beach, and the Towns of Haverhill, Glen Ridge, and Cloud Lake. Native American Nations / Tribes contacted during the preparation of the EIS include the Poarch Band of Creek Indians, Muscogee (Creek)

¹⁷ The La Palma newspaper was no longer being published at the time the FEIS was completed and released in February 2011. The FAA provided both English and Spanish language announcements of availability of the FEIS in the Palm Beach Post newspaper.

Nation, Seminole Nation of Oklahoma, Seminole Tribe of Florida, and the Miccosukee Tribe of Indians of Florida.

Chapter 9.0 of the FEIS provides a complete listing of agencies with whom the FAA coordinated during the EIS process and Appendices C, F, G, and H of the FEIS provide correspondence and/or information regarding FAA's coordination with other agencies. The summaries below provide an overview of key agency coordination efforts undertaken by the FAA over the course of the PBIA EIS process.

8.3.1 BIOLOGICAL ASSESSMENT/BIOLOGICAL OPINION

The FAA prepared and submitted a Biological Assessment (BA) for the USFWS. A copy of the BA is included in Appendix G of the FEIS. The USFWS reviewed the BA and in correspondence dated August 26, 2008 concurred with the FAA's determination that the project "may affect, but is not likely to adversely affect" the wood stork, and there would be "no affect" to sandhill crane populations in the proposed project area. The USFWS did not deem it necessary to prepare a Biological Opinion with respect to these species for the AIP or Alternative 2. A copy of the USFWS comments on the FEIS is provided in [Appendix B](#) of this ROD.

8.3.2 HISTORIC RESOURCES AND SECTION 106 COORDINATION

The FAA conducted extensive research and coordinated closely with the Florida SHPO at the FDHR in Tallahassee, Florida. The FAA also coordinated with Palm Beach County, the City of West Palm Beach, the Town of Palm Beach, and other sources to identify historic resources in the vicinity of PBIA. In addition, the FAA coordinated with the Florida National Register Review Board and the Keeper of the National Register regarding one resources' eligibility for listing in the NRHP.

FAA's coordination under Section 106 of the NHPA included the development and coordination of an Area of Potential Effect (APE) with the SHPO. The FAA identified approximately 1,451 historic resources in the Preliminary APE. The FAA's inventory of historic resources identified one resource, Mar-a-Lago, which is listed in the NRHP and is also a NHL. The FAA's inventory also identified four additional resources that are listed in the NRHP, one resource that was previously determined eligible for NRHP listing, and one resource that the FAA determined to be eligible for NRHP listing. The FAA determined one resource, the Vedado-Hillcrest Local Historic District, to be ineligible for NRHP listing. However, this resource was later determined by the SHPO to be eligible for listing, and was subsequently listed in the NRHP as the Vedado Historic District.

Appendices C and F of the FEIS contain more information regarding the Section 106 coordination conducted by the FAA during the PBIA EIS process. A copy of the SHPO's comment letter, in which the SHPO concurred with the FAA's conclusions contained in the FEIS, is provided in [Appendix B](#) of this ROD.

8.3.3 FLORIDA COASTAL MANAGEMENT PROGRAM CONSISTENCY

Congress enacted the *Coastal Zone Management Act* (CZMA) in 1972 to preserve, protect, develop, and where possible, restore and enhance the resources of the nation's coastal zone. To achieve its goal, Congress provided coastal states with incentives to encourage them to develop and implement comprehensive management programs that balance the need for coastal resource protection with the need for economic growth and development within the coastal zone.

Section 307 of the CZMA provides states with the ability to review Federal activities within or adjacent to their coastal zone to determine whether the Federal activity complies with the enforceable policies included in a state's approved management program. Section 307 of the CZMA and its implementing regulations, Title 15 CFR 930, stipulate that Federal activities that affect land, water, or natural resources of the coastal zone must be consistent, to the maximum extent practicable, with the enforceable policies of the state's Federally-approved management program. Federal licenses or permits and Federal financial assistance for activities affecting the coastal zone are also required to be consistent with a state's coastal management programs.

The FAA coordinated with the FDEP, which has regulatory authority for the Florida Coastal Management Program (FCMP) in Florida. The FDEP concurred with the FAA's determination that the AIP is consistent with the FCMP. However, final consistency for the Selected Alternative will be determined during the environmental permitting process, if applicable, for the FAA's Selected Alternative identified in this ROD. The Airport Sponsor's receipt of the necessary state environmental resource permit (ERP) will serve as the final finding of consistency for the Selected Alternative with the FCMP. The FAA's coordination with the FDEP is contained in [Appendix B](#) of this ROD.

8.3.4 BRIEFING MEETING WITH EPA ON THE FEIS

On March 24, 2010, the FAA met with representatives of the EPA in Atlanta, Georgia. The purpose of this meeting was to provide the EPA with an update on the status of the PBIA EIS process and to discuss the Airport Sponsor's requested modification of the AIP to involve two decision points for different components of the AIP (Near-Term and Long-Term AIP Projects) being evaluated in the FEIS. The FAA outlined the most current EIS schedule, discussed the effects of the FAA's 2009 TAF on the need for the proposed Runway 10R/28L expansion project, and described the Airport Sponsor's proposed Near-Term and Long-Term components of the AIP. The EPA's comments on the FEIS, which reflect their understanding of the revised implementation plan and schedule for the AIP, are contained in [Appendix B](#) of this ROD.

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SECTION 9.0
ENVIRONMENTAL IMPACTS OF THE FAA'S SELECTED ALTERNATIVE

9.1 *INTRODUCTION*

The FAA conducted a detailed examination and analysis of the potential environmental, social, and economic impacts associated with the AIP, Alternative 2, and the No-Action Alternative. The analyses were conducted in accordance with the technical guidelines set forth in FAA Orders 1050.1E and 5050.4B. The technical findings provide Federal decision-makers and officials, as well as the public, with an understanding of the potential effects of the alternatives on the human, physical, and natural environments. The potential impacts of the Selected Alternative (Near-Term AIP) identified by the FAA are summarized in this section of the ROD.

9.1.1 *FEIS STUDY YEARS*

The FAA and the Airport Sponsor determined that given the type and quantity of construction activities associated with the Near-Term AIP, the year 2015 provided for a reasonable development schedule for the Near-Term components of the AIP. Therefore, for NEPA review purposes, the Near-Term components of the AIP were evaluated for the year 2015 in the FEIS.

9.1.2 *ANALYSES CONDUCTED FOR THE FEIS*

As previously discussed, following publication of the DEIS, significant changes in the nation's economy altered aviation activity nationally, and at PBIA. These changes eliminated, at the present time, aircraft operational congestion and delay at PBIA that was experienced at the time the DEIS was published. Due to this unanticipated economic and aviation downturn, the Airport Sponsor, in June 2010, requested that the AIP, be implemented in two phases, and sought a mixed ALP approval from the FAA rather than full unconditional approval of the overall AIP as was previously requested at the start of the NEPA process. To disclose information to regulatory agencies, Native American Nations / Tribes, local governments, and the Palm Beach communities regarding the potential environmental impacts associated with the separate approval and potential implementation of the Near-Term and Long-Term components of the AIP, the FEIS presented the results of quantitative and/or qualitative analyses for both the AIP and Alternative 2. Although some analyses associated with the Long-Term components of the AIP were essentially unchanged from what was disclosed in the DEIS, other analyses were either not readily apparent or not contained in the DEIS due to the FEIS' separation of the AIP into two components for purposes of environmental review, decision, and mixed ALP approval. In the FEIS, the quantitative analyses previously conducted by the FAA for the Near-Term components of the AIP and Alternative 2 for the DEIS Study Year 2013 were updated and requantified for the FEIS to represent a Study Year of 2015. The results of this analysis are very similar to those that were included in the DEIS for the same respective project components.

9.1.3 *RESOURCE CATEGORIES NOT AFFECTED BY THE SELECTED ALTERNATIVE*

The FAA determined that the following environmental resource categories would not be impacted by the Selected Alternative (the Near-Term AIP Project). A brief explanation of why no impacts in these resource categories would occur is provided below.

Farmlands - Off-airport lands that would be acquired are urban and developed for commercial land uses. The Selected Alternative would be constructed on developed urban land and would not convert farmlands or result in impacts to soils classified by the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) as being prime or unique.

Natural Resources - Construction of the Selected Alternative would not require the use of any energy resources or natural materials that are unique in nature or in short supply.

Wild and Scenic Rivers - No designated "Wild and Scenic" river segments are located in Palm Beach County. Therefore, implementation of the Selected Alternative would not result in impacts to Wild and Scenic Rivers or inventory river segments.

9.2 *ENVIRONMENTAL IMPACT ASSOCIATED WITH THE SELECTED ALTERNATIVE*

9.2.1 *AIR QUALITY*

The principal sources of air emissions associated with PBIA in the future are expected to remain aircraft operating to and from the airport, ground support equipment (GSE) operating on the airport, and motor vehicles operating on the airport internal roadway system. Air emissions associated with these sources comprise carbon monoxide (CO), nitrogen oxides (NO_x), particulate matter (PM_{10/2.5}), sulfur dioxide (SO₂), and volatile organic compounds (VOCs). Hazardous air pollutants (HAPs) and greenhouse gases (GHGs) are also associated with the operation of PBIA, as well as all airports.

Because all of Palm Beach County (including the area surrounding PBIA) is an attainment area for all pollutants for which there are NAAQS, the General Conformity Rule of the Federal *Clean Air Act* (CAA) does not apply. In addition, even if Palm Beach County were to be reclassified as a nonattainment area under the proposed new NAAQS for ozone (O₃), the Selected Alternative would not exceed General Conformity *de minimis* emission thresholds and, thus, would be expected to conform to the requirements of the rule.

The comparison of the operational emissions inventories for the No-Action Alternative and the Selected Alternative in 2015 yielded the following results:

- Under the Selected Alternative total air emissions at PBI A are not expected to vary significantly during the 2015 study year with or without the projects. This is because implementation of the Selected Alternative would not increase the number of aircraft operations when compared to the No-Action Alternative in the year 2015¹⁸.

Based on the above, the Selected Alternative presents no significant impacts and requires no mitigation.

A study of atmospheric deposition (i.e., soot) conducted in response to public Scoping comments indicates that emissions associated with PBI A are not a significant source of soot-related air pollutants in the vicinity of the airport.

In summary, no significant air quality impacts are expected to occur as a result of the implementation of the Selected Alternative.

Voluntary Minimization Measures

Because there would be no significant air quality impacts associated with implementation of the Selected Alternative, mitigation for impacts is not required. However, a number of voluntary air emission minimization measures are already in place, or are soon planned to be in place at PBI A, that would reduce airport air emissions. These measures include the following:

- Use of 400-Hertz electrical power and pre-conditioned air at all gates at PBI A that diminish the need for aircraft to operate their Auxiliary Power Units (APUs).
- Construction-related emissions associated with the Selected Alternative represent temporary sources of emissions that can be further reduced with the adoption, as appropriate, of the following minimization measures:
 - Curtail construction activities during periods of high wind conditions.
 - Establish and post publicly a call-in number to report dust, odors, and other nuisances.
 - Minimize the construction footprint as much as possible and stage activities to minimize the extent of erodible surfaces.
 - Obtain operating permits for any on-site concrete or asphalt plants.
 - Pave roads and cover other surface areas with grass as soon as possible after construction.
 - Prevent construction equipment and delivery trucks from excess idling during periods of inactivity.

¹⁸ The Selected Alternative includes actions that are not, by nature, the type of actions that would induce new aviation activity. Taxiway construction, land acquisition, and expanded GA facilities would improve airfield efficiency, allow the Airport Sponsor to meet future GA facility needs that would arise from natural and foreseeable growth in aviation activity at PBI A, and enhance airfield operations and security. Such growth in aviation activity is captured in the FAA's 2009, 2010, and 2011 TAFs and is based on local data and information regarding foreseeable demographic and socioeconomic growth and activity. Section 2.3 of the FEIS provides a discussion of the Airport Sponsor's goals and objectives for the Selected Alternative. Given the nature of these development projects, the FAA determined that they are not likely to induce air travel beyond natural growth already predicted to occur in the 2009, 2010, and 2011 TAFs.

- Prohibit open-burning.
- Require recurrent contractor training for fugitive-dust prevention/reduction measures and equipment exhaust controls.
- Stabilize soils, stock-piles of raw materials, and other disturbed areas with water or ground covers.
- Substitute low- and zero-emitting equipment whenever possible.
- Use covered haul trucks and conveyors for transporting wind-erodible materials.
- Use electrical drops in place of temporary electrical generators wherever possible.
- Utilize vapor-recovery systems for fuel-storage facilities.

These and other measures will be considered in the Airport Sponsor's construction plans, specifications, permits, and other regulatory and construction-related documents that the selected contractors will be required to adopt and follow.

9.2.2 COASTAL RESOURCES

The Selected Alternative would impact certain coastal resources under the purview of the FCMP. Affected resources would include surface waters (man-made, upland-cut drainage canals, and ditches). Unavoidable impacts to surface waters would result from the relocation of a segment of the Airport West Canal and various other small drainage ditches. However, these surface water conveyances do not provide unique or significant habitat for flora or fauna, and their disturbance would not result in a net-loss of critical coastal habitat. Water quality impacts, which would be temporary and would only occur during construction activities, would be minimized through erosion and pollution control techniques. Coordination with the FDEP for the EIS process indicated that the proposed airport improvements are consistent with the FCMP; however, as a matter of standard permitting review procedures of the FDEP, the final consistency determination will be made during the environmental permitting process for the Selected Alternative. Coastal barrier resources would not be impacted by the Selected Alternative. The FAA's Consistency Determination for the Selected Alternative is provided in [Appendix E](#) of this ROD.

Mitigation Measures

No significant impacts to coastal resources would occur under the Selected Alternative. The Selected Alternative is considered to be consistent with the FCMP and would not involve coastal barriers. Therefore, mitigation measures for direct and indirect impacts are not warranted and have not been proposed by the Airport Sponsor or the FAA.

9.2.3 COMPATIBLE LAND USE IMPACTS

The Selected Alternative involves the acquisition of approximately 13.2 acres of off-airport land (16 parcels of property) and conversion of existing commercial and residential land uses to airport use. The acquisition would displace 24 businesses and one residence associated with a commercial property. Indirect impacts that would result from the Selected Alternative (i.e., air emissions and aircraft noise) would not be significant and mitigation measures are not warranted.

The Airport Sponsor has provided assurance that it is, and will continue to be, in compliance with 49 U.S.C. 47107 (a)(10). This assurance is related to existing and planned land use near PBIA and involves the adoption of zoning regulations and other measures, to the extent reasonable, to restrict the land use adjacent to, or in the immediate vicinity of, the airport to activities and purposes compatible with normal airport operations, including landing and take-off of aircraft. A copy of the Airport Sponsor's Land Use Assurance Letter is provided in [Appendix D](#) of this ROD.

Mitigation Measures

The Selected Alternative would not result in significant land use compatibility impacts, therefore, mitigation measures are not warranted.

9.2.4 CONSTRUCTION IMPACTS

Construction of the Selected Alternative would generate temporary and unavoidable impacts related to noise, air quality, water quality, and solid waste. Construction-related impacts associated with the Selected Alternative would occur by 2015.

Mitigation Measures

Measures specified in FAA AC 150/5370-10E, *Standards for Specifying Construction of Airports*, and project-specific design criteria and Best Management Practices (BMPs) to minimize erosion and sedimentation will be specified by the Airport Sponsor and implemented by the selected contractor to minimize potential construction-related impacts. Therefore, significant, long-term construction-related impacts would not occur under the Selected Alternative. Because construction-related impacts would not be significant, no mitigation is required for the project.

9.2.5 DEPARTMENT OF TRANSPORTATION SECTION 4(f) AND DEPARTMENT OF INTERIOR SECTION 6(f) RESOURCES IMPACTS

The FAA determined in the FEIS that the Selected Alternative would not result in a physical disturbance or a "direct use" of Section 4(f) or Section 6(f) resources. No Section 4(f) resources, with the exception of the PBAU/Hillcrest Park, would be located within the DNL 65 dBA noise contour. The PBAU/Hillcrest Park property¹⁹ was transferred from Palm Beach County to Palm Beach Atlantic University with deed restrictions that include avigation easements for overflights and the right to create noise and other effects associated with aircraft operations.

¹⁹ The PBAU/Hillcrest property is comprised of the former Hillcrest subdivision, which was acquired by the Airport Sponsor, beginning in the 1980s, for airport noise compatibility purposes. The City of West Palm Beach and Palm Beach Atlantic University are redeveloping the property to provide athletic fields for the university and a new public city park.

In terms of indirect impacts to Section 4(f) and Section 6(f) resources, DNL noise levels at six resource locations in the vicinity of PBIA would increase slightly (approximately DNL 0.1 to 0.2) under the Selected Alternative, when compared to the No-Action Alternative and DNL noise levels would decrease slightly (approximately DNL -0.1 to -0.2) at 28 resource locations. See Section 5.6 and Table 5.6.3-1 in the FEIS for a more information of the change in noise exposure at Section 4(f) resources associated with the Selected Alternative. None of the Section 4(f) or Section 6(f) resources are managed such that a quiet setting is a significant feature or attribute of the resource. Therefore, the FAA's Part 150 Land Use Compatibility Guidelines are applicable to these resources. The noise levels associated with the Selected Alternative are compatible with the FAA's Part 150 Land Use Compatibility Guidelines; therefore, the Selected Alternative would not result in the constructive use of a Section 4(f) or Section 6(f) resource.

Mitigation Measures

No mitigation is required for the Selected Alternative because it would not result in significant direct or indirect impacts to Section 4(f) or Section 6(f) resources.

9.2.6 FISH, WILDLIFE, AND PLANTS IMPACTS

The Selected Alternative would impact 0.82-acre of surface waters and affect 124 acres of lands associated with airport operations. The land uses and habitats affected by the Selected Alternative are not optimal habitats for threatened and endangered species. Disturbances from airport activities (i.e., mowing and aircraft movements) to the affected habitats and the abundance of similar habitat within proximity to the airport would lessen the significance and importance of these habitats to protected species. Therefore, implementation of the Selected Alternative would not result in significant impacts to fish, wildlife, plants, or threatened or endangered species that would warrant mitigation measures.

Based on a review of aquatic habitats on and around PBIA and consultation undertaken with the NMFS during the preparation of the DEIS, the FAA has determined that no impacts to essential fish habitat (EFH) would occur if the Selected Alternative were implemented.

A Biological Assessment (BA) was prepared and submitted to the USFWS. The USFWS concurred with the FAA's findings in the BA and the FEIS. Because the USFWS concurred with the FAA's "may affect, not likely to adversely affect" determination for two Federally-listed species and the FAA's "no affect" determination for two Federally-listed species (see USFWS letter in [Appendix B](#) of this ROD), formal Section 7 consultation under the *Endangered Species Act* (ESA) was not required and the USFWS did not prepare a Biological Opinion.

Mitigation Measures

Since implementation of the Selected Alternative would not result in significant impacts to fish, wildlife, and plants; EFH; or Federally-listed threatened and endangered species, mitigation measures are not warranted.

9.2.7 FLOODPLAIN IMPACTS

The majority of the construction impact area associated with the Selected Alternative is located within an area designated as Zone B (X500), which is located outside of the special flood hazard area. None of the Selected Alternative improvements would occur within or encroach upon a designated base 100-year floodplain or floodway, therefore, it would not result in impacts to floodplains.

Mitigation Measures

No significant floodplain encroachments or adverse impacts on natural and beneficial floodplain values would occur as a result of the implementation of the Selected Alternative, therefore, mitigation measures are not warranted.

9.2.8 HAZARDOUS MATERIALS, POLLUTION PREVENTION, AND SOLID/CONSTRUCTION WASTE IMPACTS

9.2.8.1 Hazardous Materials

The Selected Alternative includes the development of on-airport property and the acquisition of commercial properties along Military Trail. The area that would be physically disturbed during construction of the Selected Alternative would encompass, or be in proximity to, seven former or existing fuel storage sites. One site had no contamination reported and six had a reported release with records indicating a No Further Action (NFA) status. One of the sites within the acquisition area is a retail gas station with ongoing fuel release cleanup activities. Federal and state regulatory agency records did not reveal any sites or facilities in the vicinity of the Selected Alternative that are included on National Priorities List (NPL). The areas that would be physically disturbed by the construction of the Near-Term AIP include four RCRA generator sites and one potential RCRA generator site. These sites are associated with the commercial businesses on Military Trail. None of the RCRA facilities were identified as having open violations. Based on the information collected and evaluated for the FEIS, the Selected Alternative would not result in significant impacts to existing sites, facilities, or operations involving hazardous materials or environmental contamination.

9.2.8.2 Construction Waste

Construction waste impacts resulting from the Selected Alternative are not anticipated to be significant, as described in the FEIS. Although specific quantities of temporary construction activities and wastes have not been estimated, construction waste generated may include excavated material from airside perimeter roads. Clean soil and other suitable waste could be reused as fill material, buried, or recycled. All other material would be land-farmed or disposed of at permitted solid waste landfills, construction/debris landfills, and vegetative waste facilities.

9.2.8.3 Municipal Solid Waste

In 2015, the Selected Alternative would generate approximately 2,247 tons of municipal solid waste (MSW) per year. This equates to less than 0.14 percent of the County's total waste stream. In addition, the Solid Waste Authority (SWA) of Palm Beach County diverts materials out of the waste stream and into reuse and recycling programs, which would help to reduce the amount of PBIA MSW that is sent to the

County's disposal facility. Based on FAA's analysis in the FEIS and coordination with Palm Beach County, the MSW generated at PBIA is capable of being accommodated at the existing North County Regional Solid Waste Disposal Facility without affecting its existing or future capacity. Therefore, mitigation measures for MSW resulting from the Selected Alternative at PBIA are not warranted.

The Selected Alternative would not change the location or configuration of the runways at PBIA; therefore, neither of these alternatives would result in an increased potential for wildlife hazards. In addition, the landfill does not attract or sustain hazardous bird movements for the approach or departure patterns of aircraft utilizing PBIA; therefore, the Selected Alternative would not result in an increased potential for bird hazards and mitigation measures are not warranted.

Minimization and Mitigation Measures

The Selected Alternative is not anticipated to result in significant hazardous material impacts. Therefore, specific mitigation measures are not warranted and have not been developed by the FAA. However, efforts would be taken by the Airport Sponsor during the preliminary design phase for the Selected Alternative to conduct additional investigation of the sites having potential for contamination and to determine the current extent and character of any soil and water contamination in the areas that would be disturbed. Further, the Airport Sponsor's design process would require coordination with the responsible parties and applicable regulatory agencies with jurisdiction to identify measures to minimize potential effects on ongoing cleanup programs. Therefore, mitigation measures, if determined to be necessary, would be developed as additional site and project design information becomes available. These measures will be the responsibility of the Airport Sponsor during the permitting phase of the Selected Alternative.

As described above, mitigation measures for MSW generation/disposal and increased potential of bird/wildlife hazards are not warranted.

9.2.9 HISTORIC, ARCHAEOLOGICAL, AND HISTORIC ARCHITECTURAL RESOURCES IMPACTS

In developing the APE for historic architectural resources, the FAA drew a broad preliminary APE that encompassed areas within which each alternative considered might directly or indirectly cause alterations in the character or use of historic properties. A "historic property" is defined at Title 36 CFR Part 800 (Section 106) as an historic resource included in or eligible for inclusion in the NRHP. The FAA subsequently established a refined final APE that was comprised of the limits of physical disturbance associated with the Near-Term and Long-Term components of the AIP and Alternative 2, as well as those locations that would newly fall within the DNL 65 dBA noise contour as a result of these two alternatives. Three historic districts were identified within the final APE – the Central Park Historic District (listed in the NRHP), the Prospect Park-Southland Park Historic District (eligible for listing in the NRHP), and the Vedado Historic District (listed in the NRHP after the DEIS was published and before the FEIS was published). A fourth historic resource located within the final APE is PBIA. However, the FAA has determined that PBIA is not eligible for listing in the NRHP. Based on the analysis conducted for the FEIS, the FAA determined that the Selected Alternative would not result in either direct or indirect adverse effects to any of the three NRHP-listed or -eligible historic resources within the final APE.

Regarding the Vedado Historic District, which was newly listed on the NRHP during preparation of the FEIS, the FAA determined that the Selected Alternative did not increase noise over the Vedado Historic District (in fact, noise would be slightly decreased) and; therefore, a low-frequency noise (vibration) screening analysis was not warranted for the Selected Alternative.

Although it is not within the final APE for historic architectural resources, the FAA conducted a detailed noise grid analysis of Mar-a-Lago (a NHL) for informational and disclosure purposes. The results of the grid analysis show that the Selected Alternative would not result in significant indirect noise impacts to Mar-a-Lago.

The FAA's APE for archaeological resources in the FEIS was limited to lands that would experience physical disturbance as a result of the implementation of the overall AIP and Alternative 2 when compared to the No-Action Alternative. In the FEIS, the FAA determined that there are no previously recorded archaeological resources that are listed in or eligible for listing in the NRHP within the archaeological APE. The FAA has also determined that due to extensive disturbance from previous construction and demolition activities, the archaeological APE is unlikely to contain any NRHP-eligible archaeological resources. Therefore, the Selected Alternative would not result in impacts to archaeological resources.

During the joint NEPA and Section 106 process, the FAA coordinated with the SHPO and interested Tribal Historic Preservation Officers (THPOs) and other Native American representatives (see Appendix C of the FEIS). The SHPO has reviewed the FEIS and determined that historic, archaeological, and historic architectural resources have been adequately addressed by the FAA in the FEIS. See SHPO letter to FAA in [Appendix B](#) of this ROD. The Native American Nations / Tribes' only comments on the FEIS were that they wished to be notified if any Native American artifacts were uncovered during the construction phase of the project.

Mitigation Measures

Because significant impacts would not occur, mitigation measures for historic, historic architectural, and archaeological resources are not warranted and have not been developed by the FAA for inclusion in the FEIS or this ROD.

9.2.10 *LIGHT EMISSIONS AND VISUAL IMPACTS*

Airport developments associated with the Selected Alternative include common features of an airport such as access roads, taxiways, and the development of additional GA facilities, such as FBO buildings, hangars, and other GA support structures. These developments would change the viewshed in the northwest quadrant of PBIA and add new lighting in an area that currently has minimal airport-generated light exposure, but is surrounded by commercial development and its associated lighting. The Selected Alternative would be constructed in a fully developed, urban airport setting and future light emission levels from the Selected Alternative would not have a substantial impact on surrounding land uses.

Aircraft flight tracks associated with the Selected Alternative would be the same as the No-Action Alternative. Thus, the Selected Alternative would not introduce different aircraft into the visual landscape or change flight paths in the vicinity of PBIA.

The Selected Alternative would be developed in context with the existing airside facilities at PBIA. The runway and taxiway system of the Selected Alternative would be located within the central core of the airport and the visual effect would be minimal, since these facilities would be at ground level. The development of GA buildings in the northwest quadrant of PBIA under the Selected Alternative would not introduce new intrusive lighting in the area because it would be surrounded by existing light sources from the airfield and commercial land uses along Military Trail and Belvedere Road.

Mitigation Measures

The Selected Alternative would not result in significant light emission impacts or visual impacts. Therefore, mitigation measures for light emissions and visual changes are not warranted.

9.2.11 NOISE

Selected Alternative - When compared with the No-Action Alternative, non-airport land exposed to noise levels of DNL 65 dBA or higher would decrease by 10.1 acres under the Selected Alternative in the year 2015. With respect to housing units and population, there would be 30 less housing units and 75 fewer people exposed to DNL 65 dBA or greater noise levels under the Selected Alternative. There would be no incompatible land uses exposed to DNL 65 dBA or greater under the Selected Alternative where the change in exposure from the No-Action Alternative would be DNL 1.5 dBA or greater. Therefore, there would be no significant noise impacts as a result of the Selected Alternative and mitigation measures are not warranted.

Section 106 Resources - A detailed discussion of potential noise impacts to historic and cultural resources is presented in Section 5.10 of the FEIS and summarized in [Section 9.2.9](#) of this ROD. The FAA's analysis in the FEIS determined that when compared to the No-Action Alternative, the Selected Alternative would not result in noise impacts to any NRHP-listed or NRHP-eligible historic, historic architectural, archaeological, or cultural resources. The Selected Alternative would, in fact, slightly decrease noise (DNL -0.1 to -0.2) over portions of three residential historic districts. In addition, the FAA determined that the Selected Alternative would not result in noise impacts to Mar-a-Lago, a NHL. The change in noise levels over Mar-a-Lago would be DNL -0.1.

Mitigation Measures

The Selected Alternative would not result in significant noise impacts. Therefore, mitigation measures for the Selected Alternative are not warranted.

9.2.12 SECONDARY (INDUCED) IMPACTS

The Selected Alternative would not result in shifts in population movement and growth, changes in public services demands, or significant changes in business and economic activity or appreciable change in employment.

The Selected Alternative would result in the acquisition of off-airport residential and business properties. Under the Selected Alternative, the Airport Sponsor would acquire 16 off-airport commercial properties (one of which includes a residence). Land acquisition and relocation of the residential and business properties will be undertaken in accordance with the *Uniform Relocation Assistance and Real Property Acquisition Policies Act* of 1970, as amended (Uniform Act). Therefore, the Selected Alternative would not result in significant secondary (induced) impacts.

Mitigation Measures

The Selected Alternative would not result in significant secondary (induced) impacts, therefore, mitigation measures are not warranted. Relocation activities associated with the acquisition of 16 off-airport properties will be conducted in accordance with the provisions of the Uniform Act. See Section 5.13.5 of the FEIS and [Section 11.0](#) of this ROD.

9.2.13 *SOCIOECONOMIC IMPACTS, ENVIRONMENTAL JUSTICE, AND CHILDREN’S HEALTH AND SAFETY RISKS*

The Selected Alternative would be constructed on airport property and is not anticipated to have significant socioeconomic impacts. The Selected Alternative would include the acquisition and relocation of 16 commercial properties that are located on the west side of the airport. These acquisitions and relocations would not significantly impact the local tax base and the Selected Alternative would not disrupt established communities or planned developments.

In addition, the Selected Alternative would not result in significant noise impacts. In fact, implementation of the Selected Alternative decreases the total number of residential properties exposed to 65 DNL or higher. Because no significant noise impacts will affect off-airport property, the Selected Alternative would not result in disproportionately high and adverse effects on minority or low-income populations.

No new facilities would be constructed in areas that are accessible to children and there would be no increased chance for children to ingest or come in contact with harmful substances. The operational air emissions associated with the Selected Alternative would be essentially the same as the No-Action Alternative. Under the Selected Alternative, the noise analysis in the FEIS shows that noise-sensitive land uses would not experience a significant increase in aircraft noise exposure of DNL 1.5 dBA or greater within the DNL 65 dBA noise contour. Therefore, the Selected Alternative would not result in a significant noise impact. Based on the analyses conducted for the FEIS, the Selected Alternative would not result in increased health and safety risks to children. A Supplemental Noise Analysis of potential effects to children’s learning in school, was prepared by the FAA and included in Appendix D of the FEIS for disclosure purposes only.

Mitigation Measures

Because significant socioeconomic, environmental justice, and children’s health and safety risk impacts would not occur, mitigation measures are not warranted.

9.2.14 WATER QUALITY

Implementation of the Selected Alternative would alter the amount of impervious surface area at PBIA. In order to provide water quantity attenuation and quality treatment for future development projects at PBIA and their associated increased amounts of storm water runoff, the Airport Sponsor developed a Conceptual Stormwater Master Plan (SWMP) in 2006. The SWMP was approved in 2009 by the South Florida Water Management District (SFWMD) under Permit No. 50-00471-S.

The Selected Alternative has the potential to exceed applicable State of Florida water quality standards during construction due to temporary erosion, increased turbidity, sedimentation, and potential release of fuels and lubricants. However, measures to minimize erosion and sedimentation and maintain water quality throughout the construction phases are available and would be implemented by the Airport Sponsor and construction contractors. These measures include project-specific design measures, BMPs, and pollution control plans designed to prevent a project from exceeding applicable water quality standards. Water quality impacts from aircraft operations on the ground at PBIA would be negligible because the Selected Alternative would not induce or alter aircraft operational activity at PBIA. Because the Selected Alternative would not induce operational activity at PBIA, demand for potable water and wastewater treatment would be the same as for the No-Action Alternative. Therefore, the FAA determined that implementation of the Selected Alternative would not result in significant water quality impacts.

Mitigation Measures

The Selected Alternative would not result in significant water quality impacts, therefore, mitigation measures are not warranted.

9.2.15 WETLANDS AND OTHER SURFACE WATERS

No impacts to wetlands would result from the Selected Alternative. However, the Selected Alternative would result in impacts to 0.82-acre of surface waters (man-made, upland-cut drainage ditches). Impacts to surface waters from the Selected Alternative would require modification to existing PBIA environmental permits or issuance of new permits from both the SFWMD and U.S. Army Corps of Engineers (USACE).

Mitigation Measures

Because the Selected Alternative would not result in impacts to wetlands and because only minor impacts to other surface waters (man-made features excavated in upland soils) would occur, mitigation measures are not warranted.

9.2.16 SURFACE TRANSPORTATION

The surface transportation analysis conducted for the FEIS indicated that the Selected Alternative would not result in significant and adverse effects on traffic volumes on the roadways in the immediate vicinity of PBIA. Likewise, the Selected Alternative would not induce additional vehicular traffic activity or increase the number of passengers at PBIA.

The development of new GA facilities in the northwest quadrant of PBIA as part of the Selected Alternative would have the potential, although considered low, to affect traffic patterns and the Level of Service (LOS) on some of the roads immediately north, west, and south of PBIA. The volume of traffic associated with the GA facility component of the Selected Alternative is expected to be relatively small considering the vehicular capacity of Military Trail, Belvedere Road, and Southern Boulevard. Based on a review of the projected LOS for roads adjoining PBIA, the Selected Alternative is not anticipated to have a substantial effect on traffic operations or lower the LOS on the road system in the vicinity of PBIA.

Although the Selected Alternative is not anticipated to require improvements to the roadways in proximity to PBIA, the traffic projections for the roadways surrounding the airport indicate that some improvements may be required regardless of whether or not the Selected Alternative is implemented.

Mitigation Measures

Implementation of the Selected Alternative would not result in significant and adverse impacts to roadway traffic volume, traffic patterns, or LOS on the roadways in the immediate vicinity of PBIA. Therefore, mitigation measures are not warranted.

9.2.17 CUMULATIVE IMPACTS

In accordance with CEQ regulations (Title 40 CFR Part 1508.7), the FEIS was prepared to evaluate and disclose the direct, indirect, and cumulative impacts of the reasonable alternatives retained for detailed evaluation in the FEIS and other past, present, and reasonably foreseeable future projects in the proximity of the airport.

The FEIS analysis of cumulative impacts fully considered, commensurate with the information available, the potential impacts of the Near-Term and Long-Term components of the AIP, and all connected and cumulative projects, including other development actions, both on and off the airport, that are related in terms of time or proximity. The FAA concluded that the Selected Alternative would not result in significant direct, indirect, or cumulative impacts. The cumulative projects identified and considered in the FEIS would generate direct and indirect environmental impacts, however, none of these impacts are considered to be significant. The government agency or other responsible party that has jurisdiction for each cumulative project yet to be developed will be responsible for obtaining all necessary approvals and permits to minimize environmental impacts from their respective projects, as well as to take into account the direct and indirect impacts of the Selected Alternative at PBIA. Based on the types and nature of the cumulative projects that are reasonably foreseeable for the area surrounding PBIA, the FAA concluded that the implementation of the Selected Alternative along with the cumulative projects would not result in significant cumulative impacts in the PBIA area.

9.3 *MITIGATION MEASURES FOR THE SELECTED ALTERNATIVE*

The Selected Alternative would not result in significant environmental impacts from either construction or operation which would warrant the development and implementation of mitigation measures. Therefore, no mitigation measures are proposed or required in this ROD as conditions of approval. However, the Airport Sponsor will be required to follow all permit requirements to reduce construction-related impacts. Section 5.2.7 of the FEIS addresses measures to minimize air emissions and Section 5.5.3 of the FEIS discusses a variety of BMPs and measures to minimize temporary construction-related impacts related to noise, air quality, water quality, solid waste, and traffic. BMPs and measures to minimize water quality impacts during construction are also discussed in Sections 5.15.3 of the FEIS. The acquisition of 16 off-airport commercial properties, which requires the relocation of 24 businesses and one residence, will be undertaken in accordance with the Uniform Act. Since there adequate commercial and residential replacement properties available in the PBIA area to accommodate these relocations, secondary (induced) and socioeconomic impacts would be minimized (see Sections 5.13.5 and 5.14.5 of the FEIS).

SECTION 10.0

COMMENTS ON THE FEIS

10.1 *COMMENTS ON THE FINAL ENVIRONMENTAL IMPACT STATEMENT*

In making its decision and findings contained in this ROD, the FAA carefully reviewed and considered all comment submittals, letters and e-mails received on the September 2008 DEIS and the February, 2011 FEIS and prepared responses to all substantive comments received from the public; local municipalities; Federal, state, and local resource agencies; and Native American Nations / Tribes.

The FAA received a total of 54 comment submittals on the FEIS. [Appendix A](#) of this ROD contains copies of each comment submittal received on the FEIS. Summaries of the comments received and the FAA's response to each substantive comment are also included in [Appendix A](#) of this ROD.

10.1.1 *FEDERAL AGENCY COMMENTS ON THE FEIS*

Two comment submittals on the FEIS were received by the FAA from Federal regulatory agencies. The EPA submitted a letter with comments on several environmental categories evaluated in the FEIS including air quality, water quality, aircraft-related noise, children's health, and environmental justice. The USFWS comment letter simply stated that the agency "has no further comments on the FEIS at this time," which indicates that the agency had no objection to the findings in the FEIS concerning biotic resources and threatened and endangered species.

Other Federal agencies and organizations that received copies of the FEIS but who did not provide comments included the USDA, Federal Emergency Management Agency, USACE, National Oceanic and Atmospheric Administration, Department of Commerce, Department of Health and Human Services, Department of Homeland Security, Department of Housing and Urban Development, DOT, and the Advisory Council on Historic Preservation.

10.1.2 *NATIVE AMERICAN NATIONS / TRIBES COMMENTS ON THE FEIS*

The Seminole Tribe of Florida, through its THPO, noted that the Tribe has no objection to the FAA's findings at this time. They also indicated that they wished to be notified if any Native American artifacts were uncovered during the construction phase of the project. Other Native American Nations / Tribes that received copies of the FEIS but who did not provide comments included the Poarch Band of Creek Indians, the Muscogee (Creek) Nation, the Seminole Nation of Oklahoma, and the Miccosukee Tribe of Indians of Florida.

10.1.3 *STATE AGENCY COMMENTS ON THE FEIS*

The Florida State Clearinghouse coordinated the review of the FEIS for State of Florida regulatory agencies and provided consolidated comments on the FEIS to the FAA. The Clearinghouse provided comments from the FDEP, the SFWMD, the FDOT, and the FDHR.

10.1.4 LOCAL MUNICIPALITIES/LOCAL ELECTED OFFICIALS/REGIONAL PLANNING ORGANIZATIONS

The FAA solicited comments on the FEIS from local governments and municipalities, local elected officials, and the regional planning organizations. Comments on the FEIS were received from the City of West Palm Beach and the Town of Palm Beach. Municipalities and local government organizations that did not provide comments on the FEIS included the City of Greenacres, Town of Cloud Lake, Town of Glen Ridge, Town of Haverhill, Palm Beach Metropolitan Planning Organization, Palm Tran, Jupiter Inlet District, and the Treasure Coast Regional Planning Council.

10.1.5 PUBLIC AND SPECIAL INTEREST GROUP COMMENTS ON THE FEIS

The National Trust for Historic Preservation (a non-regulatory entity), which holds a preservation easement on a portion of the Mar-a-Lago NHL, provided comments on the FEIS with regard to the purpose and need for the overall AIP, the alternatives analysis, noise impacts, air quality, and historic resources.

The FAA received 47 comment submittals from the public during the extended 45-day FEIS administrative hold period.

10.2 COMMENTS RECEIVED BY CATEGORY ON THE FEIS

As was done for the DEIS, the FAA carefully reviewed each comment submittal and categorized individual comments by category (i.e., aircraft noise, air quality, historic resources, etc.). Each individual comment was entered into a Comment/Response database – either verbatim from the comment submittal or summarized to capture the intent and meaning of the comment. The number of individual comments on the FEIS that were gleaned from the letters received, by entity and category, is provided in [Table 10-1](#).

10.3 SUMMARY OF COMMENTS RECEIVED ON THE FEIS

After careful review of the comments received on the FEIS, the FAA identified the commenting public's major issues and concerns associated with the AIP. These major issues and concerns are summarized below²⁰. The FAA carefully considered these issues and concerns in the preparation of its findings and determinations in this ROD.

- There is no need for the AIP, or the FEIS, because there is no current need for a new runway. There is no projected need until at least 2030.
- The data and aviation forecasts used in the FEIS are outdated and unreliable.
- In its forecast of aviation activity for PBIA, the FAA ignores its own historical data that shows that the number of aircraft operations at PBIA have been declining since the 1980s.
- There is no real delay at PBIA. The purpose of the AIP is to reduce delays only for private jets for a very limited number of days, during certain parts of the year.
- The project is a waste of money. The FEIS should have included a cost/benefit study.

²⁰ The FAA did not quantify and rank individual comments beyond the category level. The list presents key issues in no particular order of importance.

- The FEIS did not fully analyze or disclose environmental impacts associated with the AIP and its alternatives, in particular noise impacts and air quality impacts.
- The Airport Sponsor should develop its North County Airport to accommodate traffic from PBIA and, therefore, reduce delay at PBIA to levels where the AIP is not needed.
- The Airport Sponsor and FAA should consider demand management alternatives, or a combination of demand management alternatives, that would reduce delay at PBIA to levels where the AIP is not needed.
- The AIP would have adverse effects on historic resources, including Mar-a-Lago.
- The AIP would have a negative impact on the quality of life of people living in the vicinity of PBIA.

The FAA's responses to these comments as well as all other substantive comments submitted on the FEIS are contained in [Appendix A](#) of this ROD.

**TABLE 10-1
NUMBER OF COMMENTS ON THE PBIA FEIS BY ENTITY AND CATEGORY**

Category	Federal Agency	State Agency	Native American Nations / Tribes	Local Municipalities	Public/ Special Interest Groups	Total
Purpose and Need	1	1		28	122	152
Alternatives				9	56	65
Noise	7			3	18	28
Land Use		1				1
Air Quality	5			2	7	14
Coastal Resources		3				3
Construction Impacts		6			1	7
Fish, Wildlife, and Plants					1	1
Hazardous Materials		8				8
Historic and Archaeological Resources		1	1		6	8
Socioeconomic Impacts		1		1	1	3
Environmental Justice	2				1	3
Quality of Life		1		3	5	9
Water Quality	2	1				3
Cost Considerations				1	1	2
Other Considerations	1	1			65	67
Coordination/Public Involvement	2				12	14
Total	20	24	1	47	296	388

Source: Compiled by URS Corporation, 2011.

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SECTION 11.0 **AGENCY FINDINGS**

11.1 *AGENCY FINDINGS*

The FAA has selected the Near-Term AIP as the Selected Alternative for implementation and unconditional ALP approval for PBIA. As the Agency's Selected Alternative, the Near-Term AIP is subject to Agency review and specific findings required by law. The FAA has based its findings in this ROD regarding the Selected Alternative on information and analyses contained in the FEIS and other portions of the EIS record.

In addition to the FAA's unconditional ALP approval of the Selected Alternative, the FAA is conditionally approving the Long-Term AIP. Because conditional ALP approval of the Long-Term AIP does not constitute a final decision or grant construction approval, implementation of any airfield capacity enhancement project at PBIA will require approval in a future ROD after appropriate environmental documentation has been prepared and circulated.

The FAA has a responsibility under NEPA to ensure that the environmental documentation contained in the 2011 FEIS remains adequate to support a decision on an airfield capacity enhancement project when such a decision becomes ripe. Adequate and accurate environmental documentation is necessary not only for purposes of satisfying NEPA and public disclosure requirements, but also to permit well-reasoned and fully justified findings by the lead Federal agency as required by law, and as outlined below. With the passage of time, it is possible that information may become available that would be relevant to FAA's future decision-making. As a result, when conditions again warrant FAA consideration of unconditional ALP approval for an airfield capacity enhancement project, the FAA will need to ensure that it has considered all information available that would be relevant to the continuing validity of the FEIS. Therefore, because it would be inappropriate to issue findings on a project that is not ripe for decision, the FAA will issue the following findings required by law only with respect to the Selected Alternative.

The FAA hereby makes the following determinations and approvals for the Selected Alternative, based on the appropriate information and data contained in the FEIS and the Administrative Record, and having considered: 1) the policies set forth at 49 U.S.C. 40104 and 47101; 2) the ability of the alternatives to meet the purpose and need; and 3) the Administrative Record which concerns the proposed development project.

These determinations and approvals do not signify an FAA commitment to provide a specific level of financial support for these projects. An actual funding commitment can only be made in the future, pending Palm Beach County's (the Airport Sponsor's) grant application and FAA consideration of the separate Federal funding criteria prescribed by 49 U.S.C. 47115(d) and 49 U.S.C. 40117.

A. THE PROJECT IS CONSISTENT WITH EXISTING PLANS OF PUBLIC AGENCIES FOR THE DEVELOPMENT OF THE AREA SURROUNDING THE AIRPORT [49 U.S.C. 47106(A)(1)] AND EXECUTIVE ORDER 12372.

The determination prescribed by this statutory provision is a precondition to Agency approval of airport project funding applications. It has been the long-standing policy of the FAA to rely heavily upon actions of local planning organizations to satisfy the project consistency requirements of 49 U.S.C. 47106(a)(1) [see e.g., *SOC v. Dole*, 787 F.2d 186, 199 (7th Cir., 1986)]. Furthermore, both the legislative history and consistent agency interpretations of this statutory provision make it clear that reasonable, rather than absolute, consistency with these plans is all that is required.

The Palm Beach Metropolitan Planning Organization (MPO) is responsible for transportation planning and programming in Palm Beach County and acts as a liaison between local communities, their citizens, and the Florida Department of Transportation. The Palm Beach MPO Board is comprised of thirteen elected officials from Palm Beach County, eleven cities within the county, and one official from the Port of Palm Beach. For the preparation of the *Palm Beach MPO 2035 Long-Range Transportation Plan* (2035 LRTP), the MPO established goals, objectives, and measures of effectiveness. The MPO's goals, objectives, and measures of effectiveness were reviewed for consistency with local, regional, and state plans. The 2006 Palm Beach International Airport MPU (MPU) was consulted and the MPO contacted Palm Beach County to obtain further assurance that compatibility exists. Table III-5 of the *Palm Beach MPO 2035 Long-Range Transportation Plan* (adopted on October 15, 2009) notes that the Airport Sponsor's plans for PBIA are compatible with the 2035 LRTP. Correspondence from the Airport Sponsor to the FAA, dated August 15, 2011, provides certification that the MPO reviewed long-term plans of local transportation agencies, including Palm Beach County's for PBIA, and that the MPU was found to be compatible with the overall LRTP. A copy of the Airport Sponsor's certification is contained in [Appendix D](#) of this ROD.

The FAA accordingly finds that the Selected Alternative is reasonably consistent with the existing plans of public agencies authorized by the state in the area in which the airport is located to plan for the development of the area surrounding the airport, and will contribute to the purposes of the 49 U.S.C. Section 47101, et seq.

B. THE INTERESTS OF THE COMMUNITIES IN OR NEAR WHERE THE PROJECT MAY BE LOCATED HAVE BEEN GIVEN FAIR CONSIDERATION [49 U.S.C. 47106(B)(2)].

The determination prescribed by this statutory provision is a precondition to Agency approval of airport development project funding applications. The local planning process and the environmental process for the PBIA EIS process began with a January 26, 2007 Notice of Intent (NOI) to prepare an EIS, and it has extended to this point in the Agency's decision making process.

The FAA has actively involved local communities and local governments in the EIS process. Coordination efforts with the public included Scoping Meetings, Focus Group Meetings (representing airport-area HOAs and community associations), two Public Information Workshops, a Public Hearing, an EIS web-site, a FAA e-mail address, direct mailings, and newspaper advertisements in two languages (English and Spanish). The FAA also coordinated with representatives of Palm Beach County, the City of West Palm Beach, City of Greenacres, Town of Cloud Lake, Town of Glen Ridge, Town of Haverhill, and Town of Palm Beach through the DEIS and FEIS review and comment process. A complete description of the FAA's public involvement efforts for the EIS process is contained in Chapter 7.0 of the FEIS and [Section 8.0](#) of this ROD. A list to whom copies of the DEIS and FEIS were sent is provided in Chapter 9.0 of the FEIS.

The public, local elected officials, and local governments have had ample opportunity to express their thoughts on the project to the FAA. The FAA, in the preparation of the FEIS, carefully considered, catalogued, and responded to substantive comments received from the public, as well as from Federal, state, and local agencies and other interested parties (see Appendix K of the FEIS). In some cases, the FAA responded by revising information in the DEIS that now appears in final form as the FEIS. In all cases, the comments provided by local governmental agencies, local elected officials, as well as the general public were used to evaluate the thoroughness and accuracy of the DEIS and to revise it as appropriate for inclusion in the FEIS.

Because of the extended EIS schedule, the implications of the FAA 2009 TAF, and the resulting changes in the FEIS, the FAA formally solicited comments on the FEIS during the administrative "hold" period and voluntarily committed to render no decision for at least 45 days (rather than 30 days) following publication of the FEIS (40 CFR § 1506.10(b)(2)). The FEIS was made available for agency, government, Native American Nations / Tribes, elected official, and public review and comment for a period of 45 days after the date of publication of the NOA in the Federal Register.

The FAA's outreach and consideration of local community views, as well as those of Federal, state, and local regulatory agencies and officials, Native American Nations / Tribes, public organizations, and public individuals are documented in Chapter 7.0 of the FEIS, Appendix J and Appendix K of the FEIS, [Section 8.0](#) of this ROD, and [Appendix A](#) and [Appendix B](#) of this ROD. Thus, the FAA has determined that throughout the EIS process, beginning at its earliest planning stages, fair consideration was given to the interest of communities in or near the Selected Alternative's location.

C. *APPROPRIATE ACTION, INCLUDING THE ADOPTION OF ZONING LAWS, HAS BEEN OR WILL BE TAKEN TO THE EXTENT REASONABLE TO RESTRICT THE USE OF LAND NEXT TO OR NEAR THE AIRPORT TO USES THAT ARE COMPATIBLE WITH NORMAL AIRPORT OPERATIONS [49 U.S.C. 47107(a)(10)].*

The Airport Sponsor's assurance prescribed by this statutory provision is a precondition of the approval of airport development project funding applications. The Airport Sponsor has provided assurance that it is, and will continue to be, in compliance with 49 U.S.C. 47107 (a)(10). This assurance is related to existing and planned land use near PBI and involves the adoption of

zoning regulations and other measures, to the extent reasonable, to restrict the land use adjacent to, or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and take-off of aircraft. A copy of the Airport Sponsor's Land Use Assurance Letter, dated September 3, 2008, is provided in Appendix L of the DEIS, Appendix L of the FEIS, and [Appendix D](#) of this ROD.

D. *RELOCATION ASSISTANCE WILL BE PROVIDED IN ACCORDANCE WITH 42 U.S.C. SECTION 4601 ET SEQ. UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT OF 1970.*

Title II of the *Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970* (42 U.S.C. Section 4601 et seq.) (Uniform Act), as implemented by the Secretary of Transportation under 49 CFR Part 24, requires that state or local agencies that undertake Federally-assisted projects, which cause an involuntary displacement of persons or businesses, follow the prescribed procedures and provide relocation benefits to those displaced.

As detailed in Section 5.13 of the FEIS and [Section 9.2.12](#) of this ROD, one of the components of the Selected Alternative is the acquisition of 16 commercial properties, which would displace 24 businesses (one of which also contains a residence). The appraisal, negotiation, and purchase of these properties, as well as the determination of the amount of any relocation assistance, will be conducted in accordance with the prescribed procedures of the Uniform Act. Land owners will be offered no less than Fair Market Value (FMV) for their properties. Eligible owners, tenants, and businesses, including the non-profit organization, will receive relocation benefits and moving expenses in accordance with the provisions of the Uniform Act and FAA implementing policies. As detailed in Sections 5.4 and 5.13.3 of the FEIS, the FAA determined during the preparation of the FEIS that there are comparable and affordable decent, safe, and sanitary replacement properties available on the open market in the vicinity of the airport, as well as in other parts of Palm Beach County to accommodate the relocations. As a condition of the FAA's approval of the Selected Alternative in this ROD, the Airport Sponsor will be required to develop a land acquisition and relocation program to oversee the relocation of the residence and businesses, and to provide fair and reasonable relocation payments and assistance payments pursuant to the provision of the Uniform Act.

E. *THE PROJECT INCLUDES ALL PRACTICABLE MEASURES TO MINIMIZE HARM TO ENDANGERED SPECIES AS MUCH AS SUCH HARM MAY RESULT FROM IMPLEMENTATION OF THE PROJECT (ENDANGERED SPECIES ACT OF 1974, U.S.C. SECTION 1531, AS AMENDED).*

To comply with Section 7(c) of the *Endangered Species Act of 1974* (ESA) as amended, agencies overseeing Federally-funded projects are required to obtain from the USFWS and NMFS information concerning any species, Federally-listed or proposed to be listed, as may be present in the area of concern. During preparation of the EIS, the FAA reviewed information concerning the possible presence of Federally-listed threatened or endangered species and coordinated with the USFWS and NMFS requesting comments and information on Federally-listed species that may be affected by the Airport Sponsor's overall AIP and its alternatives.

Although the FAA found that no Federally-listed plant species, or their critical habitat, were documented or were anticipated to occur within the EIS Study Area, two Federally-listed animal species were assigned a Medium or High probability of occurrence within the EIS Study Area for the Selected Alternative. These two Federally-listed species are the wood stork (*Mycteria americana*) and the American alligator (*Alligator mississippiensis*). The FAA determined that the minimal impact on natural habitats and non-jurisdictional surface waters (man-made upland cut ditches) resulting from the implementation of the Selected Alternative would not directly impact these species and only marginally affect their foraging habitat. The USFWS reviewed the FAA's Biological Assessment (BA), in which the FAA determined that the overall AIP (which includes the Selected Alternative) "may affect – not likely to adversely affect" the two Federally-listed species. The USFWS concurred with the FAA's determination and as a result, they determined that formal consultation under Section 7 of the ESA and preparation of a Biological Opinion (BO) were not necessary. Because the Selected Alternative would not result in any significant adverse impacts to critical habitats, threatened or endangered species, or EFH, the FAA has determined that mitigation is not required or warranted for the Agency's consideration and unconditional ALP approval of the Selected Alternative. The NMFS, in its comments on the DEIS, did not anticipate that the AIP would cause and adverse effect to EFH, given the location and known resources at the site (see NMFS correspondence contained in Appendix K of the DEIS).

F. *THE PROJECT COMPLIES WITH THE ENFORCEABLE POLICIES OF THE STATE OF FLORIDA'S APPROVED COASTAL MANAGEMENT PROGRAM AND IS CONSISTENT WITH THE FLORIDA COASTAL ZONE MANAGEMENT PROGRAM.*

The *Coastal Zone Management Act* places obligations on both the FAA and the Airport Sponsor to ensure actions proposed within or affecting the coastal zone are consistent with the enforceable policies of the state's approved coastal zone management program (CZMP). For FAA approvals of airport sponsor-proposed projects, if the proposed project is specifically listed within an existing CZMP, the FAA must ensure the requirements of 15 CFR, Subpart D, Consistency for Activities Requiring a Federal License or Permit, are satisfied. For unlisted activities, like the Selected Alternative, compliance with this subpart is also required where the responsible state agency specifically indicates to the Airport Sponsor or the FAA that approval for a proposed project would affect coastal zone resources and that it intends to review the approval. The State of Florida indicated during the EIS Scoping process its intention to review the Airport Sponsor's proposed overall AIP for compliance with the CZMP in a letter dated March 15, 2007 (see FEIS, Appendix C). For direct Federal actions in a coastal zone, such as installation of navigational equipment and aids, the Federal activities must be consistent with 15 CFR, Subpart C, Consistency for Federal Actions. This requires preparation of a Consistency Determination (see [Appendix E](#) of this ROD) that examines how the FAA's activity will be consistent to the maximum extent practicable with the enforceable policies of the CZMP, the Florida Coastal Management Program (FCMP), and the responsible state agency's agreement with the FAA's conclusion.

The Selected Alternative does not include any direct Federal actions, such as installation or relocation of navigational aids. Therefore, the FAA's unconditional ALP approval of the Selected

Alternative implicates only 15 CFR, Subpart D, Consistency for Activities Requiring a Federal License or Permit, which requires a certification from the Airport Sponsor regarding consistency of its actions with the CZMP, FCMP, and the state regulatory agency's concurrence. Specifically, the Airport Sponsor must certify that, "The proposed activity complies with the enforceable policies of Florida's approved management program and will be conducted in a manner consistent with such program." This certification from the Airport Sponsor can be found in [Appendix D](#) of this ROD. The FAA's coordination with the FDEP throughout the EIS process indicated that the Selected Alternative is consistent with the FCMP. In a letter dated March 21, 2011, which contained the FDEP's comments on the FEIS, the FDEP stated that, at this stage (publication of the FEIS), the proposed activities are consistent with the FCMP. A copy of this letter is contained in [Appendix B](#) of this ROD.

The state's continued concurrence will be based on the Selected Alternative's compliance with FCMP authorities, including Federal and state monitoring of the activity to ensure its continued conformance, and the adequate resolution of any new potential issues identified during subsequent regulatory reviews. Consistent with the ordinary practices of the FDEP, the state's final concurrence on the Selected Alternative's consistency with the FCMP will be determined during the environmental permitting process in accordance with Section 373.428, Florida Statutes.

G. *THE PROPOSED FEDERAL ACTION WILL COMPLY WITH THE STATE IMPLEMENTATION PLAN (SIP) IN ACCORDANCE WITH SECTION 176(C)(1) OF THE CLEAN AIR ACT (CAA) AMENDMENTS (42 U.S.C. SECTION 7506(C)).*

In Section 5.2 of the FEIS, the FAA determined that because all of Palm Beach County (including the area surrounding PBIA) is an attainment area for all pollutants for which there are NAAQS, and because PBIA is not a source of regionally significant emissions, the requirements of the General Conformity Rule of the Federal Clean Air Act (CAA) does not apply to the Selected Alternative at PBIA. This determination continues to be true, and is sufficient to satisfy the requirements of 42 U.S.C. §7506(c), with respect to the unconditional ALP approval of the Selected Alternative.

H. *THE FAA HAS GIVEN THIS PROPOSAL THE INDEPENDENT AND OBJECTIVE EVALUATION REQUIRED BY THE COUNCIL ON ENVIRONMENTAL QUALITY (40 CFR SECTION 1506.5).*

Since the beginning of the EIS process, the FAA has given the Airport Sponsor's proposed AIP project an independent and objective evaluation as required by CEQ. As documented in the DEIS, the FAA engaged in a lengthy and extensive process to evaluate the Airport Sponsor's original project proposal (the AIP), alternatives to the Airport Sponsor's AIP, and environmental consequences associated with both. Subsequent to the DEIS' release, the FAA also independently and objectively evaluated the Airport Sponsor's request to obtain a mixed ALP approval, instead of an unconditional ALP approval, of the overall AIP in response to changed economic and aviation activity conditions at PBIA. This evaluation was fully documented, including documentation of the environmental consequences, in the FAA's FEIS released in February of 2011.

The EIS process also included the FAA selecting a consultant/contractor through a competitive qualifications process to assist the Agency in conducting technical studies, the evaluation of environmental impacts, and implementing the public participation program. The FAA directed the technical analyses provided in the DEIS and FEIS. From its inception, the FAA has taken a strong leadership role in the environmental evaluation of the AIP and has maintained its objectivity. From consideration and revision of alternatives, to response to substantive agency, tribal, government, and public comments, to amendments to the presentation of impacts in the FEIS, to the ROD determinations itself, the FAA has provided the independent and objective evaluation of the AIP as required by the CEQ.

The following findings listed below are negative findings. This means that the resource of concern in the legal finding is not present in the project area or there are no Federal actions included as part of the Selected Alternative that would impact the subject resource.

- I. THERE ARE NO ACTIONS THAT INCLUDE THE USE OF RESOURCES PROTECTED UNDER SECTION 4(f) OF THE DOT ACT, INCLUDING SIGNIFICANT HISTORIC SITES [49 U.S.C. 303(c)] SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT.***

See Section 5.6.3.2 of the FEIS.

- J. FOR THIS PROJECT, NO ACTIONS WILL BE UNDERTAKEN THAT WILL DIRECTLY AFFECT JURISDICTIONAL WETLANDS UNDER THE REGULATORY AUTHORITY OF THE U.S. ARMY CORPS OF ENGINEERS OR THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT. (EXECUTIVE ORDER 11990).***

See Section 5.16.3.2 of the FEIS.

- K. THE SELECTED ALTERNATIVE WOULD NOT OCCUR WITHIN OR ENCROACH UPON A FLOODPLAIN OR FLOODWAY. (DOT ORDER 5650.2, FLOODPLAIN MANAGEMENT AND PROTECTION).***

See Section 5.8.3.2 of the FEIS.

- L. THERE ARE NO ACTIONS ASSOCIATED WITH THE PROJECT INVOLVING A DISPROPORTIONATELY HIGH AND ADVERSE IMPACT TO MINORITY OR LOW-INCOME POPULATIONS (EXECUTIVE ORDER 12898/DOT ORDER 5610.2).***

See Section 5.14.3.2 of the FEIS.

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SECTION 12.0 **CONDITIONS OF APPROVAL**

12.1 *CONDITIONS OF APPROVAL FOR THE SELECTED ALTERNATIVE*

This section of the ROD outlines the FAA's conditions of approval with regard to the Selected Alternative. As previously discussed in this ROD and in the FEIS, the Airport Sponsor is seeking unconditional ALP approval for only the Selected Alternative. In granting the approvals contained in this ROD, the FAA incorporates the following conditions:

- Prior to initiating construction activities associated with the Selected Alternative, the Airport Sponsor will obtain all permits and local approvals necessary for development and operation of the project. A list of the permits and approvals that are likely to be required is provided in [Section 3.3](#) of this ROD.
- With respect to any business or residential relocations necessary under the Selected Alternative, the Airport Sponsor is required to develop a land acquisition and relocation program and to provide fair and reasonable relocation payments and assistance payments pursuant to the provisions of the *Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970* (Uniform Act).

Because the Selected Alternative will not cause any significant environmental, social, or economic impacts, the FAA determined that mitigation measures for the implementation of the Selected Alternative are not warranted or required. Therefore, a condition requiring that the Airport Sponsor provide mitigation for the Selected Alternative is not included in this ROD.

12.2 *CONDITIONS OF APPROVAL FOR THE LONG-TERM AIP*

As previously discussed in this ROD and in the FEIS, the Airport Sponsor is seeking only conditional ALP approval for the Long-Term AIP. Because the approval sought at this time by the Airport Sponsor does not constitute the FAA's final decision regarding the Long-Term AIP, or allow for their Federal funding or construction, the FAA has not formulated any conditions of approval in this ROD applicable to them. As noted in the FEIS, the Airport Sponsor has indicated its intent to seek unconditional ALP approval of the Long-Term AIP when it believes that operational conditions at PBIA again warrant the project. When the Airport Sponsor approaches the FAA with such a request, the FAA will independently evaluate operational conditions at PBIA and determine if a decision on an airfield capacity enhancement project is ripe. If it is, the FAA will review the FEIS in its entirety to determine its adequacy to comply with NEPA, including validation of the purpose and need for the project, the alternatives evaluation, the existing condition, environmental impacts, and required mitigation measures. That review will be followed by any further environmental documentation deemed necessary to support a final decision on unconditional ALP approval of an airfield capacity enhancement project. The FAA's future environmental documentation will be circulated for public review and comment, and the FAA will issue its decision in a ROD.

12.3 *FUNDING CONSIDERATIONS*

The Airport Sponsor may apply for Federal AIP and/or PFC funding for the design, construction, and implementation of eligible portions of the Selected Alternative. This ROD includes the environmental determinations necessary to establish eligibility for approval of grants of Federal funding. It does not signify an FAA commitment to provide a specific level of financial support, which is a separate future decision that will be made in accordance with other applicable Federal laws, FAA policies, and procedures.

SECTION 13.0

DECISION AND ORDER

The FAA was presented with a relatively unique situation during the NEPA process for the Airport Sponsor's proposed project, the AIP. As discussed extensively throughout the FEIS and this ROD, the environmental analysis for the current NEPA process initially addressed a broad development program that included an airfield capacity enhancement component (the Runway 10R/28L expansion project and its connected actions), as well as a series of smaller ancillary projects. However, circumstances changed at PBIA in the wake of the economic downturn that began in 2008. As the recession's impact began to be felt at most airports nationwide, including PBIA, the aircraft operational capacity and delay concerns that were the impetus for the Airport Sponsor's AIP, and the subsequent NEPA process, were alleviated.

Confronted with changing circumstances and uncertainty about how quickly or slowly aviation activity levels and forecasts would return to previous levels, the Airport Sponsor had to make a decision about the future of its proposed project. PBIA was not alone in this respect; however, it was one of the few airport development projects affected by the economic downturn that had already undergone the vast majority of the analytical work associated with the NEPA process. Whereas other airports were able to postpone proposals that were only in the early stages of consideration or just beginning to be environmentally reviewed, the Airport Sponsor for PBIA and the FAA were faced with a different situation. A decision to indefinitely postpone consideration of the project would be a decision that would have not only meant abandoning a significant amount of completed environmental review work, but also a series of smaller projects which were desired and warranted in the near-term and which had been included in the review work completed to that point in time. The Airport Sponsor discussed these issues with the FAA, and ultimately decided to take an approach that would maintain flexibility and positioning for the future of the airport, while acknowledging the inherent uncertainties in the unstable economic climate.

After much consideration and conversation with the FAA, the Airport Sponsor asked the FAA to continue with the NEPA process for its proposal, while acknowledging the changed circumstances with a revision of the approvals being sought for the project. The Airport Sponsor decided to seek unconditional ALP approval for only a subset of projects that had independent utility and that would be desired at PBIA regardless of the status of the Runway 10R/28L expansion component of the AIP. These projects became known as the Near-Term AIP for purposes of analysis in the FEIS. With respect to the Runway 10R/28L expansion component of the AIP, the Airport Sponsor decided to seek only conditional ALP approval at the conclusion of this NEPA process. The runway component of the AIP, and other connected and/or supporting actions deemed not to be justified for implementation in the near-term, were identified as the Long-Term AIP in the FEIS.

The Airport Sponsor approached the FAA with this concept of providing a mixed ALP approval to the AIP. In light of the substantial efforts that had been undertaken at that point in time, and the desire to preserve the work accomplished and the resources spent in doing so, the FAA determined it would be a reasonable approach to move forward to the FEIS and examine the Airport Sponsor's revised request for a mixed ALP approval for the AIP. Based on a comparative examination of the environmental, social, and economic impacts for each of the alternatives analyzed in detail in the FEIS, the FAA has concluded that the AIP remains the preferred alternative, although under a mixed ALP approval approach, not all

components of that project are able to be considered part of FAA's Selected Alternative in this ROD. See [Section 7.0](#) of this ROD regarding the FAA's Selected Alternative and the reasoning for its selection.

In keeping with the decision to grant a mixed ALP approval to the AIP, through this ROD the FAA is reaching a final decision to grant unconditional ALP approval only with respect to the Near-Term AIP projects. The FAA has determined that the Near-Term AIP projects are appropriate for implementation at this time, and; therefore, has identified the Near-Term AIP as the Selected Alternative in this ROD. With respect to the Long-Term AIP projects, in keeping with the decision to grant a mixed ALP approval to the AIP, the FAA is indicating its conclusion that the Long-Term AIP projects are not ripe for final decision and, therefore, are granted only conditional approval on the ALP. Inherent to the FAA's decision to grant only conditional ALP approval to the Long-Term AIP is the requirement that all necessary and appropriate further environmental documentation be undertaken when: (1) the Airport Sponsor again requests unconditional ALP approval of the Long-Term AIP, and (2) the FAA believes that conditions warrant renewed consideration of unconditional ALP approval of an airfield capacity enhancement project.

The FAA commends the Airport Sponsor for the exhaustive airport planning work that it undertook to identify the existing and future infrastructure needs of PBIA. The AIP represents a comprehensive plan of individual and integrated projects that will enable the Airport Sponsor to better serve the existing and future needs of the travelling public from the Palm Beach communities, as well as the many businesses operating at PBIA and those that do business related to PBIA.

The FAA further commends the Airport Sponsor for its decision to proceed with and complete the detailed environmental analyses and studies for both the Near-Term AIP and the Long-Term AIP that are contained in the FEIS. We believe that this decision by the Airport Sponsor informs the public, the jurisdictional Federal, state and local regulatory agencies and interested Native American Nations / Tribes of the potential environmental impacts associated with both the Near-Term AIP and the Long-Term AIP. The FAA believes that this decision by the Airport Sponsor is in keeping with the FAA's, NEPA's, and CEQ's guidance, responsibilities, spirit and intent with regard to full and public disclosure of potential environmental impacts associated with airport's existing and future development plans. It is the FAA's hope that much of analysis contained in the FEIS associated with the Long-Term AIP may be of significant value and use when an airfield capacity enhancement project at PBIA is requested by the Airport Sponsor and is considered ripe for decision by the FAA.

The FAA acknowledges that during the EIS process, there was some public controversy regarding the Runway 10R/28L expansion project. Although the Airport Sponsor had planned for, and the FAA analyzed and disclosed the potential impacts associated with the Runway 10R/28L expansion project in both the DEIS and the FEIS, both the Airport Sponsor and the FAA determined that the Long-Term AIP, which includes the Runway 10R/28L expansion project, is not ripe for decision at this time. When such a decision may again be ripe, the FAA will be guided by its normal procedures for review of an existing EIS, as outlined in FAA Order 5050.4B, paragraph 1401(c). This mixed approval of the AIP only grants unconditional approval for the Near-Term AIP and conditional approval of the Long-Term AIP.

In Section 3.5 of the FEIS, the FAA identified the proposed AIP, which is the Airport Sponsor's Proposed Project, as the FAA's Preferred Alternative. In [Section 7.0](#) of this ROD, the FAA identified the Near-Term AIP as the Agency's Selected Alternative. Because the Long-Term AIP is not ripe for final decision at this time, the FAA must make the following decisions:

- Grant a mixed ALP approval for the AIP. With respect to the Selected Alternative, this would include final and unconditional approval of those portions of the ALP that depict the Selected Alternative (the Near-Term AIP) and approval of other Federal actions necessary for project implementation. With respect to the Long-Term AIP, the FAA's decision would consist only of a conditional approval of those portions of the ALP that depict the Long-Term AIP, or
- Deny mixed ALP approval of the Selected Alternative and the Long-Term AIP.

Under the mixed ALP approval, the unconditional ALP approval for the Selected Alternative signifies that applicable Federal requirements relating to airport development and planning have been met and the Airport Sponsor may proceed with the development of the Selected Alternative and possibly receive Federal funding for eligible items.

With respect to the Long-Term AIP, the FAA's decision to grant conditional ALP approval signifies that:

- 1) The proposed features are safe and efficient;
- 2) Despite the completion of an FEIS that environmentally reviewed the airfield capacity enhancement and operational delay reduction components of the AIP, these features are not yet needed or ripe for final decision²¹; and
- 3) The FAA has not approved the Airport Sponsor to proceed with construction of the Long-Term AIP.

When the Airport Sponsor believes that the Long-Term AIP is again warranted to reduce operational delay at PBIA, and the Airport Sponsor approaches the FAA with a request for unconditional ALP approval of the project, the FAA will determine if a final decision on an airfield capacity enhancement project is ripe. If it is, the FAA will review the 2011 FEIS in its entirety to determine its adequacy to comply with NEPA, including validation of the purpose and need for the project, the alternatives evaluation, the existing condition, environmental impacts, and required mitigation measures. That review will be followed by any further environmental documentation deemed necessary under NEPA and other applicable environmental laws and regulations to support a final decision on unconditional ALP approval of an airfield capacity enhancement project. The FAA's future environmental documentation will be circulated for public review and comment, and the FAA will issue its decision in a ROD.

²¹ FAA Order 5050.4B, paragraph 202.c.(1) makes it clear that conditional ALP approval can be granted without prior environmental review of the conditionally approved ALP features. In this instance, although not necessary for conditional ALP approval of the Long-Term AIP, environmental review was nonetheless completed because the review was well underway at the time the Airport Sponsor determined that it would only seek conditional ALP approval for that portion of the AIP.

Decision

I have carefully reviewed and considered the FEIS in reaching a decision regarding the Airport Sponsor's request for unconditional ALP approval of the Near-Term AIP and conditional ALP approval of the Long-Term AIP. Having completed this review, I have concluded that ALP approval of the Preferred Alternative should be a "Mixed ALP Approval" as described in Paragraph 202.c.(3) of FAA Order 5050.4B. This decision includes all related necessary and supporting Federal actions appropriate to unconditional ALP approval and implementation at this time *only* as to the FAA's Selected Alternative. With respect to all other components of the FAA's Preferred Alternative, identified as the Long-Term AIP in the FEIS, this decision consists of conditional ALP approval only. As such, this is not a final decision on the proposed actions contained within the Long-Term AIP. With respect to purpose and need, alternatives, environmental impacts, and mitigation measures, the FAA finds the FEIS to be complete and accurate based on information available at this time, and sufficient to support the decision to grant a mixed ALP approval. The FAA acknowledges, however, that there is considerable uncertainty regarding the timing of the return to historically experienced and expected future aviation activity levels which have in the past, and may again cause unacceptable levels of aircraft operational delay at PBIA. Due to this uncertainty, the FAA will in the future need to determine if the 2011 FEIS is valid and sufficient to support consideration of, and a final decision on, unconditional ALP approval of an airfield capacity enhancement project at PBIA. FAA's Order 5050.4B will guide the FAA in this assessment. Per that Order, the 2011 FEIS' ability to support Federal action on any future request for unconditional ALP approval of capacity enhancements will depend on the timing of that request and the physical, natural, and economic conditions in the local area at that time. Therefore, the FAA will review the 2011 FEIS for validity at the time that aviation activity levels support reconsideration of unconditional ALP approval of an airfield capacity enhancement project at PBIA. That review will be followed by appropriate further environmental analyses and documentation deemed necessary pursuant to FAA Order 5050.4B and CEQ regulations to support a final decision on capacity enhancements at PBIA. The FAA hereby commits to circulation of that additional environmental analyses and documentation for agency, government, tribal, and public review and comment, as well as preparation of a ROD to document the Agency's final decision. The FAA's future ROD will be judicially reviewable regarding the FAA's selection of an airfield capacity enhancement project for implementation at PBIA, if such approval is granted.

Selected Alternative

Therefore, under the authority delegated to me by the Administrator of the FAA, I find that the Selected Alternative as described in this ROD is reasonably supported. I find that the FEIS provides a fair and full discussion of the potential impacts associated with the Selected Alternative. The EIS process disclosed that there are no significant environmental, social, or economic impacts associated with the Selected Alternative. Therefore, no minimization or mitigation requirements apply to the FAA's conditions of approval of the Selected Alternative.

The FAA has determined that environmental and other relevant concerns presented by interested agencies, citizens, and other commenting parties have been addressed in the FEIS and/or this ROD. The FAA believes that with respect to the Selected Alternative, there are no outstanding environmental issues within FAA jurisdiction to be studied or NEPA requirements that have not been met.

I, therefore, direct that appropriate Federal actions be taken and determinations be made with respect to the Selected Alternative to carry out the following:

- A. Unconditional approval of portions of the PBI A ALP under 49 U.S.C. Section 47107(a)(16), with the conditions noted in [Section 12.0](#) of this ROD, for the Near-Term AIP projects summarized in Section 1.3.1 of the FEIS and [Section 5.3](#) of this ROD, which constitutes the Selected Alternative in this ROD.
- B. Federal actions under 49 U.S.C. Section 47106 and 47107 pertaining to applications for Federal grant funding and approval, including approval under 49 U.S.C. Section 47107 et seq. of eligibility of the Selected Alternative for Federal grant-in-aid funds (Airport Improvement Program). Federal actions, under 49 U.S.C. Section 40117, pertaining to applications and approvals to impose and use Passenger Facility Charges (PFCs) in association with the Selected Alternative.
- C. Determination and actions, through the aeronautical study process of any off-airport obstacles that might be obstructions to the navigable airspace under the standards and criteria of 14 CFR Part 77 and evaluation of the appropriateness of proposals for on-airport development from an airspace utilization and safety perspective based on aeronautical studies conducted pursuant to the processes under the standards and criteria of 14 CFR Part 157.
- D. Determinations that the proposed new airfield infrastructure, including taxiways, conform to FAA design criteria.
- E. Determinations that air quality impacts associated with the Selected Alternative conform to the State Implementation Plan under Section 176(c)(1) of the Clean Air Act, and as amended [42 U.S.C. §7506(c)(1)], and 40 CFR Part 93.
- F. Review and subsequent approval of an amended Airport Certification Manual for PBI A (per 14 Part 139).

Finally, based upon the Administrative Record of this project, I certify, as prescribed by 49 U.S.C. 44502(b), that implementation of the Selected Alternative is reasonably necessary for use in air commerce or in the interest of national defense.

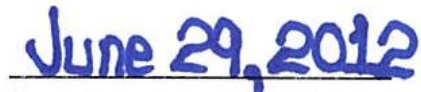
Long-Term AIP

Furthermore, under the authority delegated to me by the Administrator of the FAA, I find that the Long-Term AIP, as summarized in Section 1.3.2 of the FEIS and [Section 5.4](#) of this ROD, was reasonably supported when the Airport Sponsor approached the FAA in 2006 with a request to unconditionally approve its ALP depicting the proposed overall AIP. Subsequent to the publication of the DEIS in 2008, the actual and forecast aviation activity levels at PBI A substantially declined in response to the downturn in the national economy. The FAA has determined that the airfield capacity enhancement project, which is a component of the Long-Term AIP, is safe and efficient but is not yet needed and not ripe for final decision at this time. Therefore, pursuant to FAA Order 5050.4B, paragraph 202.c.(1), the Long-Term AIP is appropriate to be shown on the ALP as conditionally approved.



Approved:


Douglas R. Murphy
Regional Administrator, FAA Southern Region


Date

RIGHT OF APPEAL

This ROD presents the Federal Aviation Administration's final decision and approval for the specific actions identified as ripe for final approval in [Section 13.0](#) of this ROD, which are taken under the provisions of 49 U.S.C. Subtitle VII, Parts A and B. This decision constitutes a final order of the FAA Administrator subject to review by the Courts of Appeals of the United States in accordance with the provisions of 49 U.S.C. §46110. Any party seeking to stay the implementation of the ROD must file an application with the FAA prior to seeking judicial relief, as provided in Rule 18(a), Federal Rules of Appellate Procedure.