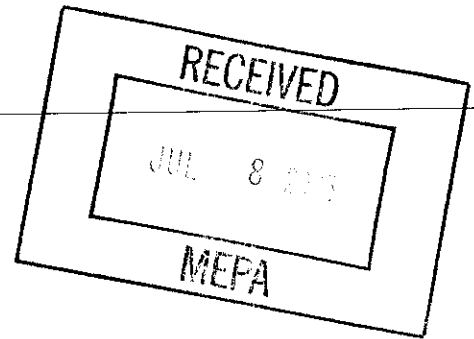




Massachusetts Port Authority
One Harborside Drive, Suite 200S
East Boston, MA 02128-2909
Telephone (617) 428-2800
www.massport.com

AC



July 7, 2005

Secretary Ellen Roy Herzfelder
Attn: MEPA Office
100 Cambridge Street, Suite 900
Boston MA 02114

**Re: EOE #10458, Logan Airside Improvements Planning Project
Amendment to Section 61 Findings**

Dear Secretary Herzfelder:

In accordance with MGL c30, section 61 and 301 CMR 11.12(5), on July 20, 2001, Massport transmitted the Section 61 Findings for the Logan Airside Improvements Planning Project to your office.


On October 21, 2004, the Massport Board voted to amend its Section 61 Findings for the Project to reflect additional commitments contained in the Federal Aviation Administration's (FAA) Record Decision (ROD) issued on August 2, 2002. A copy of the amendment to the Section 61 Findings is enclosed.

In accordance with 301 CMR 11.12(5)(e), this is to request that you publish a Notice of Availability of Massport's Amendment to the Section 61 Findings in the next edition of the Environmental Monitor. Suggested text for the Notice is as follows:

A copy of the Massachusetts Port Authority's Amendment to the Section 61 Findings for the Logan Airside Improvements Planning Project is available upon request. Please contact Mr. Flavio Leo, Massport, Manager of Aviation Planning at 617-568-3528, or by e-mail at fleo@massport.com.

If you have any questions, feel free to call me at 617-568-3524.

Sincerely,


Stewart Dalzell, Deputy Director
Environmental Planning and Permitting

enclosures

Operating

Boston Logan International Airport • Port of Boston general cargo and passenger terminals • Tobin Memorial Bridge • Hanscom Field • Boston Fish Pier • Commonwealth Pier (site of the World Trade Center Boston) • Worcester Regional Airport

RECYCLED PAPER

MASSACHUSETTS PORT AUTHORITY
MINUTES OF THE MEETING HELD ON
OCTOBER 21, 2004 AT 8:00 A.M.
ONE HARBORSIDE DRIVE, EAST BOSTON, MA

The regular meeting of the Members of the Massachusetts Port Authority was held at One Harborside Drive, East Boston, Massachusetts on October 21, 2004. Chairman John A. Quelch presided. Members Lois J. Catanzaro, Paul D. Foster, John F. Monahan, Susana Segat, Craig P. Coy, Chief Executive Officer, George K. Hertz, Executive Vice President for Strategic Programs and Business Process, David S. Mackey, Chief Legal Counsel, Leslie A. Kirwan, Director of Administration and Finance/Secretary-Treasurer, Thomas J. Kinton, Jr., Director of Aviation, Christopher M. Gordon, Director of Capital Programs and Logan Modernization, Dennis Treece, Director of Corporate Security, Marie Bowen, Director of Human Resources/Employment Counsel, Carole Brennan, Director of Communications and Public Affairs, Francis Anglin, Director of Information Services and Telecommunications, Elizabeth Taylor, Director of Finance, and Michael A. Grieco, Assistant Secretary-Treasurer were in attendance.

The meeting commenced at 8:05 A.M.

Amended Section 61 Findings for Logan Airside Improvements Planning Project

Upon a motion duly made and seconded, it was

VOTED:

WHEREAS, on June 15, 2001, the Secretary of the Executive Office of Environmental Affairs issued his Certificate ("Certificate") regarding the adequacy of the Authority's Environmental Impact Report on the Logan Airside Improvements Planning Project ("Airside Project") (which project includes the construction of Runway 14/32). The Certificate requires that the Authority's Section 61 Findings be "revised to incorporate...any further commitments within [EOEA's] jurisdiction" that arise during the federal review process; and

WHEREAS, on June 18, 2001, the Members of the Authority (the "Board") voted its Section 61 Findings under the Massachusetts Environmental Policy Act ("MEPA") with regard to the Airside Project, committing the Authority to the mitigation measures set forth in the Certificate; and

WHEREAS, on August 2, 2002, the federal environmental review process in connection with the Airside Project resulted in the issuance of a Record of Decision ("ROD") by the Federal Aviation Administration ("FAA"), which included both confirmation of certain mitigation commitments contained in the Authority's Section 61 Findings, as well as certain commitments by the Authority in addition to those described in the Section 61 Findings. Those additional commitments included compiling the necessary data and cooperating with the FAA in its efforts to implement the Runway 14-32 wind restriction; participating with the FAA and Community Advisory Committee in an

overflight noise study; and review of the existing Preferential Runway Advisory System; and

WHEREAS, the Board acknowledges that in the Final Judgment in *Massachusetts Port Authority v. City of Boston, et al.*, allowing construction of the proposed unidirectional Runway 14/32 (Judgment), the Court imposed certain additional conditions on the construction and operation of the proposed Runway 14/32, including conditions related to demand management and soundproofing; and

WHEREAS, the Board acknowledges that the conditions imposed by the Court in the Judgment are in addition to the Authority's mitigation commitments under its Section 61 Findings and the ROD and are separately enforceable under the terms of the Judgment; and

WHEREAS, the Authority expects that all applicable conditions will be met prior to commencement of construction and operation of the Runway;

NOW, THEREFORE, BE IT RESOLVED THAT:

The June 18, 2001 Resolution and Vote of the Massport Board In Compliance With M.G.L. c. 30, Section 61 (the "Section 61 Findings") is hereby amended by deleting Section 15.0 in its entirety and inserting in its place the following new Section 15.0:

"15.0 - Federal Aviation Administration ("FAA") August 2, 2002, Record of Decision ("ROD")

Based upon its review of the Final Environmental Impact Statement ("FEIS") for the Airside Improvement Planning Project ("Project"), the FAA issued the ROD as required under federal law in connection with various federal actions necessary to implement the Project. Included within the ROD (Section VIII) are nine mitigation categories. FAA's mitigation commitments in each of these categories, along with related Massport commitments that are hereby adopted in accordance with M.G.L. c. 30, Section 61, are summarized below:

1. Runway 14-32 Unidirectional Limitation

FAA has endorsed the unidirectional limitation on Runway 14-32 specified by Massport in Section 1.0 of the Section 61 Findings and has agreed to develop air traffic control procedures to ensure safe and efficient operation of the unidirectional limitation, subject to variances that may be required to accommodate particular aircraft emergencies. Massport will continue to comply with the commitments set out in Section 1.0 of the Section 61 Findings with respect to the unidirectional limitation of Runway 14-32.

2. Wind-Restricted Use of Runway 14-32

FAA has limited use of Runway 14-32 to those times when winds are equal to or greater than 10 knots from the northwest or southeast (between 275 degrees and 005 degrees, or 095 degrees and 185 degrees, respectively). This restriction is to be implemented solely by FAA through appropriate Boston Control Tower directives and other FAA actions. The ROD requires FAA to review the use of the Runway relative to the wind restriction based upon data compiled by Massport. Massport will compile the necessary data and will cooperate with FAA in its endeavors to implement the wind restriction in accordance with applicable federal law requirements. The ROD also contemplates that FAA will work to reach agreement with the City of Boston, CAC, and Massport with respect to monitoring the wind restriction and will hold meetings to review the implementation of the restriction. Massport will participate in FAA's implementation of these measures as required under the ROD.

3. Deferral of Decision to Approve Centerfield Taxiway Subject to Additional Evaluation of Taxiing Operations North of Runway 15R-33L

FAA has deferred approval of the Centerfield Taxiway component of the Project pending a two-phase evaluation of certain taxiway operations to assess potential operational procedures that would preserve or improve the operational and environmental benefits of the Centerfield Taxiway as shown in the EIS. Massport will participate in FAA's implementation of these measures as required under the ROD.

4. Residential Sound Insulation

The FAA has committed to provide funding for a Massport sound insulation program to address noise exposure within the 65 DNL contour that results from the implementation of the EIS Preferred Alternative for the Project as mitigated by the 10-knot wind restriction. In the event federal funding is not available, Massport reiterates its commitment under Section 3.0 of the Section 61 Findings to provide funding for eligible homes. FAA also has agreed to fund building code upgrades to the extent necessary for sound insulation.

5. Development of Detailed Plan for Peak Period Pricing or Other Comparable Demand Management Program

Massport has submitted a detailed plan or draft proposal for a peak period pricing program at Logan as required under the ROD. Massport also has initiated the state administrative process necessary to adopt a peak period regulation at Logan. Massport will comply with its commitments with respect to peak period pricing or an alternate demand arrangement program with comparable effectiveness as set out in Section 11.0 of the Section 61 Findings. FAA has

indicated in the ROD that it stands ready to assist Massport in this endeavor.

6. Noise Abatement Study and Review of Preferential Runway Advisory System

FAA has committed to undertake a study that will include enhancing existing or developing new noise abatement measures applicable to aircraft overflight impacts, which will take into account environmental benefit, operational impact, aviation safety and efficiency, and consistency with applicable legal requirements. The scope of this study has been completed through the joint efforts of FAA, the CAC, and Massport as required by the ROD. Massport will work with the CAC and FAA to assess the existing Preferential Runway Advisory System (PRAS) at Logan in accordance with Section 10.0 of the Section 61 Findings and will continue to participate in the noise study as contemplated in the ROD.

7. Regional Transportation

FAA has acknowledged its support of a regional transportation policy to improve the use of the New England region transportation infrastructure by expanding use of regional airports and other transportation modes, where appropriate. FAA also has committed to work with other participants in the New England Regional System Plan Study. Massport will continue to comply with its commitments to regional transportation as set out in Section 2.0 of the Section 61 Findings.

8. Airport Tenant Relocation Assistance

FAA has committed to ensure that Massport's tenant relocation program is followed through appropriate conditions in federal grants. Massport will continue to comply with its commitments as set out in Section 4.0 of the Section 61 Findings with respect to tenant relocation.

9. Water Quality and Best Management Practices

FAA has reiterated the provisions of Section 7.0 of the Section 61 Findings and has committed to ensure compliance with these requirements and water quality Best Management Practices through its engineering oversight of the Project. Massport will continue to comply with all of its related commitments under the Section 61 Findings."

Members Catanzaro, Foster, Monahan, and Quelch voted Yes.