

Department of Legislative Services  
 Maryland General Assembly  
 2023 Session

FISCAL AND POLICY NOTE  
 Third Reader - Revised

Senate Bill 356  
 Finance

(Senator Beidle)

Environment and Transportation

Transportation - Citizens Committee for the Enhancement of Communities  
 Surrounding BWI Thurgood Marshall Airport - Modification

This bill expands the responsibilities and modifies the membership of the Citizens Committee for the Enhancement of Communities Surrounding Baltimore-Washington International (BWI) Thurgood Marshall Airport. The bill also doubles the minimum annual funding that the Secretary must budget for projects recommended by the committee (from \$1 for every takeoff and landing of an aircraft that occurs at BWI Thurgood Marshall Airport for the most recent available calendar year to \$2 for every such takeoff and landing). **The bill takes effect July 1, 2023.**

Fiscal Summary

**State Effect:** Transportation Trust Fund (TTF) expenditures increase by \$353,500 in FY 2024 for staff and additional grants; future years reflect ongoing operating expenses and grant issuances and the elimination of one-time costs. Revenues are not affected.

| (in dollars)   | FY 2024     | FY 2025     | FY 2026     | FY 2027     | FY 2028     |
|----------------|-------------|-------------|-------------|-------------|-------------|
| Revenues       | \$0         | \$0         | \$0         | \$0         | \$0         |
| SF Expenditure | 353,500     | 343,800     | 348,900     | 354,100     | 360,600     |
| Net Effect     | (\$353,500) | (\$343,800) | (\$348,900) | (\$354,100) | (\$360,600) |

*Note: ( ) = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease*

**Local Effect:** The bill is not anticipated to materially affect local operations or finances.

**Small Business Effect:** Minimal.

## Analysis

**Bill Summary:** The responsibilities of the committee are expanded to include (1) developing projects designed to improve public safety, the quality of life in surrounding communities, and education; (2) advancing projects brought to the committee by nonprofit organizations; and (3) making recommendations to the Secretary of Transportation for the funding of projects that address these matters.

The committee must include 12 members, instead of 11, and the additional member must be recommended by the Senator representing District 12. Additionally, the bill alters an existing requirement regarding membership. Members must be representatives of community associations that are either wholly or partially situated (1) in the *most recent* certified Airport Noise Zone (ANZ) for BWI Thurgood Marshall Airport (instead of the ANZ effective March 23, 1998) or (2) in a border extending two miles outside the certified ANZ (unchanged by the bill).

### **Current Law:**

#### *Airport Noise Zones*

The Maryland Environmental Noise Act of 1974 required the Maryland Aviation Administration (MAA) to adopt an ANZ and Noise Abatement Plan that minimizes the impact of aircraft noise on people living near BWI Thurgood Marshall Airport. Noise zones are established by measuring the day-night average sound levels of the areas around the airport over a 24-hour period. MAA uses this information to establish three contours surrounding the airport where the sound levels are greater than a certain threshold; the contours include a recent base year, a 5-year forecast, and a 10-year forecast. These three areas make up the ANZ.

MAA is required to update the ANZ every five years to account for changes in annual aircraft operations, types, and flight paths that may result in changes to aircraft noise levels. Additionally, federal law requires U.S. airports to develop a noise compatibility program to secure federal funding for noise mitigation programs and to gain federal approval to implement certain noise abatement procedures.

#### *Citizens Committee*

Chapter 589 of 2001 established the Citizens Committee for the Enhancement of Communities Surrounding BWI Thurgood Marshall Airport to evaluate livability issues that affect communities in and near ANZs, develop projects to address transportation issues that affect livability in those communities, and make recommendations to the Secretary of Transportation for project funding. The committee must be staffed by the Maryland

Department of Transportation. The members of the committee must be representatives of community associations that are either wholly or partially situated (1) in the certified noise zone that was effective March 23, 1998, for BWI Thurgood Marshall Airport or (2) in a border extending two miles outside the certified ANZ.

The Secretary must consider the recommendations made by the committee and may make grants-in-aid to fund any recommended projects. Moreover, the Secretary must identify in its annual budget specific funding for these grants. The amount budgeted must include an amount equal to at least \$1 for every takeoff and landing of an aircraft that occurs at BWI Thurgood Marshall Airport for the most recent available calendar year.

**State Expenditures:** MAA advises that projects funded through committee recommendations have historically included speed humps, streetscapes, bus shelters, and sidewalk repairs within the 1998 certified ANZ or within two miles of the outermost noise contour. The number of takeoffs and landings at the airport used to calculate the grant funding that must be provided for these projects has varied in recent years, in large part due to the COVID-19 pandemic. Prior to the pandemic, takeoffs and landings averaged 266,569 annually, but, from 2018 through 2022, the average was only 225,659 per year. MAA advises that the Federal Aviation Administration has predicted a total of 228,786 takeoffs and landings at BWI for calendar 2023.

By doubling the amount of grant funding to be budgeted for the recommended projects (from \$1 to \$2 for every takeoff and landing), the bill effectively doubles the funding made available for such projects. For purposes of this analysis, it is assumed that \$230,000 in additional grant funding is provided each year beginning in fiscal 2024 (although the actual amount of additional grant funding made available may vary depending on the actual number of takeoffs and landings that occur). MAA advises that, under current law, it has not been able to approve or expend funds quickly, as MAA does not have any staff dedicated solely to this activity. In fact, MAA advises that there is currently \$460,265 in unexpended funds available for grants.

To manage the increase in workload associated with the expansion of the program, MAA requires additional staff. Therefore, TTF expenditures increase by \$353,549 in fiscal 2024, which accounts for the bill's July 1, 2024 effective date. This estimate reflects the cost of hiring one grants administrator to assist with the committee's expanded duties, manage the grants process (including ensuring grant funding is provided in a more timely manner), and handle the additional grant funding that will be made available as a result of the bill. It includes a salary, fringe benefits, one-time start-up costs, and ongoing operating expenses. The estimate also includes an additional \$230,000 in additional grants, as discussed above.

|   |                  |
|---|------------------|
| Position                                | 1.0              |
| Salary and Fringe Benefits              | \$115,875        |
| Additional Grants                       | 230,000          |
| Operating Expenses                      | <u>7,674</u>     |
| <b>Total FY 2024 State Expenditures</b> | <b>\$353,549</b> |

Future year expenditures reflect a full salary with annual increases and employee turnover as well as annual increases in ongoing operating expenses. It also includes ongoing grants of \$230,000 annually.

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### Additional Information

**Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** None.

**Information Source(s):** Maryland Department of Transportation; Department of Legislative Services

**Fiscal Note History:** First Reader - February 10, 2023  
js/lgc Third Reader - March 20, 2023  
Revised - Amendment(s) - March 20, 2023

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