

**20230201 - Support SB162 - Oral - Woomer.pdf**

Uploaded by: Dan Woomer

Position: FAV

Title: **Support Maryland General Assembly Senate Bill 162**

Speaker: Daniel E. Woomer  
Linthicum Heights, MD 21090

Hearing: Senate Finance Committee  
Miller Senate Building  
11 Bladen Street - Room 3 East Wing  
Annapolis, Maryland 21401

Date: Wednesday, February 1, 2023

Time: 1:00 pm

**Oral Testimony:**

I'm Daniel E. Woomer, a resident of Linthicum Heights, a neighbor of the BWI Marshall Airport, and a voting member of the BWI Roundtable.

I encourage the Finance Committee members to vote IN FAVOR of the changes proposed in Senate Bill 162.

Part of the purpose of the DC Metroplex BWI Community Roundtable (Roundtable) is to “Evaluate noise and other environmental effects” on communities and residents neighboring BWI Marshall (Airport) and to “Identifying possible alternative routings and procedures” to mitigate the concentrations of noise and jet engine exhaust particulate pollution on the surrounding communities brought on with FAA’s implementation of NextGen flight management procedures.

The Roundtable has accomplished much. Following over 6-years of research and numerous discussions and meetings with FAA, MDOT, MAA, BWI, Southwest, Maryland General Assembly members, and community

representatives, our group of volunteers worked long hours to develop a series of flight path changes for FAA's consideration. These proposed changes would help mitigate noise and pollution over higher populated areas of Anne Arundel and Howard Counties.

At the end of 2022 the FAA announced they have accepted the Roundtable proposals and began the process to make the proposed flight path adjustments.

Working with the contractor Vianair, the Roundtable started the development of an Anne Arundel and Howard Counties noise model. This work is a significant step in monitoring and quantifying the noise concentrations across the Airport's neighboring communities.

These are small steps forward. Having four members of the Maryland Aviation Commission be identified and vetted by the Roundtable; selected from the communities impacted by the Airport's noise and particulate pollution is a logical next step.

**In Summary:**

I encourage the Finance Committee members to vote IN FAVOR of the changes proposed in Senate Bill 162.

Thank you.

**SB 162 - SUPPORT.docx.pdf**

Uploaded by: Dawn Luedtke

Position: FAV



**MONTGOMERY COUNTY COUNCIL**  
ROCKVILLE, MARYLAND

DAWN LUEDTKE  
COUNCILMEMBER  
DISTRICT 7

January 31, 2023

Chairwoman Melony Griffith  
Miller Senate Office Building, 3 East Wing  
11 Bladen Street  
Annapolis, Maryland 21401

**SUBJECT: Support SB 162**

Dear Chairwoman Griffith and Members of the Finance Committee,

I am writing to urge you to support Senate Bill 162 regarding the Maryland Aviation Commission. This bill would expand the scope of the Commission's advisory capacity by including local airports in its jurisdiction, emphasize the need to consider health and wellness in surrounding communities, and increase the stakeholder groups that should be consulted by the Commission.

As the proud home of two local airports, this is of particular interest to my district. Montgomery County's 7<sup>th</sup> Council District includes Davis Airport, an airport in Laytonsville, and the Montgomery County Airpark, a general aviation public airport in Gaithersburg. Since 2011, flight operations have more than doubled at the Airpark, with 27,418 in FY 2011 and 64,206 in FY 2021.

This increase in activity has corresponded with an increase in residential concerns and noise complaints, particularly since 2019. This has included allegations of excessive noise, low-flying planes, inconsistent noise monitoring, increased "touch and go" operations, unsafe flight practices and patterns, and lead pollution in the air and soils. In addition, the Montgomery County Airpark lacks on-site air traffic control.

Some of the worst concerns of residents were actualized on November 27, 2022 when a small plane crashed into power lines in Montgomery Village while attempting to land at the Airpark in hazardous conditions. Roughly one-third of Montgomery County was without power until the early hours of November 28. According to the Preliminary NTSB Report, the pilot was flying 225 to 500 feet below minimum altitude and took a different route than recommended by air traffic controllers. The complaints we have received suggest that these elements are not unique to this case, but rather an ongoing issue at the Airpark.

100 MARYLAND AVENUE • ROCKVILLE, MARYLAND 20850  
240-777-7860 • [Councilmember.Luedtke@montgomerycountymd.gov](mailto:Councilmember.Luedtke@montgomerycountymd.gov)  
[www.montgomerycountymd.gov](http://www.montgomerycountymd.gov)

Senate Bill 162 would provide us with another means to seek mitigation for these issues while uplifting the voices of those in the surrounding communities. This would give local stakeholders and advisory bodies a seat at the table with the Federal Aviation Administration and Maryland Aviation Administration, which are responsible for regulating flight and airport procedures.

The addition of local governments to the stakeholders listed also provides us with the opportunity to work together to improve the quality of life for residents in our district. Please support the wellbeing of Marylanders impacted by airports and the aviation industry by supporting Senate Bill 162.

Sincerely,

A handwritten signature in black ink, appearing to read "Dawn Luedtke". The signature is fluid and cursive, with a large initial "D" and "L".

Dawn Luedtke  
Councilmember, District 7  
Montgomery County

**SB162\_djung\_fav.pdf**

Uploaded by: Deb Jung

Position: FAV



# Howard County Council

Deb Jung  
Councilmember

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George Howard Building  
3430 Court House Drive  
Ellicott City, Maryland 21043-4392

District 4

January 31, 2023  
SB 162  
Deb Jung  
Howard County Council  
FAVORABLE

Dear Chair Senator Griffith, Vice Chair Klausmeier, and Members of the Senate Finance Committee:

Thank you, Senators Beidle, Lam, Elfreth and Guzzone for introducing this critical bill.

I am member of the Howard County Council and the County Council's representative to the BWI Roundtable. I am also a resident who lives under the superhighway in the sky created by the Next Generation Air Transportation System (NextGen) at the Baltimore/Washington International Thurgood Marshall (BWI-Marshall) airport.

For four-and-a-half years as a Councilmember, I have heard from residents about the noise and environmental pollution caused by constant airplane traffic. Prior to NextGen, the older radar-based navigation system allowed for the dispersion of flight paths and less concentrated noise on communities. NextGen enables a superhighway of plane traffic flying over our heads 24 hours a day, 7 days a week, 365 days a year. This superhighway impacts communities as far as 15 miles from the airport and was thrust upon neighborhoods that had never experience plane noise.

We now know that there are significant health consequences to living under the NextGen flight paths. Just a few months ago, Dr. Zafar Zafari and Jeong-eun Park at the University of Maryland's School of Pharmacy released their state-funded report titled "Projecting the Health and Economic Burden of Aircraft Noise." The report focused on the health impacts of concentrated flight paths at BWI-Marshall airport since the implementation of NextGen in 2015. The report determined that the controversial flight paths at BWI-Marshall airport have negative health effects that will, on average, cost Marylanders in excess of \$40 million per year in health care costs over the next 30 years.

The results of this state-funded study indicate that the projected economic advantages to the region from BWI-Marshall expansion and new flight paths are significantly offset by their negative health consequences, which were measured through quality-adjusted life years and medical economic burden on affected populations. The study states that the total cost of hospitalizations, as well as direct and indirect costs of disease and lessening of life outcomes, will be approximately \$1.2 billion spread out over 30 years, or \$800 million in today's dollars. The study concludes, "Therefore, public health measures to mitigate noise are warranted."



These health concerns and associated costs have not been a part of the conversation at the Maryland Aviation Commission, the State's only Commission created to address airport issues. This bill will allow members of the public to have a seat at the table so that all perspectives can be heard when discussing measures to expand the airport, create new flight paths, or build another runway. Public representation on this Commission will enable it to focus on the impacts that BWI-Marshall has on the residents underneath the flight paths, provide state legislators with the information they need to make necessary adjustments at BWI-Marshall, and find ways to interact with the Federal Aviation Administration (FAA). For too long technology and efficiency have superseded the health and well-being of hundreds of thousands of residents.

As noted in a Bicameral Letter from Congress to the FAA:

“We are concerned that the NextGen program has failed to meet the bare minimum standards for success. Currently, the FAA continues to introduce and implement concentrated flight procedures with Performance Based Navigation throughout the country. The FAA boasts profits for airlines, shipping companies, and other industry stakeholders, but the burden of noise, health risks, and declining property values falls on the backs of hard-working Americans.”

This bill will also modify the Maryland Aviation Commission to assess and mitigate the negative impacts of aviation traffic at BWI-Marshall and establish policies based on accepted scientific research on creating and maintaining healthy and livable communities. SB162 will go a long way to balancing out the considerations reviewed by this Commission in the decision-making process and I urge all of you to support its passage.

Sincerely,



Deb Jung  
Councilmember, District 4

**Debbie MacDonald Written Testimony SB162:HB204.pdf**

Uploaded by: Debbie MacDonald

Position: FAV

## Support for Maryland General Assembly Senate Bill 162

Debbie MacDonald  
Chair, DC Metroplex BWI Community Roundtable  
District 9, Senator Katie Fry Hester

At our January 24th meeting, the DC Metroplex BWI Community Roundtable passed a resolution to **support SB0162/HB0204 and to fully accept the responsibilities that it entails.**

The BWI Roundtable has been actively trying to understand and seek solutions to the explosion of aviation noise pollution in the region for almost six years. As a result, we have come to a much better understanding of how the citizens of Maryland directly benefit from having a safe, reliable, and economically vibrant airport. We also understand that the citizens of Maryland deserve healthy, peaceful lives in their chosen communities.

There is no reason we can't have both in the State of Maryland.

Growth in operations at BWI-Marshall brings many critically important social and economic impacts to communities and to the State of Maryland, including economic development, jobs, and tax revenue. However, ill-considered growth can result in significant negative impacts, especially for residents of Anne Arundel and Howard counties. These include stress, likely adverse health outcomes and a diminished quality of life.

Over the course of our almost 6 years of existence, the BWI Roundtable has come to believe those impacts are unsustainably unbalanced in favor of economic impacts in our region. An example was provided by the recent University of Maryland-Baltimore study that shows Marylanders will incur over \$800 million (in 2022 dollars) in additional health costs over 30-years from current BWI-Marshall operations. That study was funded by the General Assembly and published this past summer.

Another example is provided by an initiative the BWI Roundtable supported with funding from Howard and Anne Arundel counties. We are now publishing monthly noise and operations reports for the region that cover a much broader geography than the MAA's reports. We have discovered that unhealthy noise generated by the airport stretches westward to encompass the approximate boundaries of **Columbia/Clarksville**, to include **Fort Smallwood/Lake Shore/Annapolis** to the east and south to **Crownsville/Millersville/Fort Meade**. The World Health Organization has identified adverse health effects at this noise level. A map depicting this noise data from our November 2022 report has been uploaded with this testimony.

We are not seeking to curtail airport operations, but to seek balanced, data-driven and fully informed solutions for the complex set of stakeholders, including residents and communities. The BWI Roundtable firmly believes that communities must be formal stakeholders in airport decisions going forward to avoid the likelihood of increased conflict between economic growth at the airport and the interests of residents and communities. If decisions continue to be made without a full data-driven approach and informed by the best available science, resulting decisions are likely to result in irreversible and preventable harm.

For these reasons, the DC Metroplex BWI Roundtable respectfully requests the Committee grant Senate Bill 162 a favorable report.

# **Nov 2022 Regional Noise Contour Map.pdf**

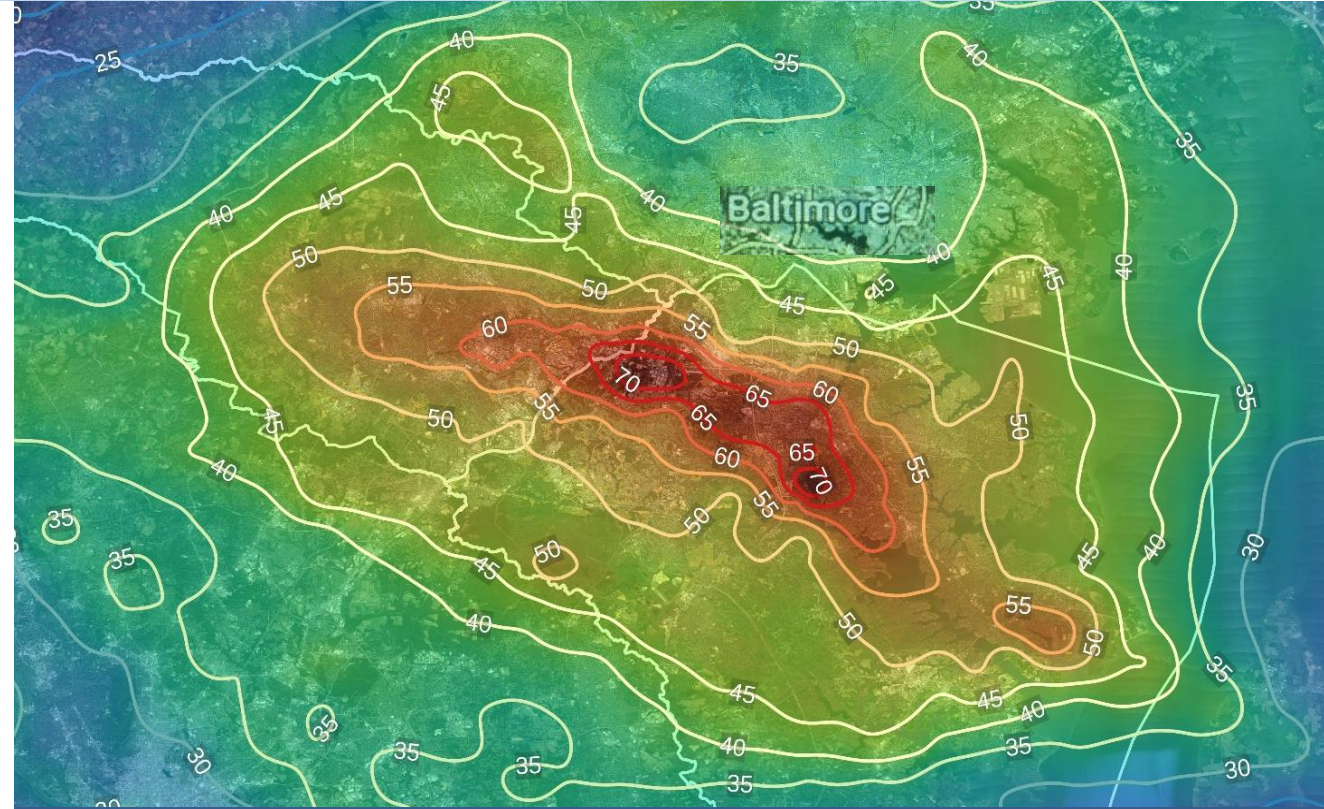
Uploaded by: Debbie MacDonald

Position: FAV

# REGIONAL MAPS OF BWI-MARSHALL NOISE POLLUTION



MAA modeled *actual historical* flights projected for the 2020 Airport Noise Zone and updated in Aug 2022 for a report to the Maryland General Assembly



Vianair, Inc. modeled *actual daily* flights for Nov 2022 for the Monthly Aircraft Operations and Noise Exposure Report of the DC Metroplex BWI Community Roundtable

These images represent two versions of the mapped regional noise pollution generated by commercial flight operations at BWI-Marshall. The map on the left was generated by MDOT-MAA based on actual **historical** operations collected by the MDOT MAA's Airport Noise and Operations Monitoring System (ANOMS) with computer modeling of future expected noise. It is focused on the 65 DNL contour of the Airport Noise Zone. The Vianair-generated map on the right is based on **actual daily flights** from the airport with computer modeling of the resulting expected noise, creating a more in-depth look at all DNL noise contours.

Noise is expressed in DNL contours. For reference, the **50 DNL** contour on the *Vianair* map stretches westward to encompass the approximate boundaries of **Columbia/Clarksville**, eastward to **Fort Smallwood/Lake Shore/Annapolis** and south to **Crownsville /Millersville/Fort Meade**. The World Health Organization has identified adverse health effects at this noise level.

**SKM\_368e23013111150.pdf**

Uploaded by: Mark Peterson

Position: FAV

Senator Melony Griffith, Chair

[Melony.griffith@senate.state.md.us](mailto:Melony.griffith@senate.state.md.us)

Senator Katherine Klausmeier, Vice Chair

[Katherine.klausmeier@senate.state.md.us](mailto:Katherine.klausmeier@senate.state.md.us)

Maryland General Assembly

Senate Finance Committee

RE: SB 0162 Maryland Aviation Commission – Duties, Composition and Member Orientation

Honorable Committee Chair and Vice Chair,

My name is Mark Peterson and I have been a resident of Maryland for 33 years. When I moved from Baltimore County to Howard County in 1995 it was to build and purchase my first, and only, new home. Where I live in Elkridge is approximately 8 miles from BWI Thurgood Marshall. The neighborhood was new at the time and after 17 years of apartments and townhouses my little 1/8<sup>th</sup> of an acre was my dream. While aircraft flyover was not uncommon, it was relatively sparse and dispersed. My back yard was enjoyable. That all ended after acceptance of the FAA Environmental Impact by Ricky Smith of the MAA and the FAA phased implementation of NextGen beginning in 2015. The NextGen departure corridor often handling 75% of the westbound air traffic is directly over my house. By FAA design, the planes do not deviate from the center of that corridor by more than an eighth of a mile horizontally in either direction. The GPS assisted take off allows the flights to be separated timewise by as little as 2 minutes. The airlines appear to currently dictate a slow vertical climb to save fuel.

The roar that typically wakes me starts at 5:48 am. In a 15-minute period around 6:30 am there are usually 7 flights. During the day outside you need to stop speaking and wait for the planes to clear because you cannot shout over them. If I'm lucky the last flight noise I have to endure for the day occurs before midnight. I do not want to sell and move. My mortgage is paid off and I intended to retire shortly.

In 5 years of the Roundtable discussions with the FAA, very little has been implemented or proposed in addressing the conditions created by NextGen. Meanwhile, Mr. Smith has spent \$55 million dollars on terminal bathrooms and \$6 million dollars on electric buses to assure that travelers to BWI have a first-class experience. Afterall, the transitory out-of-state population must be afforded the best of environments. It is regrettable that the MAA does not have the same concerns for the neighboring residents of Maryland providing these funds.

I am requesting your help to pass SB 0162 and provide all the people of Maryland represented by the Roundtable some hope of relief.

Thank you.

Mark Peterson

6420 Sedgwick St.

Elkridge, MD 21075

# **CE Ball 2023 - SB 162 MD Aviation Commission\_Suppo**

Uploaded by: Meghan Lynch

Position: FAV





## HOWARD COUNTY OFFICE OF COUNTY EXECUTIVE

3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2013 Voice/Relay

Calvin Ball  
Howard County Executive  
cball@howardcountymd.gov

www.howardcountymd.gov  
FAX 410-313-3051

February 1, 2023

Senator Melody Griffith, Chair  
Senate Finance Committee  
Miller Senate Office Building, 3 East  
Annapolis, Maryland 21401

Re: **TESTIMONY OF SUPPORT**: SB 162: Maryland Aviation Commission – Duties, Composition, and Member Orientation

Dear Chair Griffith, Vice Chair Klausmeier, and Members of the Committee,

I commend Senator Lam and his co-sponsors for their consistent advocacy and working on this pressing aviation issue which will help bring a balance to aviation policies impacting BWI Thurgood Marshall Airport (BWI).

This legislation is needed to address a significant gap in Maryland's transportation and public health policy. Howard County and our volunteer members of the DC Metroplex BWI Community Roundtable have been working to alleviate the impacts of the NextGen System since March 2017 when the Roundtable was formed. As a former Councilmember, I sponsored local legislation authorizing legal action against the Federal Aviation Administration (FAA).

In 2019, we filed a second legal petition against the FAA following the approval of the BWI Thurgood Marshall Airport expansion plan; a plan that lacks consideration of the adverse noise impacts to residents in the area. In 2022, Howard and Anne Arundel County engaged a consulting firm to provide us with additional data regarding the level of noise in our communities and how those noise levels may change under revised flight patterns. Also in 2022, a study by researchers at the University of Maryland School of Pharmacy examined the health impacts and economic burden of the use of the NextGen System at BWI suggesting that there is "a significant health and economic societal burden associated with aircraft noise" and such public health approaches, like those suggested in SB 162, are "warranted."

As County Executive, I will continue to advocate for thriving and health residents, not only in Howard County but in all impacted jurisdictions.

I welcome your support and urge a favorable report on Senate Bill 162.

All the Best,

Calvin Ball  
Howard County Executive

# **Sponsor Testimony**

Uploaded by: Senator Lam

Position: FAV

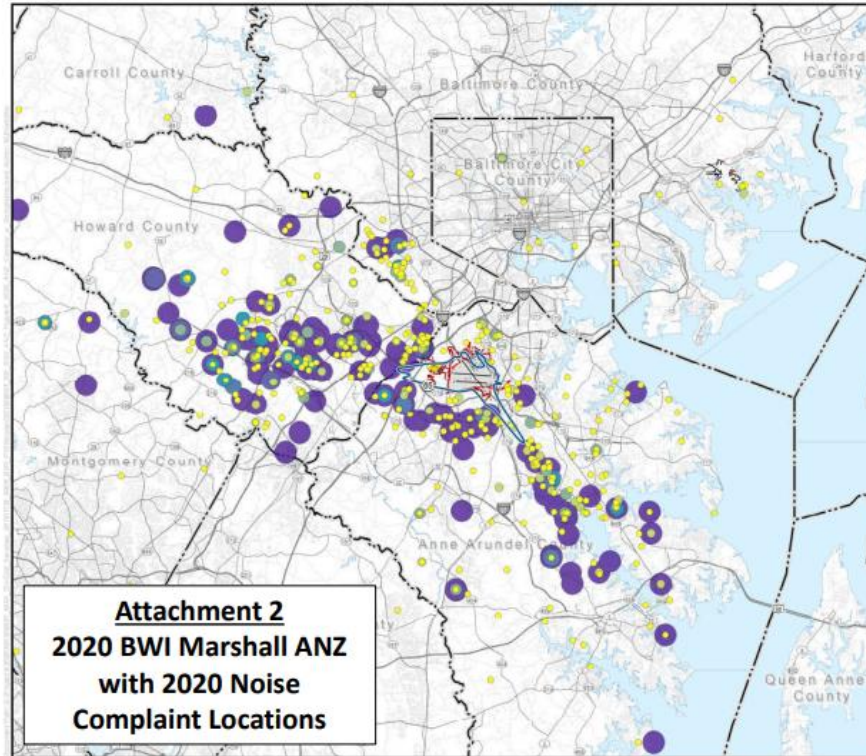


# **SB 162**

*Maryland Aviation Commission - Duties, Composition,  
and Member Orientation*

569,649

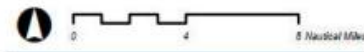
Noise complaints submitted in 2020



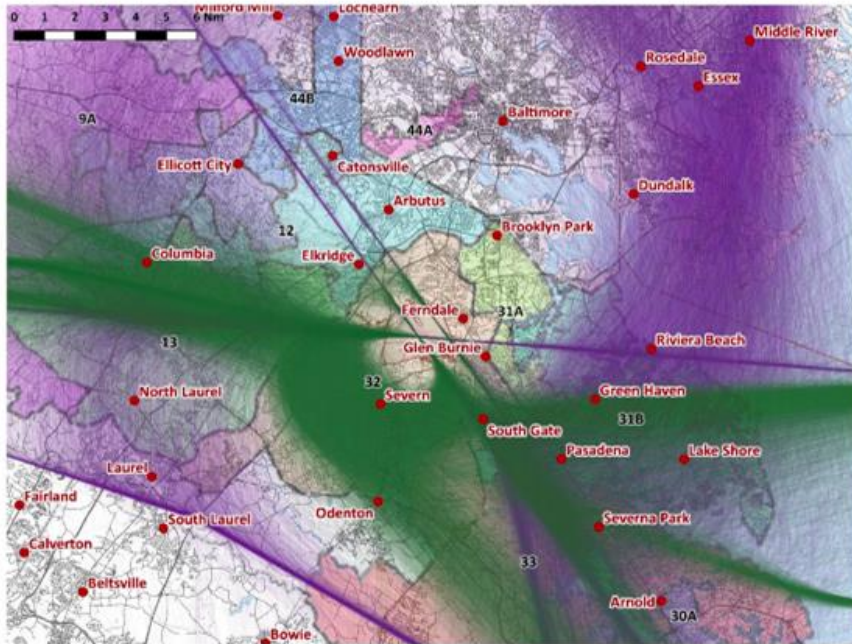
Attachment 2:  
2020 Noise Complaints and 2020 BWI Marshall ANZ



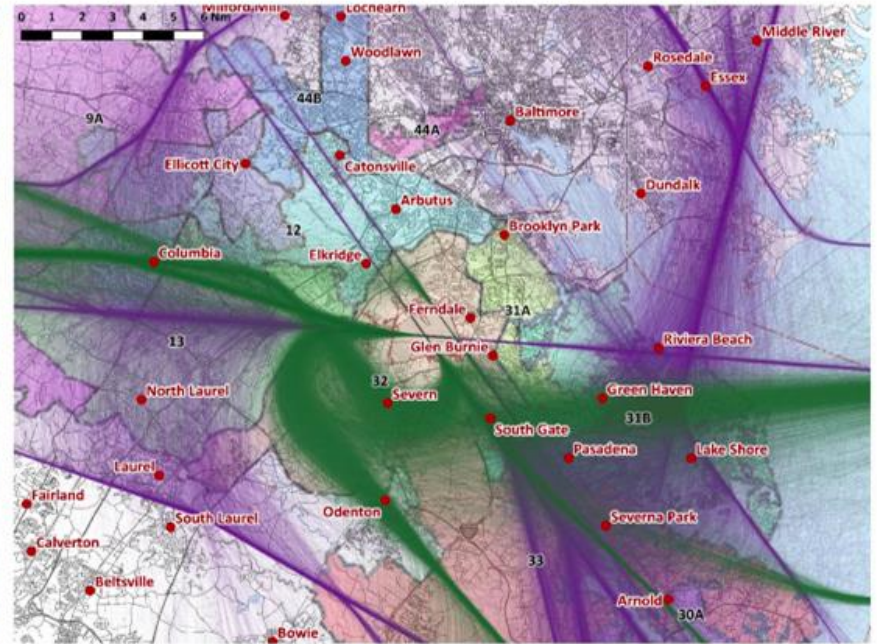
Data Sources: MDOT MAA; Anne Arundel County; Howard County; Baltimore County Government Open Data Portal; National Register of Historic Places (NHP); Environmental Systems Research Institute (ESRI); ApNav.com; HMMH



# NextGen Increased Density in BWI Flight Paths



2012 Pre-Metroplex arrival and departure flight tracks



2017 Existing arrival and departure flight tracks

## Legend

- Departure Flight Tracks
- Arrival Flight Tracks

# MGA Funded Health Study

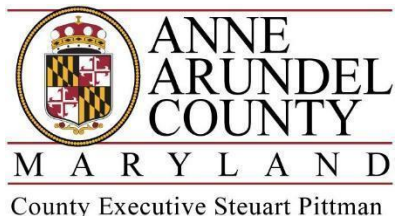
- Increase noise from BWI will result in over \$800 million in health related economic costs over the next 30 years
- Looked at direct and indirect morbidity costs of cardiovascular disease, anxiety, and low birth weight

**Anne Arundel County \_FAV\_SB 162.pdf**

Uploaded by: Steuart Pittman

Position: FAV





February 1, 2023

**Senate Bill 162**

**Transportation - Maryland Aviation Commission - Duties,  
Composition, and Member Orientation**

**Senate Finance Committee**

**Position: FAVORABLE**

Anne Arundel County **SUPPORTS** Senate Bill 162 – Transportation - Maryland Aviation Commission - Duties, Composition, and Member Orientation. Senate Bill 162 requires the Maryland Aviation Commission to establish policies, based on accepted scientific research on creating and maintaining healthy and livable communities, to best mitigate any negative impacts of the local aviation and airport industries, and requires the Commission to consider information and advice from certain stakeholders in carrying out its duties. It further requires that certain members of the Commission appointed by the Governor are to be selected from candidates designated by the DC Metroplex BWI Community Roundtable, requires commissioners to receive an orientation relating to the Commission’s duties, and expands the Commission’s annual report.

Noise pollution and bombardment is a significant issue for residents in communities along flight paths, which go directly over schools, parks, wildlife areas, shopping centers, and residential areas. Although the Federal Aviation Administration and airports have taken steps to mitigate some noise associated with flight paths, communities in Anne Arundel, Howard, Montgomery, and Baltimore Counties continue to experience adverse impacts. Data from the Maryland Department of Transportation shows that BWI receives over 1,000 complaints each day.

Residents in these communities experience sleep disruption and difficulty enjoying the outdoors. However, a growing body of evidence suggests that airport noise pollution can be much more than just a nuisance, and can actually have serious health implications. According to the journal *Noise & Health*, aircraft noise can disrupt sleep, adversely affect academic performance in children, and increase the risk of cardiovascular disease for people living in the vicinity of airports. Exposure to high levels of air traffic noise has also been associated with high blood pressure and anxiety.

The modifications to the Commission accomplished by this bill will ensure that the Commission has the right people at the table and the right information to make informed decisions to protect the health of our communities and minimize preventable health-related outcomes.

For all of these reasons, I respectfully request a **FAVORABLE** report on Senate Bill 162.

Steuart Pittman  
County Executive

**02.01.2023 SB0162 MAA.Opppose.letters.BWIPartnersh**

Uploaded by: Gina Stewart

Position: UNF



February 1, 2023

The Honorable Melony Griffith, Chair  
Senate Finance Committee  
3 East Miller Senate Office Building  
Annapolis MD 21401

***Re: Opposition to SB 162 – Maryland Aviation Commission - Duties, Composition, and Member Orientation***

Dear Chair Griffith and Committee Members:

The BWI Business Partnership respectfully submits the attached correspondence from several partner organizations who are opposed to Senate Bill 162.

Sincerely,

A handwritten signature in blue ink, which appears to read "Gina Stewart". The signature is fluid and cursive.

Gina Stewart  
The BWI Business Partnership  
Executive Director



February 1, 2023

The Honorable Melony Griffith, Chair  
Senate Finance Committee  
3 East  
Miller Senate Office Building  
Annapolis, Maryland 21401

**Re: Senate Bill 162 Maryland Aviation Commission – Duties, Composition, and Member Orientation**

Dear Chair Griffith and Finance Committee Members:

Airport Design Consultants, Inc. (ADCI) is opposed to Senate Bill 162 Maryland Aviation Commission – Duties, Composition, and Member Orientation. As one of Maryland’s leading airport engineering and construction management firms, the continued growth and expansion at Baltimore Washington International Thurgood Marshall Airport (BWI Marshall) is crucial to our company’s future. Therefore, we are opposed to Senate Bill 162 as it is directly in conflict with our firm’s current and future stability and growth.

ADCI, located in Howard County, is minority owned and employs more than 70 full time professionals all working toward improving the State and Nation’s system of airports. We provide professional airfield planning, design, program management, and construction management services to BWI Marshall Airport as well as several other satellite airports in Maryland and the region.

ADCI and our employees depend upon BWI Marshall Airport as one of our most prolific airport clients and nearly all of our employees routinely are engaged on BWI projects. In addition to several employees working full time on BWI Marshall projects from our Ellicott City Headquarters, ADCI also employs staff that report directly to the Airport. The vitality and continuous growth and improvement of BWI Marshall is critical to our firm’s existence.

BWI Marshall Airport also provides broader benefits to the Baltimore region and the State of Maryland. The airport supports, directly and indirectly, over 106,000 jobs – more than 70 of which are ADCI employees. It has an annual economic impact of \$9.3 billion, and provides annual tax revenue of nearly \$600 million to State and local governments.

ADCI is concerned that without planned improvements and future expansion at BWI, our organization will not remain in its current configuration and may result in employee cuts.



The Honorable Melony Griffith, Chair

1/30/2023

Page 2 of 2

ADCI is concerned that the bill singles out one aspect of airport operations as a priority in commission membership, MAA policies, and other commission duties. This focus on noise and health related concerns over all other issues threatens future growth and expansion of the airport and its services. In addition, the bill fails to acknowledge that BWI and the commission already address environmental and health concerns related to current operations and proposed expansions. The commission and BWI Marshall Airport have demonstrated a long-standing commitment to environmental protection, proactive planning and reducing and mitigating aircraft noise. We are also concerned that 4 of the 9 commission members would represent those who prioritize limiting noise over all other airport priorities, Boards and commissions work best when their members offer varying skill sets and points of view.

Due to its potential to stall or even prevent the growth and expansion needed at BWI Marshall, we are opposed to Senate Bill 162 and respectfully request the Senate Finance Committee report the bill unfavorably. We implore the committee to give a "No" vote and I thank you for your attention on this important matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Cedrick A. Johnson".

Cedrick A. Johnson, PE, President & CEO  
ADCI

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February 1, 2023

The Honorable Melony Griffith, Chair  
Senate Finance Committee  
3 East  
Miller Senate Office Building  
Annapolis, Maryland 21401

**Re: Senate Bill 162 Maryland Aviation Commission – Duties, Composition, and Member Orientation**

Dear Chair Griffith and Finance Committee Members:

Dream Management, Inc.(DMI) is opposed to Senate Bill 162 Maryland Aviation Commission – Duties, Composition, and Member Orientation. As one of the companies providing critical passenger transportation to the airport’s employees and patrons, DMI depends on the continued growth and expansion of Baltimore Washington International (BWI) airport, which we consider as a crucial source of employment and revenue for DMI.

Dream Management, Inc., located in the Baltimore City, employs more than 65 individuals, some of them working at the County Connector, shuttling riders from Arundel Mills mall, the Amazon warehouse, Amtrak station, and the light rail going back and forth to and from the airport terminal.

BWI Marshall Airport also provides broader benefits to the Baltimore region and the State of Maryland. The airport supports, directly and indirectly, over 106,000 jobs. It has an annual economic impact of \$9.3 billion, and provides annual tax revenue of nearly \$600 million to State and local governments.

Dream Management, Inc. is concerned that without planned improvements and future expansion at BWI, our organization will not remain competitive in the passenger transportation industry. Our visitors will lose valuable time due to air and baggage delays, and shipments to our customers will be delayed, causing our customers to turn to flying using a modern, expanding airport somewhere else. If this could happen, the BWI and Amazon number of employees we transport will be reduced or get stagnant due to the potential restrictions caused by Senate Bill 162.

Dream Management, Inc. is concerned that the bill singles out one aspect of airport operations as a priority in commission membership, MAA policies, and other commission duties. This focus on noise and health related concerns over all other issues threatens future growth and expansion of the airport and its services. In addition, the bill fails to acknowledge that BWI and the commission already address environmental and health concerns related to current operations and proposed expansions.

The commission and BWI Marshall Airport have demonstrated a long-standing commitment to environmental protection, proactive planning and reducing and mitigating aircraft noise. We are also concerned that 4 of the 9 commission members would represent those who prioritize limiting noise over all other airport priorities, Boards and commissions work best when their members offer varying skill sets and points of view.

Due to its potential to stall or even prevent the growth and expansion needed for The BWI airport and the entire regional and state economies to grow, we are opposed to Senate Bill 162 and respectfully request the Finance Committee report the bill unfavorably.

We want to make clear that the legitimate concerns of the Commission related to the noise and the potential health issues should be considered involving innovating ideas without hindering the necessary BWI Airport's growth and expansion.

We want to thank you for considering giving a No vote on Senate Bill 162.

Sincerely,

A handwritten signature in black ink, appearing to read 'Luis Gutierrez', with a large, stylized flourish at the end.

Luis Gutierrez, MBA  
President/CEO  
DREAM MANAGEMENT, INC.  
210 W 28th Street  
Baltimore, MD 21211



[www.m4security.us](http://www.m4security.us)

# M4 SECURITY LLC

101 North Haven Street, Suite 301, Baltimore MD 21224 443-210-4496

*Agency License #106-4966*

*City of Baltimore Minority Certified Service Supplier  
Maryland State Certified Minority Business Enterprise*

February 1, 2023

The Honorable Melony Griffith, Chair  
Senate Finance Committee  
3 East, Miller Senate Office Building  
Annapolis, Maryland 21401

Re: Senate Bill 162 Maryland Aviation Commission – Duties, Composition, and Member Orientation

Dear Chair Griffith and Finance Committee Members:

M4 Security is voicing their opposition to Senate Bill 162 Maryland Aviation Commission – Duties, Composition, and Member Orientation.

M4 Security is a small business in the Greater Baltimore area. We pride ourselves in employing local workers. We greatly respect BWI as a major economic engine for our region, supporting thousands of jobs and generating billions of dollars in economic activity. The airport supports, directly and indirectly, over 106,000 jobs. It has an annual economic impact of \$9.3 billion and provides annual tax revenue of nearly \$600 million to State and local governments. M4 Security worries that Senate Bill 162 may negatively impact this workforce, reducing their ability to participate in the Baltimore economy, pay taxes and contribute to the overall well-being of the community.

M4 Security can only show admiration for the steadiness of management and operations at BWI and respectfully asks the committee to take this into consideration. Even with the COVID-19 pandemic, BWI over the past several years has grown. BWI, the 22nd busiest airport in the U.S., accommodated 27 million passengers in 2019, a record-setting year. After seeing flights and riders plummet during the early days of the pandemic, BWI projects to bounce back to 26 million passengers this year. The airport now serves about 70,000 passengers a day, with 330 daily departures. M4 Security fears that Senate Bill 162 may interrupt planned improvement and expansion at BWI, and that future development may be stunted.

M4 Security is very much involved in the Baltimore business community and sees a growing trend in many out-of-state companies moving into our area. Cost of living and doing business in Baltimore is relatively low compared to other major metropolitan areas on the East Coast. The city has a growing technology and innovation sector. BWI is a valuable part of a strong and vital transportation infrastructure necessary to our business community. BWI, for many, will be the first impression of our region. Let's keep BWI as our best face forward.

Sincerely,

Malcolm Day  
Chief Operating Officer  
M4 Security





January 30, 2023

The Honorable Melony Griffith, Chair  
Senate Finance Committee  
3 East  
Miller Senate Office Building  
Annapolis, Maryland 21401

**Re: Senate Bill 162 Maryland Aviation Commission – Duties, Composition, and Member Orientation**

Dear Chair Griffith and Finance Committee Members:

**ITnova, LLC is opposed to Senate Bill 162 Maryland Aviation Commission – Duties, Composition, and Member Orientation.**

ITnova is an IT & Engineering consulting company which provides services to the State of Maryland. ITnova employs 40 people with diversity backgrounds and skills including technicians, software developers, engineers, data scientist, project managers and more. Our company's headquarters are in Glen Burnie MD 21061. We have been in Anne Arundel County since the beginning back in 2011. Furthermore, ITnova is an advocate for the Hispanic Community in Anne Arundel County. ITnova is part of the board of the Maryland Hispanic Business Conference an organization. The goal of this organization is to provide a space for Hispanic Business Owners to get together and promote networking, growth, business training, and awareness about the policies in the State of Maryland that could impact our businesses and community. The continued growth and expansion at Baltimore/Washington International Thurgood Marshall Airport (BWI) are crucial to our company's future and our Hispanic Community.

BWI Marshall Airport also provides broader benefits to the Baltimore region and the State of Maryland. The airport supports, directly and indirectly, over 106,000 jobs. It has an annual economic impact of \$9.3 billion and provides annual tax revenue of nearly \$600 million to State and local governments.

ITnova, LLC is concerned that without a board working towards all the aspects of the Airport , the impact of this bill will result in lack of business in the community as well as for our company ITnova.

With a new government in place, our understanding is that transparency, diversity, and inclusion are a critical moving forward. ITnova is concerned that this bill is not clear and transparent. The document is not clear about:

- Bill's intent
- Bill's purpose
- Reason of changes
- Expected outcome



Furthermore, the bill does not provide a whole picture so any person of the community can understand. Any bill should clearly identify the intent, the purpose and more importantly the impact that this will have in our businesses and communities. It singles out one aspect of airport operations as a priority in commission membership, MAA policies, and other commission duties. This focus on noise and health related concerns over all other issues threatens future growth and expansion of the airport and its services.

ITnova has been supported many nonprofit boards including The Arc, The Anne Arundel Community College foundation, the Center of Help, the Severna Park High School Business Partnerships, and the Maryland Hispanic Business Conference. As part of our experience in these boards, embracing diversity, thoughts and ideas from different perspectives is crucial so policies and actions are a reflection of collaboration, agreement, coming together, and more importantly compromise.

Due to its potential to stall or even prevent the growth and expansion needed for ITnova, LLC and our economy to grow, **we are opposed to Senate Bill 162** and respectfully request the Senate Finance Committee report the bill unfavorably.

Sincerely,

A handwritten signature in blue ink, appearing to read "Carolina Seldes".

Carolina Seldes,  
President & CEO  
ITnova, LLC



January 31, 2023

The Honorable Melony Griffith  
Chair, Senate Finance Committee  
Miller Senate Office Building, 3 West  
11 Bladen Street  
Annapolis, MD 21401

Dear Chair Griffith:

On behalf of Airlines for America (A4A)<sup>1</sup>, the trade association for the leading U.S. passenger and cargo airlines, I provide the following comments on SB0162. SB0162 would, among other provisions, establish certain policies related to healthy and livable communities and require that certain members of the Maryland Aviation Commission appointed by the Governor are to be selected from candidates designated by the DC Metroplex BWI Community Roundtable A4A.

Robust mechanisms already exist to comprehensively review and communicate potential impacts of aviation projects, including the “hard infrastructure such as construction projects” and so-called “soft infrastructure projects such as flight paths and related procedures” explicitly mentioned in the bill. BWI Marshall and other Maryland airports, together with the Federal Aviation Administration (FAA), conduct comprehensive evaluations of aviation projects in accordance with the National Environmental Protection Act (NEPA). For example, the FAA – which has **exclusive** authority to develop, approve and implement flight procedures – undertakes necessary NEPA reviews before approving and implementing those procedures. A4A strongly supports efforts to communicate these impacts to the public and has championed and led efforts to improve the FAA’s process for developing new flight procedures to better ensure communities are heard and their views are taken into account as the procedures are developed and implemented. A4A members also have proactively engaged with communities, participating directly in community roundtables dedicated to addressing aircraft noise issues at airports throughout the country, including the citizen-led BWI Community Roundtable. Similarly, all major airport development (e.g., construction) projects requiring FAA approval are studied and the results reported to the public in accordance with NEPA. This is on top of the approval process for major capital projects that is conducted by the Maryland General Assembly, the Maryland Department of Transportation and the Maryland Board of Public Works, all of which provide avenues for public comment.

Regarding health impacts, the FAA has, among other efforts, established a cooperative aviation research organization co-led by Washington State University and the Massachusetts Institute of

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<sup>1</sup> A4A’s members are Alaska Airlines, Inc.; American Airlines Group, Inc.; Atlas Air, Inc.; Delta Air Lines, Inc.; Federal Express Corporation; Hawai’ian Airlines, Inc.; JetBlue Airways Corp.; Southwest Airlines Co.; United Airlines Holdings, Inc.; and United Parcel Service Co. Air Canada, Inc. is an associate member.

Technology – the Aviation Sustainability Center (also known as the Center of Excellence for Alternative Jet Fuels and Environment, ASCENT) – which undertakes multiple research projects to understand such health impacts and ensures public policy is based on peer-reviewed science. Currently, the FAA is undertaking a comprehensive review of aviation noise policy which will be informed by such research (see *Overview of FAA Aircraft Noise Policy and Research Efforts: Request for Input on Research Activities to Inform Aircraft Noise Policy*.<sup>86</sup> Fed. Reg 2722 (January 13, 2021). With respect to noise monitoring, the establishment of a virtual noise monitoring system authorized in the bill is unnecessary given the robust noise monitoring program already in place at BWI and administered by the Maryland Department of Transportation’s Maryland Aviation Administration.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read 'S Williams', is positioned above the typed name.

Sean Williams  
Vice President, State and Local Government Affairs  
swilliams@airlines.org

## **02.01.23 SB0162 Maryland Aviation Administration.S**

Uploaded by: Gina Stewart

Position: UNF



February 1, 2023

The Honorable Melony Griffith, Chair  
Senate Finance Committee  
3 East Miller Senate Office Building  
Annapolis MD 21401

***Re: Opposition to SB 162 – Maryland Aviation Commission - Duties, Composition, and Member Orientation***

Dear Chair Griffith and Committee Members:

The BWI Business Partnership (the Partnership) writes to express our opposition to **Senate Bill 162 – Maryland Aviation Commission - Duties, Composition, and Member Orientation**. The BWI Business Partnership is a nonprofit corporation comprised of governmental organizations, private businesses, and academic institutions, advocating for strong transportation policy and initiatives, driving sustainable economic and workforce development, and facilitating meaningful strategic relationships germane to the growth and development of the BWI Region.

Senate Bill 162 alters the duties and composition of the Maryland Aviation Commission (the Commission) which is the statutory body charged with creating policy, regulations, and airport policy for Maryland’s state-owned airports. The bill’s provisions require the Commission to focus equally on:

- its established duty to adopt policies to improve and promote the role of the Baltimore–Washington International Thurgood Marshall Airport (BWI Marshall Airport) as an airport of service to the Washington–Baltimore metropolitan area, and
- the new specific duty to adopt policies to mitigate negative health and community impacts of the airport and its industries.

The bill also requires that four of the governor’s eight gubernatorial appointees to the commission (the ninth member is the Secretary of Transportation, who serves as chair) to be selected from a list designated by a workgroup that was formed by the Maryland Department of Transportation Maryland Aviation Administration (MDOT MAA) in 2017 at the request of the Federal Aviation Administration (FAA) to provide feedback and recommendations on the implementation of the FAA’s NextGen plans, particularly as it relates to noise disturbances. The FAA’s NextGen efforts are mandated by Congress and include a multi-faceted series of interlinked programs including policies, procedures, technologies, systems, and infrastructure.

MDOT MAA continues to work with the citizen workgroup to advance a series of proposed revisions to the FAA’s published flight procedures. The FAA responded to the proposed revisions with a formal review and issued findings in 2022. The next step is for the FAA to initiate an environmental review process for the proposed procedure changes. MDOT MAA is



Senate Finance Committee

Page Two

February 1, 2023

pressing the FAA to include multiple opportunities for public education and comment during this process.

The Partnership recognizes that some members of the community are annoyed by aircraft noise, particularly after flight shifts resulting from the NextGen initiative. According to MAA MDOT statistics, in 2021 there were over 620,000 complaints from 520 unique complainants in the BWI region of 2.8 million residents.

We want to highlight MDOT MAA's work to minimize and mitigate the noise issue. The agency addresses aircraft noise annoyance through mitigation programs, active public engagement and transparent long-term planning. MDOT MAA sponsors public outreach, supports the noise-related citizen workgroup (the DC Metroplex BWI Community Roundtable), operates the MDOT MAA Noise and Operations Monitoring System, manages the Residential Sound Insulation Program, conducts Airport Noise Zone and Part 150 Noise Studies, and completes proactive facility planning through the National Environmental Policy Act (NEPA).

The Commission has a responsibility to examine and make legislative and regulatory recommendations on a number of issues related to the operations of BWI and Martin State Airport. In addition to noise, the Commission looks at environmental issues, service and cargo capacity, facility adequacy, and ADA compliance, all while adhering to FAA rules and requirements. The Partnership is concerned that this statutory elevation of noise over all other issues will inhibit progress on airport improvements unrelated to the noise issue, such as concourse improvements, the baggage handling system, and a new control tower. These planned improvements are vital to the economic competitiveness of the airport, the region, and the state of Maryland.

Based on economic data from Calendar Year (CY) 2017, BWI Marshall Airport supports 106,488 total jobs in the regional economy. Further, the airport produces \$4.1 billion in personal wages and is responsible for \$9.3 billion in business revenue for the state. The overall activity at BWI Marshall Airport produces an estimated \$579 million in tax revenue for state and local governments.

BWI Marshall is a vital component of the State's economy. Senate Bill 162 will divert the Commission's focus from its responsibility to improve and promote BWI Marshall Airport in the metropolitan region and threatens future improvements. The Partnership respectfully requests the committee report Senate Bill 162 unfavorably.

Sincerely,

Gina Stewart  
The BWI Business Partnership  
Executive Director

**OPPOSE SB0162 supplement.pdf**

Uploaded by: Peggy Williams

Position: UNF



OPPOSE SB0162 Maryland Aviation Commission - Duties,  
Composition, and Member Orientation

*(Additional information to go with my previous testimony)*

Dear Committee Members:

The wording, **“accepted scientific research on creating and maintaining healthy and livable communities,”** is very vague and needs to be much more specific.

In this article, read the section on Drones and Medicine.

<https://www.weforum.org/communities/aerospace>

Utterly terrifying. What is the “scientific research” and specifically what does the bill mean by “maintaining healthy and livable communities”? China uses drones to spray its communities with who-knows-what. This bill should be withdrawn until this scientific research and healthy communities question is answered.

I know for a fact that no regulatory agency in Maryland regulates aerosols/ emissions into the atmosphere sprayed from aircraft. This is a gap in our regulatory framework that needs to be addressed.

This is a state-owned and operated airport and the operations of it should stay in the hands of the state, not international entities or federal agencies.

Thank you.

Peggy Williams

Severna Park, MD

**SB0162 OPPOSE.pdf**

Uploaded by: Peggy Williams

Position: UNF

## OPPOSE SB0162

SB0162 Maryland Aviation Commission – Duties, Composition, and Member Orientation

Dear Committee Members:

The language in this bill is concerning. State airports belong to the State and under the jurisdiction of the State of Maryland and the people of Maryland. There needs to be transparency in the members of this coalition who will be making decisions on the future of state-owned airports. See the language below:

(ii) A representative of **any entity** whose principal activities are related to the operation of State-owned airports;

(iii) A person employed **by any entity** whose principal activities are related to the operation of State-owned airports; or

Moreover, there seems to be a push for the “internationalization,” possibly a “federalization,” of local airports, in the future, based on this document.

[https://www3.weforum.org/docs/IP/2016/MO/WEF\\_AT\\_NewRegulatoryModel.pdf](https://www3.weforum.org/docs/IP/2016/MO/WEF_AT_NewRegulatoryModel.pdf)

Will international entities be investing or taking ownership or any control of State airports? Who benefits? What parties are involved? What would this mean for Marylanders’ travel plans in the future? The people of Maryland need to be kept in this loop, and not secret assignments to Commission members in a backroom.

Again, state airports belong to Maryland. Please oppose this bill.

Thank you.

Peggy Williams

Severna Park, MD

**SB162\_INFORMATIONAL\_ReeseM.pdf**

Uploaded by: Mary Reese

Position: INFO

I have provided notes in response to the fiscal analysis provided for this piece of legislation. I have highlighted and provided comments in black boxes directly into the fiscal note below.

**SB 162**

**Department of Legislative Services**  
Maryland General Assembly  
2023 Session

**FISCAL AND POLICY NOTE**  
**First Reader**

Senate Bill 162  
Finance

(Senator Lam, *et al.*)

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**Maryland Aviation Commission - Duties, Composition, and Member Orientation**

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This bill requires the Maryland Aviation Commission (MAC) to establish policies directed toward the Maryland Aviation Administration’s (MAA) ability to best mitigate negative impacts of the local aviation and airport industries, as informed by the accepted scientific research on creating and maintaining healthy and livable communities. Further, the bill (1) requires MAC to consider information and advice from additional stakeholders in carrying out its duties; (2) modifies provisions governing the membership of MAC; (3) requires commissioners to receive an orientation session relating to MAC’s duties, as specified; and (4) expands MAC’s annual report to include information related to its additional duties under the bill.

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**Fiscal Summary**

**State Effect:** Transportation Trust Fund (TTF) expenditures increase by \$343,600 in FY 2024. Future years reflect annualization and inflation. TTF expenditures may further increase, potentially significantly, depending on the policies implemented and projects undertaken as a result of the bill, as discussed below. Revenues are not affected.

This is an unsubstantiated and possibly political assertion. How has MDOT MAA predicted an increase in expenditures for programs and policies while simultaneously declaring that revenues will be unaffected?

(in dollars)	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028
Revenues	\$0	\$0	\$0	\$0	\$0
SF Expenditure	343,600	423,100	437,500	452,400	470,900
Net Effect	(\$343,600)	(\$423,100)	(\$437,500)	(\$452,400)	(\$470,900)

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

**Local Effect:** Local governments can cooperate with MAC as necessary and appropriate using existing budgeted resources. Revenues are not affected.

**Small Business Effect:** Minimal.

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## **Analysis**

**Bill Summary:** The list of stakeholders MAC must consider information and advice from in carrying out its duties is expanded to include airport employees or their representatives, local government, citizens from communities near airports, and other Maryland communities that have, or are predicted to have, adverse health or livability impacts from airport infrastructure and economic growth decisions.

Each member of MAC must receive an orientation session to educate the member on the commission's dual responsibilities regarding the improvement and promotion of Baltimore-Washington International (BWI) Thurgood Marshall Airport and the mitigation of negative impacts of the local aviation and airport industries.

Of the eight commissioners appointed by the Governor with the advice and consent of the Senate, four must be selected from a list of proposed candidates designated by a resolution of the DC Metroplex BWI Community Roundtable or its successor organization.

The annual report submitted by MAC to the General Assembly must include a summary of commission initiatives supporting healthy, livable communities and any recommendations to improve the mitigation of adverse health and livability impacts on neighboring and impacted communities.

### **Current Law:**

#### *Maryland Aviation Administration and Maryland Aviation Commission*

MAA, as a unit of the Maryland Department of Transportation, has responsibility for fostering, developing, and regulating aviation activity throughout the State. MAA is responsible for operating, maintaining, and developing State-owned airports, including BWI Thurgood Marshall Airport. MAA is governed by its executive director and MAC.

MAC is comprised of eight individuals appointed by the Governor with the advice and consent of the Senate. The Secretary of Transportation serves as the commission's chairman. The chairman must appoint the Executive Director of MAA based on the advice of the commission, subject to the approval of the Governor. The commission is responsible for:

- establishing policies directed toward MAA's ability to improve and promote the role of BWI Thurgood Marshall Airport as an airport of service to the Washington-Baltimore metropolitan area;
- approving regulations for the operation of State-owned airports, as specified;

- directing MAA in developing and implementing airport management policy for all State-owned airports;
- approving major capital projects, as specified; and
- excising the powers granted to it, as specified.

In carrying out its duties, MAC must consider information and advice from the air carrier industry, airport concessionaire industry, airline support services industry, and citizen advisory groups.

MAC must submit an annual report to the General Assembly by January 15 of each year on its activities during the previous year. The report must include (1) a review of the financial and operational results for all State-owned airports during the previous year and any recommendations for future changes in legislation, capital funding, or operational flexibility; (2) subject to review by the Department of Budget and Management, an estimate of necessary commission expenditures, as specified; and (3) certain actions taken by the commission relating to managerial staffing and salaries.

#### *DC Metroplex BWI Community Roundtable*

[The DC Metroplex BWI Community Roundtable](#) is an initiative MAA formed at the request of the Federal Aviation Administration (FAA). The roundtable is responsible for (1) monitoring the implementation of air traffic procedures established by FAA in the District of Columbia Metroplex Project, including, but not limited to, the procedures implemented under the NextGen program; (2) identifying possible alternative routings and procedures; (3) evaluating noise effects and other environmental effects of possible route changes; and (4) making recommendations to FAA for further consideration.

**State Expenditures:** MAA advises that it currently follows the requirements of the [National Environmental Policy Act \(NEPA\)](#) with respect to identifying potentially significant environmental and community impacts of airport safety, efficiency, and capacity enhancing projects. While NEPA generally focuses on the direct environmental impacts of proposed airport actions, the bill expands the scope of MAC by requiring the establishment of policies to mitigate actual and potential negative impacts of the local aviation and airport industries, as informed by the accepted scientific research on creating and maintaining healthy and livable communities.



To administer its noise abatement program, MAA currently employs three staff (one manager, one environmental specialist, and one administrator) and engages contractual assistance. Because MAA provides the information, research, and data necessary for MAC to fulfill its duties, MAA advises that it needs to expand its noise abatement program in order to handle the expanded scope of MAC under the bill.

This piece of legislation does not apply to the Noise Abatement Program and nowhere in this legislation is noise abatement mentioned. This legislation will help lessen and even prevent noise abatement needs through better planning of airport infrastructure that reduces negative impacts on existing local communities and municipal infrastructure.

Thus, TTF expenditures increase by an estimated \$343,614 in fiscal 2024, which accounts for the bill's October 1, 2023 effective date. This estimate reflects the cost of hiring one manager, one environmental specialist, and one administrator within MAA to address the expanded scope of MAC. It includes salaries, fringe benefits, one-time start-up costs, and ongoing operating expenses, including costs for a consultant.

Positions	3.0
Salaries and Fringe Benefits	\$246,387
Consultant Costs	75,000
Operating Expenses	22,227
<b>Total FY 2024 State Expenditures</b>	<b>\$343,614</b>

This legislation will enhance the credentials of the appointed body. It is unclear why that would require MDOT MAA to duplicate its staff. And why a new, special administrator would be required.

Future year expenditures reflect full salaries with annual increases and employee turnover as well as annual increases in ongoing operating expenses, including \$100,000 annually in consultant costs. A combination of new and existing staff can likely handle the orientation required for new and existing MAC commissioners.

Additionally, TTF expenditures may increase, potentially significantly, depending on the policies implemented and projects undertaken as a result of the bill's changes; however, any such impact cannot be reliably predicted beforehand. For example, MAA advises that the DC Metroplex BWI Community Roundtable has previously recommended mitigation down to a 40 decibel Day-Night average sound Level (DNL); according to MAA, meeting that DNL would cost approximately \$32.0 billion.

The BWI Roundtable has never recommended mitigation down to 40 DNL. What is troubling about this assertion is that the requirements for qualifying and implementing a sound insulation program are contained in Appendix R "Noise Compatibility Planning/Projects" of the Federal Aviation Administration Order 5100.38D Airport Improvement Program Handbook (AIP

Handbook). Specifically, structures must have an existing exterior noise exposure no less than 65 dB DNL and an existing interior noise exposure no less than 45 dB DNL to be eligible for a sound insulation program. Mitigating noise below 65 DNL is prohibited.

Further, pursuant to the Airport Noise and Capacity Act of 1990 local governments are prohibited from assessing passenger facility charges, while airports are permitted to do so. Any additional expenses the MDOT MAA finds are do not necessarily need to be borne by the hardworking citizens of Maryland. The airport can adjust its passenger facility charges as necessary.

### **Additional Information**

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

**Designated Cross File:** SB 162 (Senator Lam, *et al.*) - Finance.

**Information Source(s):** Maryland Department of Transportation; Maryland Association of Counties; Maryland Municipal League; Federal Aviation Administration; Department of Legislative Services

**Fiscal Note History:** First Reader - January 30, 2023  
js/lgc

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Analysis by: Richard L. Duncan

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510

**SB0162 - MAA - Aviation Commission - LOI\_FINAL.pdf**

Uploaded by: Patricia Westervelt

Position: INFO

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February 1, 2023

The Honorable Melony Griffith  
Chair, Senate Finance Committee  
3 East Miller Senate Office Building  
Annapolis, MD 21401

***RE: Letter of Information – Senate Bill 162 – Maryland Aviation Commission – Duties, Composition, and Member Orientation***

Dear Chair Griffith and Committee Members:

The Maryland Department of Transportation takes no position on Senate Bill 162 but offers the following information for the Committee's consideration.

Senate Bill 162 tasks the Maryland Aviation Commission (Commission) with, not only establishing policies to improve and promote BWI Marshall, but also with establishing policies to mitigate impacts. The Maryland Aviation Administration (MAA) currently provides overviews to the Commission on a quarterly basis on all environmental, planning, design, and construction at the airport. MAA also follows the National Environmental Policy Act (NEPA) to identify potentially significant environmental and community impacts of airport safety, efficiency and capacity enhancing projects.

Additionally, Senate Bill 162 alters the composition of the Commission to require four of the eight appointments originate from a list approved by the DC Metroplex BWI Community Roundtable (Roundtable). BWI Marshall is a State-owned airport that serves all counties. The economic contribution and employment derived from BWI Marshall positively impacts the entire State.

The Roundtable consists of members appointed by eight State Senators, three County Executives, and two County Councils located near BWI Marshall and is not codified in Maryland law. The Roundtable was expressly formed at the request of the Federal Aviation Administration (FAA) to work with the communities, the airlines, and MAA to arrive at mitigation of existing air carrier arrival/departure procedures at BWI Marshall (due to the implementation of NextGen). The FAA has received the recommendations of the Roundtable with concurrence by MAA and the airlines and are proceeding with completing their analysis due in early 2023.

There is no mechanism in this proposed language that accounts for the Roundtable or successor organization for failing to identify proposed candidates. MAA is concerned that referencing the Roundtable's role in the member appointment procedure will be problematic. Similarly, the role of a successor organization is vague and not accounted for in the Roundtable's charter. MAA has not identified any potential successor organization.

The Honorable Melony Griffith  
Page Two

Lastly, several terms and concepts in Senate Bill 162 are unclear. These ambiguous terms include actions the Commission could take to “best mitigate” impacts, initiatives the Commission could take to “support healthy livable communities,” and the definition of “adverse health and livability impacts.” These terms are overly broad and may conflict with existing federal or State definitions.

It is further unclear the role of mitigation the proposed language aims to accomplish. The Commission may identify mitigation actions outside the purview of MAA to impose. For instance, the implementation of a curfew at an airport is subject to the successful completion of an FAA approved 14 CFR Part 161 study. There may also be instances where the most beneficial mitigation option may be for surrounding counties to rezone larger areas to non-residential. However, there is no mechanism for the Commission or MAA to implement such a suggestion which is in the purview of the counties themselves. Importantly, mitigation must be completed in accordance with federal guidelines in order to be eligible for federal funding.

The Maryland Department of Transportation respectfully requests the Committee consider this information when deliberating Senate Bill 162.

Respectfully Submitted,

Ricky D. Smith, Sr.  
Executive Director  
Maryland Aviation Administration  
410-859-7060

Pilar Helm  
Director of Government Affairs  
Maryland Department of Transportation  
410-865-1090