



LARRY HOGAN  
GOVERNOR

STATE OF MARYLAND  
OFFICE OF THE GOVERNOR

September 12, 2017

The Honorable Brian E. Frosh  
Attorney General  
Office of Attorney General  
200 St. Paul Place  
Baltimore, MD 21202

Re: FAA Next Generation Air Transportation System (NextGen)

Dear Attorney General Frosh:

I am writing to direct you to file suit against Michael P. Huerta and the Federal Aviation Administration (FAA) on behalf of all Marylanders suffering from the adverse effects of the implementation of the Next Generation Air Transportation System (NextGen). As you may know, this program instituted new departure and arrival routes from Baltimore-Washington International Airport (BWI) as well as Reagan National Airport (DCA). The changes at these two airports have caused a significant increase in noise pollution for many of our citizens, accordingly, it is imperative the suit include both airports. We have heard from countless Marylanders, including many community leaders and elected officials, about this continuing problem. This program has made many Maryland families miserable in their own homes with louder and more frequent flights which now rattle windows and doors. As elected leaders of this state, we cannot allow this situation to stand.

Instituted at the request of Congress, NextGen, both nationally and in Maryland, was intended to modernize flight patterns in order to save fuel costs. Promoted heavily by commercial air carriers, it has been controversial from its inception and widely criticized for insufficient study, notice, and outreach to the general public and the affected jurisdictions. Notice to Maryland was inadequate and designated to ensure speedy approval rather than to promote community input and discussion.

This is a nationwide problem and other jurisdictions have already filed suit. In fact, the U.S. Court of Appeals for the District of Columbia Circuit, which will hear our challenge, has just ruled in favor of the City of Phoenix. The court found the FAA's approval of the flight paths to be "arbitrary and capricious" with the result that the FAA will have to return to the routes previously in place prior to September 2014, until it conducts a new environmental review process.

Thank you for your attention to this most important issue affecting the citizens of Maryland.

Sincerely,

Larry Hogan  
Governor