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May 30, 2019

Daniel K. Elwell  
Acting Administrator  
Federal Aviation Administration  
800 Independence Avenue SW.  
Washington, DC 20591

Dear Mr. Elwell:

I was troubled to learn last week that the FAA is proposing additional changes to flight paths for arrivals to, and departures from, Runway 19 at Washington Reagan National Airport. This is the first information available to us or the public about the proposal, which was not presented for discussion or feedback. This belies FAA's public expressions of its commitment to transparency.

Although the FAA has provided limited information about the changes, it appears that they will further impact communities already besieged by noise from the concentration of previous flight patterns over residential areas.

The area that would be affected by the proposal is rife with parks, protected areas, historic sites, and other noise sensitive uses and residential areas, and it is clear that it would be inappropriate for the agency to rely upon a Categorical Exclusion. These circumstances warrant preparation of an environmental assessment or environmental impact statement. We would, furthermore, expect a transparent process with public involvement and opportunity for comment.

While the agency presentation was not clear on the timing for implementation, it appears that the time for submitting comments will be short. We would ordinarily have used the agency's IFP Gateway ([https://www.faa.gov/air\\_traffic/flight\\_info/aeronav/procedures/](https://www.faa.gov/air_traffic/flight_info/aeronav/procedures/)) for submitting comments. But, as you are aware, the agency recently posted a 'disclaimer' that explicitly *prohibits* the use of that site for submitting comments on the environmental impacts of proposed air traffic procedures. The agency has not provided an alternative vehicle for submitting comments. Please let me know immediately how, when, and to whom, the State of Maryland and its affected communities should submit comments on the agency proposal. We also need to understand how and when the agency intends to publicize technical and environmental impact information.

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Thank you for your immediate attention to this matter.

Sincerely,



Brian E. Frosh  
Attorney General

cc: Teri L. Bristol, Chief Operating Officer  
Jennifer Solomon, Eastern Regional Administrator  
Maria Stanco, AICP  
Matthew Thys, Manager  
Debbie Hogan, Manager  
Bill Wise, Performance Based Navigation (PBN) Co-Lead