

County Council of Howard County, Maryland

2019 Legislative Session

Legislative Day No. 3

Resolution No. 19 -2019

Introduced by: Deb Jung and Christiana Mercer Rigby

A Resolution expressing the County Council's continuing support for CB8-2017, which authorized the Howard County Office of Law to institute any civil action or other proceedings related to the implementation of the Next Generation Air Transportation System at Baltimore Washington International Thurgood Marshall Airport.

Introduced and read first time on _____, 2019.

By order _____
Jessica Feldmark, Administrator to the County Council

Read for a second time and a public hearing held on _____, 2019.

By order _____
Jessica Feldmark, Administrator to the County Council

This Resolution was read the third time and was Adopted___, Adopted with amendments___, Failed___, Withdrawn ___ by the County Council on _____, 2019.

Certified by _____
Jessica Feldmark, Administrator to the County Council

NOTE: [[text in brackets]] indicates deletions from existing language; TEXT IN ALL CAPITALS indicates additions to existing language. ~~Strike-out~~ indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **WHEREAS**, The Howard County Council has found and continues to find that the
2 implementation of the Next Generation Air Transportation System at Baltimore
3 Washington International Thurgood Marshall Airport by the Federal Aviation
4 Administration has harmed residents of the County by causing millions of dollars of
5 property devaluation, severe and relentless health consequences, real pain and suffering
6 for tens of thousands of Maryland residents and tax payers, and lasting negative impacts
7 to our environment and Chesapeake Bay from continued excessive and increased noise
8 and air pollution from the low-flying planes; and
9

10 **WHEREAS**, the Federal Aviation Administration has failed to consider appropriately the
11 significant environmental, health, and land-use impacts of the Next Generation Air
12 Transportation System and related flight operation changes that abandoned existing State
13 and federal noise abatement plans; and
14

15 **WHEREAS**, the Federal Aviation Administration has acted arbitrarily and capriciously in
16 failing to comply with federal environmental, transportation, and historic preservation
17 law and failed to consider appropriately the significant environmental impact of the Next
18 Generation Air Transportation System and related changes at Baltimore Washington
19 International Thurgood Marshall Airport; and
20

21 **WHEREAS**, legal action is necessary to protect the residents and interests of the County from the
22 harm caused by the excessive and increased noise from airplanes and other environmental
23 impacts; and
24

25 **WHEREAS**, On February 6, 2017, the Howard County Council passed, and on February 9, the
26 County Executive signed, Council Bill 8-2017, which authorized the Howard County
27 Office of Law to institute any civil action or other proceedings related to the
28 implementation of the Next Generation Air Transportation System at Baltimore
29 Washington International Thurgood Marshall Airport; and
30

1 **WHEREAS**, the Federal Aviation Administration has abandoned the BWI Community Routable
2 that it demanded to be formed to address the harmful impacts caused by the
3 implementation of the Next Generation Air Transportation System at Baltimore
4 Washington International Thurgood Marshall Airport, and has dismissed the County’s
5 efforts to address the harmful impacts via an administrative petition; and
6

7 **WHEREAS**, The County has brought proceedings related to the implementation of the Next
8 Generation Air Transportation System at Baltimore Washington International Thurgood
9 Marshall Airport, which proceedings are ongoing in federal court; and
10

11 **WHEREAS**, the County has brought a second suit against the Federal Aviation Administration
12 for continuing to ignore significant noise impacts on Howard County citizens while
13 approving proposed revisions to the BWI Airport Layout Plan, which includes an
14 expansion of cargo facilities; and
15

16 **WHEREAS**, the County is considering additional legal action to obtain relief from the Federal
17 Aviation Administration:
18

19 **NOW, THEREFORE, the County Council of Howard County, Maryland**, on this ___ day of
20 _____, 2019, reiterates its support for the ongoing civil action and other proceedings
21 related to the implementation of the Next Generation Air Transportation System at
22 Baltimore Washington International Thurgood Marshall Airport.