

# **Exhibit D**



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

Washington Airports District Office  
13873 Park Center Rd. Ste 490-S  
Herndon, VA 20171

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November 29, 2021

To: Ms. Bonnie Bick  
Mattawoman Watershed Society

From: Genevieve Walker, Environmental Protection Specialist

Ms. Bick, the FAA is pleased to offer the following responses to the questions you sent me on November 17, 2021:

**Is FAA is currently working on any type of NEPA review related to the Maryland Airport? If so, what documents exist in this matter? Is there a case number?**

**RESPONSE:** Maryland Airport has no projects or items subject to review under the National Environmental Policy Act (NEPA) currently before the FAA.

**Are there any present proposals or applications that are now active between FAA and MD Airport?**

**RESPONSE:** In September 2021, the Maryland Airport sponsor approached the FAA about a proposed locally funded project to construct new Hangars and associated infrastructure and requested information regarding the level of NEPA analysis that would be required. They were informed that an Environmental Assessment (EA) would be required for that work. The FAA has not received anything further from them at this time.

**Can you share information about the FAA permit process?**

**RESPONSE:** The FAA does not issue permits. Rather, an airport sponsor proposes development actions at an airport that may be subject to federal review under the National Environmental Policy Act, including, but not limited to, updates to their Airport Layout Plan, requests for federal funding under the Airport Improvement Program, and requests to release airport land from grant obligations.

**We would like to be sure that there will be ample and genuine public participation regarding any upcoming permit application for Maryland Airport.**

**RESPONSE:** The FAA understands the desire for public participation during the environmental review process and we encourage you to maintain an open dialogue with the airport sponsor regarding future airport development. We are aware of the local concerns regarding the development of the airport and will ensure the airport sponsor is aware of applicable requirements to engage the local community during the review process for projects that fall under the Federal purview.



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**Similarly, can you explain the FAA process on the review of documents?**

**RESPONSE:** FAA Order 1050.1F, outlines the steps the FAA follows to comply with NEPA. Chapter Six specifies how this applies to Environmental Assessments.

**...and the status of the 2003 FAA FONSI related to Maryland Airport? Is the 2003 FAA FONSI still active?**

**RESPONSE:** Generally speaking, an airport sponsor has a defined timeframe to initiate projects following an environmental determination. Typically, if a significant amount of time has passed or conditions have significantly changed, a review or new environmental analysis would be necessary. As the new airport sponsor communicates with the FAA about implementing projects on the airport, we are generally proceeding with a new environmental review and analysis due to the current conditions and the age of the prior environmental decisions for the airport.

**Can you explain the status of MD Airport 2015 FAA EA and any response the FAA may have had to the attached EPA letter dated October 30, 2014?**

**RESPONSE:** The Final Supplemental Environmental Assessment you reference was submitted to the FAA in 2017. It was determined to be an incomplete document, and therefore the FAA did not sign a Decision Document on the project.

Typically Agencies that comment on a NEPA document are informed of the disposition of their comments, often with deliberations between the Agencies on how best to address their concerns. Additionally, all comments received and responses to those comments, are included in the final environmental document. In this case, due to staffing changes, the EPA had inadvertently not been informed of the status of the document until earlier this year when they contacted the FAA EPS and asked for a status update. At that time, they were informed that the Supplemental EA they had commented on, was no longer an active document.

**Can you tell us the relevance of the past NEPA involvement to the present NEPA involvement between MD Airport and the FAA?**

**RESPONSE:** As previously noted, typically, if a significant amount of time has passed or conditions have significantly changed, a review or new environmental analysis would be necessary.



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**If there are any present interactions between FAA and MD Airport, have the private owners of MD Airport requested funding or a grant from FAA now, or have they mentioned that they plan to apply for funds in the future? Is Maryland Airport presently qualified to receive federal FAA funding or grants?**

**RESPONSE:** Maryland Airport is currently listed in the National Plan of Integrated Airport Systems (NPIAS) as an Unclassified Airport. The airport sponsor is qualified to receive federal funding support as a result, however federal funding is very limited for an Unclassified Airport.

Other than a grant under the CARES Act (COVID Relief) in FY2020, the new sponsor of Maryland Airport has not requested federal funding support since FAA's approval of the transfer of sponsorship in 2019. The airport sponsor would be in the best position to speak to any future plans to seek funding support from the FAA.

If you have any further questions regarding the FAA's environmental responsibilities, please let me know.

*Genevieve Walker*

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