

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

CITY OF PHOENIX,)
ARIZONA,)
)
Petitioner)
)
v.)
)
MICHAEL HUERTA,)
Administrator of the Federal)
Aviation Administration, and)
)
FEDERAL AVIATION)
ADMINISTRATION)
)
Respondents)

Copied 6/2/2015 from link at:
[https://skyharbor.com/flightpaths/
WhatsBeingDone.html](https://skyharbor.com/flightpaths/WhatsBeingDone.html)
(highlights added by aiREFORM)

Petition for Review

Pursuant to 49 U.S.C. § 46110 and Rule 15(a) of the Federal Rules of Appellate Procedure, the City of Phoenix, Arizona (“City”) hereby petitions the United States Court of Appeals for the District of Columbia Circuit for review of the Federal Aviation Administration’s (“FAA”) denial of the City’s request to modify or cease implementation of certain flight departure routes initiated by FAA at Phoenix Sky Harbor International Airport on September 18, 2014, and the FAA’s failure to reopen consultation or to conduct environmental review of the City’s requested flight departure routes.

FAA's final decision is set forth in an April 14, 2015 letter from Regional Administrator Glen Martin to City of Phoenix City Manager Ed Zuercher ("April 2015 Decision"), attached as Attachment A to this Petition and confirmed in a June 1, 2015 letter from Regional Administrator Glen Martin to City of Phoenix City Manager Ed Zuercher ("June 2015 Confirmation Decision"), attached as Attachment F to this Petition. A Post-Implementation Assessment Report, attached as Attachment B to this Petition, accompanied the April 2015 Decision.

The April 2015 Decision and June 2015 Confirmation Decision effectively upheld FAA's original determinations regarding implementation of the flight departure routes, consisting of (a) an Air Traffic Initial Environmental Review signed September 12, 2013 ("2013 EIR") (attached as Attachment C to this Petition), and (b) an FAA Memo to File signed March 11, 2014, affirming the 2013 EIR ("2014 Memo to File") (attached as Attachment D to this Petition). The City did not receive either the 2013 EIR or the 2014 Memo to File until September 17, 2014. The FAA also issued an errata sheet for the 2013 EIR and 2014 Memo to File on November 10, 2014, attached as Exhibit E.

RULE 26.1 DISCLOSURE STATEMENT

The City is a municipal governmental body under the laws of Arizona and not a “nongovernmental corporate party,” and therefore is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: June 1, 2015

Attorneys for Petitioner:

A handwritten signature in black ink, appearing to read "John E. Putnam", written over a horizontal line.

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CERTIFICATE OF SERVICE

I hereby certify, in accordance with Fed. Rule of App. Proc. 15(c)(1), that a true copy of the foregoing Petition for Review and attachments were served by U.S. mail and via Electronic Mail on this 1st day of June, 2015 on the following:

Michael P. Huerta
Administrator
Federal Aviation Administration
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michael.huerta@faa.gov



Peter J. Kirsch