



U.S. Department
of Transportation

Federal Aviation
Administration

Office of the Administrator

800 Independence Ave., S.W.
Washington, D.C. 20591

August 3, 2017

The Honorable Lawrence J. Hogan, Jr.
Governor of Maryland
State House
Annapolis, MD 21401

Dear Governor Hogan:

Thank you for your May 11 letter supporting the DC Metroplex BWI Community Roundtable's resolution adopted at its first meeting in March. The Federal Aviation Administration (FAA) is pleased to collaborate with the Maryland Aviation Administration's newly formed Roundtable for the airport authority, communities, and industry to address the concerns of the communities around Baltimore/Washington International Thurgood Marshall Airport (BWI).¹

The Performance Based Navigation (PBN) procedures adopted as part of the Metroplex Project make flight-routes safer and more predictable.² As aircraft avionics equipment improves, the FAA is replacing conventional legacy flight-route procedures³ to take advantage of satellite-based navigation technology. This technology guides air traffic more precisely and efficiently, and the PBN procedures in question were adopted to support it.⁴

aiREFORM Analysis:

1. Right at the start, Huerta slickly moves to narrow the focus to only Baltimore-Washington (KBWI), overriding the fact that Governor Hogan's letter was very clearly seeking impact relief for both KBWI and Reagan National (KDCA). See the letter [here](#).
2. There is zero evidence that safety has been enhanced by any PBN procedures. Also, 'more predictable' is essentially a code-phrase meaning the routes are flown via automation instead of via manual input from both ATC and flight crews. This automation is not achieving any real benefits other than reducing the need for labor (both on the flight deck and in the control room). Eventually, these changes will be used by industry to reduce or even eliminate labor inputs.
3. While it sounds good, what in the hell are so-called 'conventional legacy flight-route procedures'? If FAA/industry were to be totally honest with the public (including Governor Hogan and Congress), they'd tell us that these procedures have predominantly allowed for long direct routes – as efficient as can be achieved, physically – for decades now. In fact, the earliest technologies for long-distance direct routing, using inertial navigation systems, were widely deployed nearly 50-years ago.
4. Actually, the vast majority of PBN procedures were **NOT** adopted to support anything more than getting more money from Congress, to fund these pretend-changes. FAA

officials know they are continuing in an elaborate fraud, fully collaborating with other industry players (lobbyist A4A, Bill Shuster in Congress, NATCA, etc.). This has nothing to do with improving safety or efficiency; it is solely about chasing money to expand FAA's program/mission while also funding lots of related contract work by industry players.

Over the years, Congress has expressly directed the FAA to implement PBN procedures throughout the National Airspace System (NAS).⁵ The most recently enacted long-term authorization adopted in 2012 directed the FAA to accelerate deployment of these advanced procedures in several provisions of Title II, Next Gen Air Transportation System and Air Traffic Control Modernization in the FAA Modernization and Reform Act of 2012, H.R. 658, P.L. 112-95.⁶

As we execute the directives from Congress, it remains a high priority for us to ensure that we meaningfully engage with communities, airports, and all stakeholders of the NAS as changes to individual procedures or larger air space redesign occur in a given area. The FAA has been active in more robust community involvement since implementing the Metroplex. In our outreach, we find that participating communities believe our methodology for calculating noise is unfair.⁷ Due to their input, we are conducting research and updating tools with the latest methodologies to ensure use of the most accurate noise modeling possible. Regarding aircraft altitude, often our data doesn't correlate with community perception. However, we do see less dispersion of aircraft on radar tracks. As a result, we are currently exploring ways to safely and effectively add dispersion in our procedures. A project to address this issue will begin in late August 2017.⁸

aiREFORM Analysis:

5. Let's be very clear on this point: Congress does not create laws from a vacuum; they create the precise legal language that 'directs' FAA by consulting with FAA and with lobbyists, many of whom are retired FAA! So, what we have is essentially a captured federal agency using taxpayer money to manipulate both the public and Congress, to create laws that serve the industry FAA fails to regulate! And what of Congress? They tend to be players in an elaborate [Kabuki Dance](#), pressing forward an illusion of conflict and deliberation, where the FAA's intended outcome is already defined.
6. Click [here](#) to view an archived copy of this 145-page Legislative Act, signed into law on 2/14/2012. Study the language and ask yourself: what role would FAA play in crafting 145-pages of legal precision? In particular, see Sections 213, 217 and 218. To dive deeper into the worst element of this Act, the Categorical Exclusion (CatEx), see this Post: [NextGen Derailed: Here is What NextGen was SUPPOSED to be in late 2004](#)
7. What a classic understatement. In these sentences, Huerta is pretending that FAA is learning something new, recently, by engaging with communities. In fact, FAA has known for decades that the dNL metric is absolute garbage: a tool, used by FAA and industry, to ensure local communities cannot manage and control noise impacts near airports. FAA and industry have both worked studiously, for decades, to chip away at the right of 'local control', to the point where now, airports have become sovereign federal properties, islands of impact within dying residential communities. Huerta and others

know this fact; a critical official such as Huerta should NEVER stoop down to pretending to be unaware of basic facts, as doing so only enables agency-serving propaganda.

8. Very important point here: Huerta is telling Governor Hogan that FAA is looking into dispersing the impacts. Huerta is totally blind to the better solution: reducing flight schedules at these hub airports. FAA's set of solutions *ASSUMES* we must accommodate all airline scheduling demands, but completely fails to entertain the concept of *REDUCING* schedules, and thus operations per hour.

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We appreciate the creation of the Roundtable as we find it's a valuable way to work with local communities to come up with solutions that meet the needs of the entire community. The modification of the TERPZ procedure is a good example of this. After public concern and our post implementation review, we changed the procedure so that aircraft would climb to a higher altitude before turning. Analysis of this change indicates aircraft are now flying similar tracks to the pre-Metroplex condition. Still, as we have explained to the Roundtable members at several meetings that the FAA has attended, reverting to the flight paths and procedures that existed prior to the implementation of the DC Metroplex project is not possible.⁹

The procedures designed and implemented for the DC Metroplex were either new or amended. The original procedures, flight paths, and altitudes are no longer published on navigational charts or loaded onto aircraft navigation computers. These procedures are also no longer maintained in our procedures inventory.¹⁰ Additionally, the network of departure and arrival procedures and overflights that were implemented at BWI has dependencies with the procedures and flows to other airports such as Ronald Reagan Washington National Airport and Washington Dulles International Airport.¹¹

aiREFORM Analysis:

9. This pretense that reversion is 'impossible' is utter bullshit. All FAA has to do is find the will to create PBN procedures that precisely replicate the previous procedures, then issue this 'new' set of PBN procedures to all scheduled flights. The entire process would be achievable within 2-3 months maximum ... if FAA had the will to serve the people, not just airline profits. Simultaneously, FAA would be wise to impose substantially lower hourly operations limits, and order airlines to reduce their flight schedules to a manageable level.
10. Again, this pretense is utter bullshit. Like all federal agencies, FAA has records retention requirements that guarantee the previous procedures are in fact archived still, in FAA's files. It astonishes any rational person that Huerta would sign his name on this statement.
11. ...and this statement is just like [the man behind the curtain in 'Wizard of Oz'](#). Here, Huerta is telling an actual Governor to look the other way, that this is all just too complicated. The so-called 'dependencies' among the three DC-area airports (KBWI, KDCA, and Dulles (KIAD)) are questionable at best, and frankly insignificant; in fact, the distances are enormous by ATC standards: 24-miles (KDCA-KIAD), 30-miles (KBWI-KDCA), and 45-miles (KBWI-KIAD). Notably, too, these alleged complications have always been effectively managed, going back all the way to the opening of KIAD in

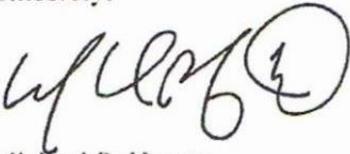
the sixties. The creation of the current problematic NextGen PBN routes does not suddenly make airport proximity more complicated.

While we have given the DC Metroplex project work high priority, the process to examine its PBN procedures is expected to take approximately 18 months. Although some elements may be able to be completed within a year, it could take up to 24 months from development to publication and use.¹² In the interim, we are also looking at what, if any, shorter term efforts are possible. As an example, there was much discussion with the Roundtable about the altitude of aircraft arriving at the airport, particularly as aircraft get closer to the airport. This was an important conversation to the FAA because the DC Metroplex process did not change these instrument arrival procedures, and the altitudes in the procedures are the same, yet communities indicate aircraft are flying lower. We will continue to give full consideration to the Roundtable's recommendations.

I look forward to meeting with you the next time you are in Washington, DC.

If I can be of further assistance, please contact me or Chris Brown, Assistant Administrator for Government and Industry Affairs, at (202) 267-3277.¹³

Sincerely,



Michael P. Huerta
Administrator

aiREFORM Analysis:

12. Simple translation: “Delay – Delay – Delay” ... revealing Huerta’s real agenda, which frankly is to serve only the industry, with total disregard for the destruction upon thousands of people.
13. So, after reading a 2-page letter full of propaganda and platitudes, we are given another unsavory fact: FAA has an entire organizational unit, under an Assistant Administrator, that just spent three whole months creating this letter and answering no questions. In other words, what Mr. Huerta’s agency is delivering - this terrible disservice – is being paid for by each of us, like it or not. How can Congress, how can the President, continue to allow this rogue performance by Huerta and the FAA?