

MARYLAND AVIATION COMMISSION
WEDNESDAY, FEBRUARY 21, 2024
ASSEMBLY ROOM A/B, THIRD FLOOR
BALTIMORE/WASHINGTON INTERNATIONAL THURGOOD MARSHALL AIRPORT

OPEN SESSION

MARYLAND AVIATION COMMISSION MEMBERS

Samantha Biddle, Acting Chair
Ned Carey
Jesse Chancellor
T. Chineta K. Davis
Lisa Ellis
W. Drew Hawkins
José Morales
Raymond C. Nichols
Karen Price-Ward
Dr. Cedric Sims
David L. Winstead, Esq.
Dr. Zafar Zafari
Colter Menke, Department of Commerce (*representing Secretary Kevin Anderson*)

MARYLAND DEPARTMENT OF TRANSPORTATION (MDOT)

MARYLAND AVIATION ADMINISTRATION (MAA)

Ricky D. Smith, Sr.
Stacey Armstead (*virtual attendee*)
Royce Bassarab (*virtual attendee*)
Bernadette Bridges (*virtual attendee*)
Diana Leon-Brown
Dean Christmon
Jeanette Cook
Jonathan Dean
Dan Favarulo
Jerome Fernandez
Annette Fisher
Harold Fowler
Rachel Goodman
Staci Gorden
Karen Harrell (*virtual attendee*)
Janean Hazelton (*virtual attendee*)
Jordan Kayloe
William Lindsey

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Shanae Murray
Wayne Pennell
Bruce Rineer (*virtual attendee*)
George Robinson, III
Brian Rodriguez
Keiva Rodriques
Robert Sager
Paul Shank
Caleb Singer (*virtual attendee*)
Ashish Solanki
LaTeesha Swann
Mark Williams
Kathleen Young

OTHER EMPLOYEES OF THE STATE OF MARYLAND

None

MEMBERS OF THE PUBLIC

Jimmy Pleasant (*virtual attendee*)
Jane Toskes

Acting Chairman Biddle called the meeting to order at 1:03 p.m.

WELCOME AND APPROVAL OF MINUTES – Acting Chairwoman Biddle

Upon request for a motion to approve the minutes of the November 15th Commission meeting, it was so moved by Commissioner Winstead, seconded by Commissioner Carey, and approved unanimously.

EXECUTIVE DIRECTOR’S REPORT – Executive Director Ricky Smith

Executive Director Smith reminded Commissioners about the upcoming BWI Legislative Reception to be held on Tuesday, February 27, 2024, from 6-8pm at Governor’s Calvert House, 58 State Circle, Annapolis.

The Executive Director then provided an update on legislative activity pertaining to MAA. At the end of his remarks, he also announced the retirement of Jim Walsh who has served as a member of MAA’s executive management team.

State Activity

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HB 573 - Citizens Committee for the Enhancement of Communities Surrounding Baltimore-Washington International Thurgood Marshall Airport – Membership (Del. Gary Simmons, D)

No Hearing date has been set yet.

- Altering the membership of the Citizens Committee for the Enhancement of Communities Surrounding Baltimore-Washington International Thurgood Marshall Airport by increasing the total number of members from 11 to 12 and requiring the Committee to include one member each from legislative districts 12A and 12B instead of one member from legislative district 12.

HB 1252 Gaming - Study on Video Lottery Terminals at Baltimore-Washington International Thurgood Marshall Airport (Del. Ric Metzgar, R)

2/29/24 – Ways and Means Hearing at 1:00pm

- Requiring the State Lottery and Gaming Control Commission to conduct a study on the feasibility of granting a video lottery operation license for a video lottery facility at Baltimore-Washington International Thurgood Marshall Airport; and requiring the Commission, on or before October 1, 2024, to report its findings and recommendations to the General Assembly.

HB 1249 - Maryland Aviation Administration - Martin State Airport - Study on Commercial Air Travel (Del. Ric Metzgar, R)

3/7/24 - Environment and Transportation Committee Hearing at 1:00 p.m.

- Requiring the Maryland Aviation Administration to conduct a study on increasing commercial air travel at the Martin State Airport; and requiring the Administration to report its findings and recommendations to certain committees of the General Assembly by January 1, 2025.

HB 557 - Sales and Use Tax Exemption – Aircraft Parts and Equipment – Repeal of Reporting Requirement and Sunset (Del. Christopher T. Adams, R)

2/8/24 - Ways & Means Hearing

- **Update** – SB0574, The Senate companion bill is on its 3rd reading.
- Repealing a certain reporting requirement relating to an exemption from the sales and use tax for certain materials, parts, and equipment used to repair, maintain, or upgrade aircraft or certain aircraft systems; and repealing the termination date of the exemption.

Federal Activity

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The FAA announced on February 15, that the Maryland Aviation Administration would be receiving nearly \$20M in federal funds through the Biden-Harris Administration's Bipartisan Infrastructure Law.

- \$14.5M to BWI Airport to help replace passenger boarding bridges.
- \$5.4M to Martin State Airport to replace the Airport Traffic Control Tower (*Planning and Design Phase*).

On February 8, The Senate Commerce Committee approved by voice vote the five-year FAA reauthorization bill that proposes to increase AIP funding to \$4 billion annually and authorizes \$350M for PFAS transition efforts at airports. Since the House approved its version of the bill last year, this action marked a key step toward getting a multi-year FAA bill enacted into law. FAA programs and excise taxes are currently scheduled to expire on March 8.

Change in MAA Executive Management Team

The Executive Director announced that Jim Walsh who has served as MAA's Chief Financial Officer (CFO) will be retiring in March 2024. He thanked Mr. Walsh for his service, innovation, and incredible contributions to the airport. Mr. Walsh is currently on leave, therefore Tanya Wojtulewicz, Deputy Chief of Business Development and Management, continues to serve as Acting CFO.

BUSINESS DEVELOPMENT & MANAGEMENT – Dan Favarulo, Director, Office of Capital Programs

Mr. Favarulo provided an overview of the financial status of the airport as well as the FY 2025 operating budget request. He explained that the airport has a healthy financial status, with growth in revenues which offset increases in spending due to labor and capital costs. Overall, MAA has a very balanced program.

MAA continues to see strong airline activity growth through 2Q of FY2024 with a 12% increase over FY 2023. MAA is forecasting 13.9M enplaned passengers in FY 2024. This will exceed Pre-COVID Levels of 13.4M enplanements in 2019.

MAA's Operating Revenues totaled \$147,239,218 through December, which is a 6.2% increase over FY 2023. Operating Expenses totaled \$97,684,428, through December, which is a 14% increase over FY 2023. Capital expenses totaled \$37,074,544, which is up about \$14M over FY 2023 due to a larger capital program. Overall, MAA is running a surplus of \$12,480,246.

The largest drivers of revenue increases are rent and user fees due to higher terminal rental rates. Another cause of revenue increases are the reimbursements received for projects funded

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in FY 2023, including the insurance company's reimbursement for storm damage to the hangar at Martin State Airport.

The largest drivers of expense increases are wages and salaries. There have been administrative changes in pay (i.e. COLA, longevity, and step increases) for some MAA employees and the vacancy rate has decreased significantly. The cost of contractual services has also increased due to higher staffing levels and higher costs for janitorial services. In addition, the MDTA police had their collective bargaining agreement, and those costs increased as well.

Martin State Airport (MTN) has a very balanced profit and loss statement. MTN is running a deficit of \$347,297 which is relatively small. Martin's revenues have dropped 16% due to fuel sales. Jet A fuel sales are down, which is a major driver of revenue. On the reverse side, MTN is not procuring as much fuel because there isn't as much demand for it. Expenses are down by 16% as well.

MAA submitted a \$235M FY 2025 Operating Budget Request to the Governor. MAA was the only mode to receive an increase of 3.9% or \$8.8M. The increase is mostly allocated toward an increase in salaries and wages. It aligns with the administrative salary and wage changes, the lower vacancy rates, and the increased salaries of MDTA police due to their new collective bargaining agreement. MAA submitted a supplemental \$2.8M budget request for IT, Janitorial, and Security. The total Operating Budget Request including the supplemental request is \$238,401,877.

Executive Director Smith stated that MAA is trying to figure out a process for allowing the Commission to weigh in on the Operating Budget in a more impactful way. Right now, the Commission is seeing a budget that is already completed. He explained that MAA's budget goes to the Secretary's Office for approval, then it goes to the Governor's Office and then it goes to the legislature for final approval. Because there are several steps in the process that are beyond MAA's control, the goal is to find the right point to bring the budget to the Commission to influence and/or opine on the Fiscal Year 2026 budget in a more impactful way.

Acting Chair Biddle emphasized the importance of the Operating Budget as the foundation for all of the services that the modes provide. MDOT is a consumer services organization, so the first priority is having a sound operating budget and team in place before delivering on other investments.

PLANNING & ENGINEERING – Paul Shank, Chief of Planning & Engineering

Construction Progress Report

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Concourse A/B Connector and Baggage Handling System – Anticipated Completion-July 2026

This is a two-level terminal expansion project that includes a new connector between Concourses A and B, expanded holdrooms, new concessions, renovated restrooms, new in-line baggage system, and airline operations space. The project also includes capacity improvements to the Central Utility Plant and lighting improvements at the Lower Roadway. The program is using a Construction Manager at Risk (CMAR) project delivery method.

Key Milestones and Commitments:

- Design/Program Manager/CMAR Notice to Proceed: **January 2019**
- Mobilization, Selective Demo and Site Prep NTP (GMP-1 of 2): **January 2022**
- Connector Construction NTP (GMP-2 of 2): **November 2022**
- In-Line Screening Baggage Handling System Operational: **October 2025**
- Gates A1 through A5 with Open Market Concessions Operational: **December 2025**
- Project Complete: **July 2026**

Project Goals:

- Provide New & Increased Capacity In-line Screening Baggage Handling System
- Optimize BHS Tug Operations
- Consolidate SWA Facilities
- Connect Concourses A & B
- Relieve Passenger Congestion
- Increase Concessions Opportunities
- Enhance Passenger Level of Service
- Improve Inbound Baggage Performance
- Modernize Passenger Restrooms
- New Inbound Baggage Carousels 1 thru 6
- Improve Project Design and Delivery Methodology - CMAR

Highlights

- **SINGLE** Phase CBRA/CBIS Commissioning/Turnover
- Oversized BHS Screening
- Consolidated SWA Operations
- Badged Employee Entry
- Additional Substation
- Concession Storage
- Concession Receiving
- Concessions Freight Elevator
- Additional Outbound BHS Bag Make-Up Operations

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- Improved Inbound Tug Operations
- Unrestricted Vehicle Service Road (VSR)

Airline Maintenance Facility and Taxiway F (Phase 1/ Segment 1) – Anticipated completion – June 2025.

The project includes 26-acre site development for airline maintenance facility. MAA is preparing the site, and Southwest Airlines will build on it. Utilities brought into the site for connection to the facility. Construction of perimeter roads will be realigned to allow for both landside and airside access to the facility and connectivity to the existing perimeter road near Taxiway 'W'. In addition, a portion of Taxiway 'F' will be relocated.

Progress:

- Apron concrete completed by SWA, ongoing utility construction.
- Taxilane W1 ("Bowtie") complete – ties SWA apron to TW F Phase 1.
- VSR base paving complete, perm. and temp fencing install proceeding.
- Finalizing acceptance of Anne Arundel County waterline installation.
- BGE work is ongoing to establish temporary power at hangar site.
- Phase 4 of the project is completed and a majority of site work is now with Southwest Airlines to build hangar and prep for tie in points mid-2024.
- SWA Hangar topping off event held in January 2024.

Taxilanes N & N1 Rehabilitation – Anticipated completion – Summer 2024.

Concrete reconstruction of Taxilanes N & N1. Project includes removal and replacement of deteriorated asphalt and concrete pavement including adjacent gate aprons that have significant cracking.

Progress:

- Phase 1 (contained oil water separator), 2 & 4 field work completed in 2023.
- 2024 Mobilization expected following winter shutdown.
- Phasing to follow Phases 5-6-3 order to accommodate gate closures and expected traffic volume.

BGE Feeder and Substation Upgrades (Phase 2 at BWI) – Contract completion – December 8, 2024.

Improve electric system reliability at the 34.5 kV down to (3) 13.8 kV switchgear lineups. Phase 2 is the installation of new double-ended 35kV switchgear housings at the north and south substations, new BGE service feeders into the north and south switchgear, and replacement meters and relays in the 15kV switchgear.

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Progress:

- 34.5 kV Switchgear approved, released for fabrication September 2023
 - First unit delivery anticipated September/October 2024
- Phase 1 Site Improvements complete November 2023.
- Drainage improvement field revision work completion anticipated Spring 2024
- SCADA Allowance scope approved. Coordination with BGE is ongoing.
- Field work for 15 kV Switchgear door retrofits scheduled for March 2024

BWI Terminal Restroom Improvement Program – Anticipated Completion – April 2024.

Renovations of six (6) sets of existing airside restrooms including demolition, renovation work, extension of building envelope and alternate finishes. Two sets each in Concourses B, C, and D. The renovation will vary for each restroom depending on the current condition and projected usage.

Restroom Opening Schedule:

- B.R1 – Open
- DY.R2 Women’s – Open
- C.R2 – Open
- C.R3 – Open
- DX.R2 – Open
- B.R2 Women’s – Open
- DY.R2 Men’s – Open
- B.R2 Men’s – April 16, 2024

Progress at DY.R2 - Gate D23

- Women’s opened to public July 3, 2023
- Men’s opened to the public December 20, 2023

Progress at DX.R2 - Gate D7

- Restroom opened to public October 31, 2023

Shell Spaces

- Insulation & drywall install.
- Tenant space turn over April 2024

North Area Fuel Farm – Estimated Completion – December 26, 2024

The contract provides two new 700,000 gallon above ground storage tanks for storage of Jet-A aircraft fuel. The existing site will be improved to allow fuel truck delivery between the limits of the North Area Fuel Farm and Southwest Fuel Farm. A new upsized waterline will be included for added fire suppression.

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Progress

- Overall schedule duration is 44% complete.
- Tank #1 foundation construction is ongoing.
- Tank #2 steel erection began in January and is ongoing.
- Waterline installation is approximately 80% complete.
- Tank containment wall construction is 48% complete.

MTN Runway 15-33 Rehabilitation – Completion – October 3, 2024

This contract includes the full-length rehabilitation of Runway 15-33 at MTN to support the Maryland Air National Guard (MDANG) and General Aviation tenants.

Project Status

- Field Survey / investigation work has been happening on Sunday & Monday nights (Runway closed)
- Pre-construction meeting held on 1/22/24.
- Construction mobilization 2/12/24

2023 MdQi Annual Awards of Excellence

MAA received awards for two transportation projects.

Modal Awards – Projects Under \$5 Million

- BWI Thurgood Marshall Airport - Terminal Crosswalks Phase 2

Modal Awards – Project Over \$5 Million

- BWI Thurgood Marshall Airport - HVAC Upgrades for Concourses DX & DY

COMMISSIONER REQUEST – Commissioner Jesse Chancellor (on behalf of Commissioner Mary Reese)

Commissioner Chancellor shared remarks on behalf of Commissioner Mary Reese who was absent from today's Commission Meeting. He stated her request for a presentation at an upcoming Commission meeting that will enable all Commissioners to get an understanding of the lifecycle and approval process of a capital project. Executive Director Smith stated that MAA staff would be prepared to present this at the next Commission meeting.

COMMUNITY NOISE SATURATION – Commissioner Jesse Chancellor and Paul Shank

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Commissioner Chancellor described the legislation that changed the composition of the Maryland Aviation Commission. In addition to increasing the size of the Commission, the legislation also expands the duties of the Commission to consider public health impacts of the airport.

Commissioner Chancellor spoke of the importance of the relationship between the DC Metroplex BWI Community Roundtable (Roundtable) and the MAA. The feedback that the Roundtable provides serves an important role in identifying issues and finding solutions. In addressing the issue of noise, one solution that the Roundtable has pursued is working with MAA and the FAA to change Next Gen flight paths.

Commissioner Chancellor shared information and graphs related to community noise saturation, including the Schultz Curve and the National Curve. The graphs indicate that community annoyance from noise has increased. The Schutz Curve shows that in 1978 approximately 12% of people were “Highly Annoyed” at a level of 65 DNL (Day-Night Average Sound Level). The National Curve shows that today approximately 60% of people are highly annoyed at a level of 65 DNL. Although the number of people exposed to aircraft noise has been reduced through quieter aircraft and noise abatement procedures, people surveyed are more annoyed at the same cumulative noise levels. Some studies link aircraft noise to negative health outcomes. The FAA is currently working on a national noise policy review.

Commissioner Chancellor presented a chart produced by the Roundtable that applied the National Curve to the local region around BWI Marshall Airport. The chart included 2019 Community Noise Levels (DNL Contours) with the predicted percentage of the population (i.e. those living underneath flight paths) that would be highly annoyed.

Paul Shank presented a chart produced by MAA that expanded on the Roundtable’s chart by applying 2023 Community Noise Levels (DNL Contours) and included “high” and “low” predictions of the percentage of the population (i.e. those living underneath flight paths) that would be highly annoyed. The 2023 Annual Noise Contour is based on actual aircraft operations and 2020 Census Population Data.

Key Considerations:

- In 2023, 25% (69,039) - 39% (109,104) of the population around BWI Marshall exposed to noise levels above 50 DNL (before Post-NextGen PBN Mitigation) were estimated to be Highly Annoyed (HA).
- FAA should conduct further research on community reaction to noise in a post-NextGen PBN mitigation environment and identify contributory health impacts from noise exposure associated with aircraft noise.

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- MAA maintains 24 permanent noise monitors in the communities surrounding BWI Marshall. The noise monitors are able to distinguish between community noise and aircraft noise. In 2023, all but three (88%) had community noise levels that were higher than aircraft noise levels. Yet, most of the complaints received are about aircraft noise.

Commissioners asked follow-up questions related to local development and land use, the definition of “highly annoyed”, the type of noise complaints received, whether health impacts from noise and annoyance levels are differentiated by type (e.g. highway noise, construction noise, aircraft noise, etc.).

Commissioner Chancellor described the issue of environmental noise as the “secondhand smoke issue” of our time and urged the Commission to take action. He requested the opportunity to present an annual summary to the Commission on noise saturation.

The Executive Director addressed the importance of finding the right balance between the economic benefits of the airport and the health impact of aircraft operations. He commented that he and Commissioner Chancellor have had conversations about this topic and the Commissioner has suggested the idea of using a tool such as a scorecard to assess the health impacts of the airport’s projects and programs. Executive Director Smith said that he was excited about the possibility of using this type of tool because it will provide more insight to inform the decisions that are made about the airport’s capital projects. Currently, there is no universal measure for assessing the impact on health. There is work that needs to be done on this. He informed Commissioners that the airport will be putting forth resources to develop a model that is reliable and then MAA will come back to the Commission regarding this matter.

MARKETING AND AIR SERVICE DEVELOPMENT – Annette Fisher, Chief of Marketing and Air Service Development and Jordan Kayloe, Director of Air Service Development

Recent Media Coverage

Since the last Commission meeting in November 2023, MAA received the following media coverage:

- *Board of Public Works Approves \$32 Million Runway Improvement Project for Martin State*
- *BWI Thurgood Marshall Airport Welcomes New International Service from BermudAir*
- *Preparedness for Holiday Travel*

Air Service and Traffic Statistics

Looking at future capacity, Q2 2024 seats are up 5% from last year.

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Compared to 2019, Q2 2024 seats are up 1%. Capacity has been above 2019 levels since August. 2023 has become the new baseline, so the graphs will no longer include a comparison to 2019.

In Q2 2024, Southwest offers over 70% of seat capacity. Frontier is the fastest growing carrier.

In Q2 2024, BWI Marshall leads the region in seat capacity.

- BWI: 35%
- IAD: 33%
- DCA: 32%

DCA's slot rules increased capacity artificially from 2021 to 2023. Now these slot rules cap DCA capacity, and BWI Marshall and IAD continue to grow to meet demand.

For international seats in Q2 2024, Dulles leads the region.

- IAD: 86%
- BWI: 9%
- DCA: 5%

Airlines are restarting or launching many new routes in FY 2024.

Copa Airlines launched a new route from BWI to:

-Panama City, Panama

Southwest launched a new route from BWI to:

-Oakland, CA
-Seattle, WA
-Colorado Springs, CO
-Belize City, Belize

Frontier launched new routes from BWI to:

-Detroit, MI
-Chicago, IL
-Cleveland, OH
-Charlotte, NC
-Tampa, FL

BermudAir launched a new route from BWI to:

-Bermuda

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TSA statistics provide the most immediate look at passenger volumes. While they do publish numbers daily, they only count departing passengers – not arriving or connecting passengers.

BWI Marshall had an estimated 26.2 million passengers in 2023. (*December numbers are still preliminary*). International traffic continues to grow strongly in 2023.

For air cargo, year-over-year cargo growth has slowed. Shoppers are returning to brick-and-mortar stores, so airlines are carrying less cargo as online ordering flattens.

Total operations continue to grow since last year. Landed weight generally tracks with operations, but summer growth in 2023 was significantly higher. Landed weight reflects increased aircraft gauge.

MTN Operations and Maintenance – Harold Fowler

Overview of MTN Runway Rehabilitation

This project includes the full-length rehabilitation of Runway 15-33 at MTN to support the Maryland Air National Guard (MDANG) and General Aviation tenants.

Project Timeline:

- 255 days, including 158-night closures and 21-day full runway closure.
- February 18, 2024: Duct Bank Installation
- April 1, 2024: Begin Nighttime Runway Closures
- July 6-27, 2024: 21-Day Full Runway Closure
- September 12, 2024: End Nighttime Runway Closures
- October 31, 2024: Project Completion

Project Features:

- Rehabilitation of Pavements
- Pavement Demolition
- Pavement Marking & Grooving
- Airfield Lighting & Signage Infrastructure

MTN is working with stakeholders to minimize impact on:

- based individual aircraft owners.
- based corporations.
- transient business aviation
- military operations

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- surrounding communities

Overall Impact:

This project will have a significant impact on operations at MTN. Management anticipates declines in revenue from fuel sales, ground handling fees, hangar rental, office rental, as well as declines in all airplane-related operations and some helicopter operations.

BWI Operations and Maintenance – Wayne Pennell, Chief of BWI Operations and Maintenance

Proposed Changes to COMAR 11.03.01.09

MAA proposes amendments to the Code of Maryland Regulations (COMAR) 11.03.01.09 to establish fees for replacing identification badges and failing to return an identification badge of a former employee.

The Maryland Aviation Administration (MAA) Office of Airport Security is tasked with providing a safe environment for travelers, tenants, and employees at Baltimore/Washington International Thurgood Marshall (BWI Marshall) Airport. A large part of maintaining a safe and secure environment is regulating access to restricted areas of the Airport. Access to restricted areas of the Airport is controlled by MAA-issued identification badges. See COMAR 11.03.01.01(B)(31). The improper custody and control of an airport issued identification badge is considered an aviation industry vulnerability which MAA is required by Federal regulation to mitigate. The credentialing process is governed largely by the rules and regulations established by the Transportation Security Administration (TSA), as codified in 49 CFR §1542.

There is a significant percentage of badges which are never returned to the Administration. The TSA requires continuous audits of identification badges to ensure accuracy and accountability. The results of MAA audits indicate a recurrent issue with lost and unreturned identification badges.

Additionally, TSA's regulations could require MAA to issue new badges to all BWI Marshall Airport badge holders if our audit percentages continue to increase at the Administration cost.

Equally important to note, employers are required to collect and return identification badges of employees who are no longer employed.

Just as many peer airports have already done, MAA would like to amend COMAR 11.03.01.09 to increase individual fees to replace a lost identification badge and add a fee to Airport employers that fails to return an identification badge of an individual that no longer work for that employer.

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The current twenty-five-dollar (\$25) BWI Marshall Airport fees charged to replace a lost identification badge has not been increased since 1993.

MAA recommends amending COMAR 11.03.01.09 to include the fees to replace an identification badge:

- First replacement: \$25.00; and each successive replacement: \$50.00.
- Also, to include a fee of \$100.00 to an employer that fails to return an identification badge of an individual that no longer works for the employer.

Upon request for a motion to approve the proposed COMAR changes, it was so moved by Commissioner Hawkins, seconded by Commissioner Simms, and approved unanimously.

Meeting Adjourned

There being no further business, upon request for a motion to adjourn, it was so moved by Commissioner Hawkins, seconded by Commissioner Morales, and approved unanimously. The meeting was adjourned at 3:13 p.m.