



Court Denies NEPA Challenge to New Airport

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On May 1, 2009, the U.S. Court of Appeals for the Second Circuit denied petitioner's challenge to the FAA's approval of a new commercial service airport in Panama City, Florida. The airport sponsor proposed to construct a new airport to replace an existing airport with inadequate runway safety areas and limited opportunities for expansion. The court, in *NRDC v. FAA*, rejected each of petitioner's arguments challenging the adequacy of the Environmental Impact Statement and further rejected petitioner's argument that the FAA's decision did not satisfy the requirements of the Airport and Airway Improvement Act. Construction of the new airport is ongoing and scheduled to be completed in 2010.