



Environmental Impacts and Conformity

Kaplan Kirsch & Rockwell counsels and litigates on behalf of airports on the environmental, noise, and land use issues associated with major facility expansions, runway extensions, airspace changes, and collateral development projects. We have represented some of the largest airports in comprehensive master planning for long-term capital improvements and provided comprehensive counsel for commercial airports, primary hub airports, and general aviation airports in the planning, approval, and implementation of development and infrastructure projects.

Clean Air Act and Conformity

We also have significant experience assisting clients with air quality issues at airports. We have provided strategic air quality advice regarding airfield improvements, airport landslide projects, airport access roads, airspace, and collateral development. These representations have included providing counsel on general conformity regulations; transportation conformity regulations for landside development; NEPA, CEQA, and other state environmental reviews; state and federal permitting requirements; and emerging air toxics and diesel particulate issues. Our experience also includes litigating airport-related conformity issues in federal court.

Representative Cases

- *City of Phoenix v. Huerta*, No. 15-1158 (D.C. Cir. argued Mar. 17, 2017) (challenging RNAV procedures in Phoenix)
- *Tinicum Township v. U.S. Dep't. of Transp.*, 685 F. 3d 288 (3d Cir. 2012) (successful defense of EIS and air quality analyses for airport master plan)

Representative Matters

- Advised the Los Angeles International Airport regarding air quality, conformity, and federal environmental issues associated with implementation of master plan.
- Represented the Philadelphia International Airport in judicial defense of EIS and modification of master plan approved in NEPA process.
- Advised the City of Phoenix regarding noise, historic, and other issues related to its airport.
- Advised the Clark County Department of Aviation/McCarran International Airport regarding projects on existing airports and development of new supplemental commercial-service airport on public lands; represented airport in collateral litigation to protect airport and airspace.
- Advised Naples Municipal airport regarding NEPA issues associated with airport runway development.
- Advised Palm Beach International Airport regarding NEPA reviews of master plan and airport development; represented airport in noise and air quality litigation.
- Advised the Friedman Memorial Airport Authority on NEPA, species, and federal land issues associated with proposed replacement airport.