

No. _____

In the
UNITED STATES COURT OF APPEALS
For the Ninth Circuit

CITY OF BURIEN, CITY OF DES MOINES, and CITY OF SEATAC, a
Washington municipal corporations,
Petitioners,

v.

FEDERAL AVIATION ADMINISTRATION, BRYAN BEDFORD, in his official
capacity as Administrator, Federal Aviation Administration, U.S. DEPARTMENT
OF TRANSPORTATION and SEAN DUFFY, in his official capacity as Secretary
Respondents

PETITION FOR REVIEW OF AGENCY ORDER
[Federal Rules of Appellate Procedure, Rule 15]
[49 U.S.C. § 46110(a)]

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Washington*

Pursuant to 49 U.S.C. § 46110, Rule 15(a) of the Federal Rules of Appellate Procedure, and Circuit Rule 15-1, Petitioners, the City of Burien, Washington, the City of Des Moines, Washington, and the City of SeaTac, Washington, (the collectively, the “Cities”) hereby petition the United States Court of Appeals for the Ninth Circuit for review of the Federal Aviation Administration’s decision signed on September 24, 2025, to issue an “Finding of Significant Impact/Record of Decision for the Sustainable Airport Master Plan Near-Term Projects at the Seattle-Tacoma International Airport” (“FONSI/ROD”). A copy of the FONSI/ROD is attached as Exhibit A to this Petition.

As stated in 49 U.S.C. § 46110(a), a person “may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business.” Because the Cities are located within the Ninth Circuit, this Court has jurisdiction over this Petition for Review.

This Petition is timely filed under 49 U.S.C. § 46110(a), in that Federal Rule of Appellate Procedure 26(a)(1) provides that “[i]f the last day [of a filing period] is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday.” Since the 60th day

after September 24, 2025, fell on a Sunday, the filing period under § 46110(a) continues to run until Monday, November 24, 2025.

Dated: November 21, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for City of Burien, City of Des Moines, and City of SeaTac

RULE 26.1 DISCLOSURE STATEMENT

Petitioners City of Burien, City of Des Moines, and City of SeaTac are municipal corporations and not a “nongovernmental corporate entity.” Therefore, Petitioner is not required to file a corporate disclosure statement pursuant to Federal Rule of Appellate Procedure 26.1(a).

Dated: November 21, 2025 LEECH TISHMAN NELSON HARDIMAN, INC.

By: Steven M. Taber
Steven M. Taber

Attorneys for Vashon Island Fair Skies