



## AIRLINES

# New flight paths lead to airplane noise complaints across US

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- The U.S. Court of Appeals for the District of Columbia Circuit on Aug. 29 agreed with their assessment that the FAA was "arbitrary and capricious" in revising flight procedures.

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MENU

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Ross D. Franklin | AP

In this Sept. 28, 2017, photo, Twila Lake pauses while talking during an interview as the noise from a passenger plane taking off from the Phoenix airport flies near her home in Phoenix.

Airliners began flying over Twila Lake's bungalow-style house in a historic district three years ago, taking off every one to two minutes from the [Phoenix](#) airport and roaring over her neighborhood. It was a sudden change after rarely hearing jets in her previous 13 years in the downtown neighborhood.

Now, "it's all day and night long," complained the 71-year-old retiree, who said she sleeps with the television on to drown out aircraft noise. Some neighbors sold their homes and moved after the aviation highway entrance ramp was routed overhead.

The Federal Aviation Administration started revising flight paths and procedures around the United States in 2014 under its air traffic control modernization plan known as "NextGen." The new procedures use more precise, satellite-based navigation that saves time, increases the number of planes airports can service, and reduces fuel burn and emissions.

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narrower paths and on more frequent schedules. The new paths often reduce the number of people exposed to noise, but those who get noise get it far more consistently.

In Phoenix, redrawn flights over vintage neighborhoods like Lake's affect some 2,500 homes, prompting a court challenge from historic districts and the city.

The U.S. Court of Appeals for the District of Columbia Circuit on Aug. 29 agreed with their assessment that the FAA was "arbitrary and capricious" in revising flight procedures. FAA officials asked for an extension, and the court this month pushed the petition deadline to Nov. 16.

Local governments and residents in more than a half-dozen other areas - including Washington's Georgetown neighborhood and California's Newport Beach, Laguna Beach, Orange County and Culver City - have similar petitions before the court.

Attorney Steven Taber, who represents several Southern California communities with complaints, predicted legal action over flight changes will be a continuing problem across the U.S.

Aviation experts said they don't expect the Phoenix ruling to set a precedent for other cities, but it is forcing the FAA to be more responsive.



"We certainly view it as one of the most regional cases of a lack of community involvement," said Chris Oswald, vice president of safety and regulatory affairs with Airports Council International-North America. The FAA has since done more outreach elsewhere, he said.



Policy analyst Rui Neiva of the Eno Center for Transportation think tank in Washington said agency officials must find a middle ground.



"In some cases, they may have to settle on a path that is less efficient, or create several additional paths," he said.

But David Grizzle, a former FAA chief operating officer, said it's not possible to redesign procedures to address the problem and still reap NextGen's technology advantages.

"There is an intrinsic issue of concentrating noise in particular places that comes with precision-based navigation that is inescapable," he said.

FAA officials knew a decade ago some homeowners would suffer more noise because of the changes, but hoped their complaints would be offset by the people who benefited, Grizzle said. But those people haven't spoken up.

The FAA said in a statement it is reviewing the Phoenix decision and working with residents near airports around the country through "noise roundtables" to balance community interests with needed improvements to the national airspace system.

In Phoenix, "simply reverting to previous air traffic control procedures is not viable," the agency said. The new procedures are "interdependent," and any changes to one would have a domino effect, it said.

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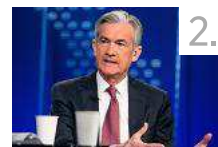
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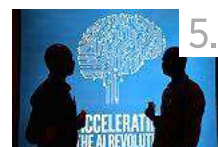
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because any changes in flight procedures were not expected to have an adverse impact. When Phoenix filed a challenge, the FAA sought to have it dismissed, arguing it was not filed in a timely fashion.



The court ruled that by keeping people in the dark, the agency made it impossible for the public to submit views on the project's potential effects - something the FAA is especially required to do for historic areas and parks.

People elsewhere also complain the FAA failed to adequately explain the planned changes or provide opportunities to comment. In some areas, people say they didn't know changes were coming because the FAA advertised them in places people wouldn't normally look, such as government webpages.

In the Washington metro area, Georgetown University and neighborhood groups complained the FAA left them out of the loop and failed to properly assess the effect of changes at Ronald Reagan National Airport.

Residents said that until spring 2015, departing flights traveled a straight line over the Pentagon, Arlington National Cemetery and commercial areas of Rosslyn, Virginia. Now, a major departure path routes planes alongside historic Georgetown.

Roberto Vittori said he didn't know about the FAA's plans when he bought his home near Georgetown University's medical school. Vittori wrote in a legal declaration last year that he spent \$12,000 on soundproof glass for the home's double-paneled windows, but it was "still inadequate to muffle the noise."   

In Maryland, residents have complained about aircraft noise from Reagan National and Baltimore-Washington International Thurgood Marshall Airport. Maryland Gov. Larry Hogan recently ordered the state's attorney general to prepare a lawsuit against the FAA over routes he said were making families "miserable in their own homes."  

Santa Cruz, California, residents have complained of noise from planes headed to San Francisco International Airport but said they decided to work with federal officials rather than go to court.

For some 30 years, San Francisco-bound aircraft traveled over unpopulated areas, but residents were surprised last year when planes began flying closer to their homes, Denise Stansfield said.

Through the Save our Skies Santa Cruz citizens group Stansfield founded, a committee of residents, elected officials and FAA representatives began meeting to devise less obtrusive flight procedures. The process is ongoing, but residents are optimistic.

Initially, the FAA "didn't consider the impact for people on the ground," group member Vicki Miller said. "I think they are reassessing."

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