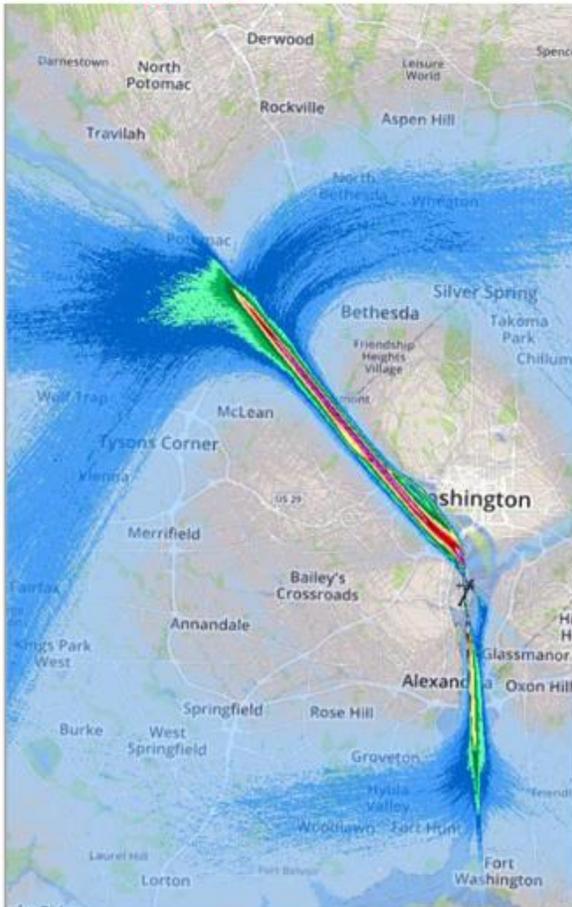


Berliner Urges County to Consider Legal Action Against FAA Over Increased Airplane Noise

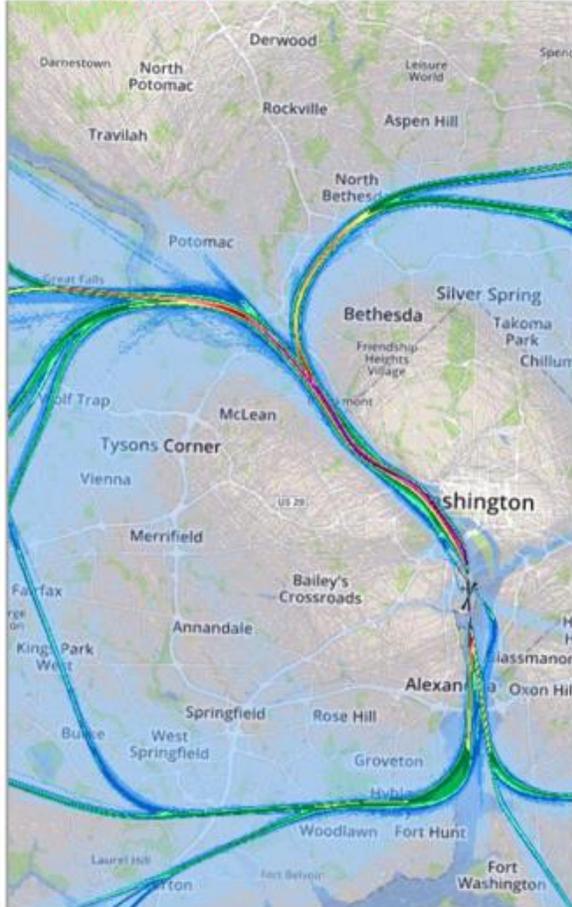
Complaints from residents near the Potomac River have risen since the agency changed flight paths in 2015

Andrew Metcalf, Bethesda Magazine | MAR 28, 2017

Before NextGEN



After NextGEN



Montgomery County should consider taking legal action to force the reversal of federal flight path changes that have led residents to complain about increasing airplane noise in communities along the Potomac River, County Council President Roger Berliner says.

In a letter sent to County Executive Ike Leggett on Tuesday, Berliner asks the county to consider filing a lawsuit against the Federal Aviation Administration if the agency fails to roll back the NextGen 2015 flight path changes of planes taking off from Reagan National Airport in Washington, D.C. County officials believe the changes have led to more airplane noise in the Bethesda area.

Berliner also addressed the noise issue during a press briefing with reporters Monday.

“It has had an incredible impact because what was once a minor annoyance shared by many throughout the region is now a concentrated, intolerable situation for many communities along the Potomac River,” Berliner said.

He noted that the city of Phoenix has taken the FAA to court over the NextGen flight paths, which concentrated planes in airway “superhighways” over the U.S. to consolidate air traffic and make flight paths more efficient. In Montgomery County, the changes means planes fly on a much narrower route south of the I-495 split, whereas previously they spread out over the I-270 corridor after taking off from Reagan and rising over the Potomac River. The changes also resulted in planes flying lower, exacerbating the amount of noise.

Since complaints about the changes arose, the county has been involved in a Noise Working Group commissioned by the Metropolitan Washington Airports Authority to try to roll back the flight path changes out of Reagan in order to reduce noise over Montgomery County communities. However, Berliner said little progress has been made.

“Our county has been working closely with FAA, but quite frankly we have not gotten the answers we’ve been looking for,” Berliner said.

Phoenix filed a federal lawsuit in [2015 against FAA over the NextGen changes in Arizona](#). The city claims in the ongoing litigation that it wasn’t notified about the flight path shifts before they were implemented and that the FAA failed to analyze the noise impact of the changes.

Berliner said FAA operated “in a vacuum” when it altered the flight paths over Montgomery County. He said FAA should consider routing planes over the Potomac River for a longer period in order to reduce their noise in Montgomery County.

In the letter, he notes the county presented a six-point plan to reduce plane noise to the working group, but the FAA has only agreed to indefinitely extend the working group.

“We cannot continue to wait while our residents face an unbearable increase in noise,” Berliner writes. “It is time that Montgomery County officially explore all means of recourse, so that we are prepared to act to defend our community and constituents.”

Copied 3/29/2017 from:
<http://www.bethesdamagazine.com/Bethesda-Beat/2017/Berliner-Urges-County-To-Consider-Legal-Action-Against-FAA-Over-Increased-Airplane-Noise/>
(Highlights, footnotes and minor edits may have been added, but only to add analysis & clarification)

Comments – 3 as of 3/29/2017 at 1030 EDT

ANetliner • 15 hours ago

Good to have the County stand up for residents on aircraft noise. I agree with Councilmember Berliner on this. Also hoping that Congressman Raskin and Senators Cardin and Van Hollen are assisting Montgomery County with the FAA.

BOB • an hour ago

yeah, make 'em fly over someone else! lol
And how much is this fruitless litigation going to cost taxpayers?

Let's sue the FAA • 18 hours ago

I have been saying that MC should sue the FAA since this first happened. The unfair representation of MC at the meeting that resulted in the new flight path is enough reason to find the FAA accountable for this situation.