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Subject: Fwd: D.C. residents suffer major setback in fight over plane noise from National Airport

D.C. residents suffer major setback in fight over plane noise from National Airport

By [Lori Aratani](#) August 9 at 5:15 PM | Washington Post

A group of Washington residents is considering whether they will take their fight over airplane noise to the U.S. Supreme Court, after a federal appeals court rejected their request for a rehearing.

In March, a three-judge panel of the U.S. Court of Appeals for the District of Columbia Circuit [found in favor](#) of the Federal Aviation Administration in the long-standing battle over noise from flights at Reagan National Airport, ruling that the neighborhood groups missed the deadline for filing their complaint. The groups sought a rehearing before the full court, but their request was denied last month.

The panel's ruling was significant because a different three-judge panel last year [ruled in favor of Arizona residents](#) in a dispute over flight paths in Phoenix. That case involved a similar issue of timing, but a majority of that panel of judges said the FAA's handling of the transition was so egregious that it overcame their concerns about when the petition was filed.

Richard Hinds, an attorney who represents the coalition of residents in Northwest D.C. neighborhoods including Georgetown, the Palisades

and Hillandale, said the next step would be to go to the Supreme Court. But he acknowledged that would be a high hurdle for the groups.

Battles over airplane noise have escalated in communities across the country as the FAA has moved to redesign old flight paths. The changes are part of a larger effort to modernize the air traffic control system by shifting it to satellite-based navigation. The multibillion-dollar effort, known as NextGen, allows pilots to fly more planes over concentrated routes, but in some cases has resulted in noise over neighborhoods that had not previously been under flight paths. There has been a significant uptick in noise complaints as a result.

The issue has been particularly contentious in the Washington region, which is home to three major airports: National, Dulles International and Baltimore-Washington International.

In June, Maryland Attorney General Brian Frosh challenged changes to flight paths at BWI, [filing a petition](#) with the same appeals court. He also filed a petition with the FAA seeking additional environmental review of the flight paths. As a result of Frosh's actions, FAA officials [have declined to](#) continue with community discussions design to address residents' concerns about noise.

No hearing has been set in the Maryland case.

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