

Ruling overturns FAA rerouting of Phoenix departure paths

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CONNECT

PHOENIX (3TV/CBS 5/AP) -

It's about to get a lot quieter in some Valley neighborhoods.

A U.S. Court of Appeals judge ruled on Tuesday current flight patterns out of Sky Harbor International Airport are illegal, and need to change.

A three-judge panel of the U.S. Court of Appeals for the District of Columbia Circuit agreed that the FAA's decision in 2014 to change the routes in and out of Sky Harbor International Airport in Phoenix was "arbitrary and capricious."

Steve Dreiseszun remembers Sept. 18, 2014, as the day his quiet historic neighborhood in central Phoenix was no longer so quiet.

It's the day the FAA changed its flight paths out of Sky Harbor, seemingly overnight.

It had started using a new satellite technology making takeoffs faster and safer, but it also put planes directly overhead neighborhoods.

"Made it almost impossible to be outdoors and enjoy barbecues, family time, recreation," said Dreiseszun.

In the past, planes taking off would follow the Salt River bed, and neighborhoods were built with jet sound mitigation in mind.

After the change, [noise complaints poured](#) into the city. Dreiseszun and many of his neighbors joined together, along with the City of Phoenix, and [sued the FAA](#).

Now a federal judge has [decided the FAA must fix it](#).

"By keeping the public in the dark, the agency made it impossible for the public to submit views on the project's potential effects views that the FAA is required to consider," the court ruled.

"This is a violation of federal law and communities and airports must be consulted before a major change like this happens, and that wasn't the case. And so now if and when the FAA wants to make a major change in our community, then we expect that the City and the residents will be consulted first," said Deborah Ostreicher, assistant Phoenix Aviation director.

Attorney, and former Phoenix Mayor and Arizona Attorney General Terry Goddard represented the neighborhoods in the lawsuit. He says the FAA must go back to following the pre-2014 flight patterns while it works on a new plan.

[\(Click here to view current and former flight patterns\)](#)

It was not immediately clear what the agency's next step would be. The FAA says "We will carefully review the decision before deciding on our next steps."

"I'm looking forward to the peace and quiet we had before the FAA changed the flight path. I'm looking forward to the opportunity to enjoy our backyard and for our neighborhoods to settle down and be the experience we all expected when we invested in them," said Dreiseszun.

"The FAA took this step that negatively impacted the lives of thousands of Phoenix residents without seeking meaningful input from our community or the city. That's just wrong," Phoenix Mayor Greg Stanton said in a statement. "Today's decision affirms that the FAA needs to go back to the drawing board and do this right."

Phoenix Vice Mayor Laura Pastor called the ruling "great news for the impacted neighborhoods who have been fighting these changes for the past three years."

About 1,200 aircraft and more than 120,000 passengers arrive at and depart from Phoenix Sky Harbor International Airport each day.

The agency implemented the new flight paths in September 2014 as part of an effort to streamline aircraft routing for safety and fuel efficiency. "In the next two weeks, the airport received more noise complaints than it had received in all of the previous year," the ruling read.

It quoted local news reports at the time that said the flights rattled the doors and windows in their homes and that they had trouble sleeping, sometimes even wearing earmuffs to mute the noise when they were indoors.

Below are full statements from City of Phoenix leaders.

“The FAA took this step that negatively impacted the lives of thousands of Phoenix residents without seeking meaningful input from our community or the City. That’s just wrong. Today’s decision affirms that the FAA needs to go back to the drawing board and do this right.”

-- Phoenix Mayor Greg Stanton

“This ruling is good news for the city, but great news for the impacted neighborhoods who have been fighting these changes for the past three years. I would like to thank all of those involved in providing their expertise, including financial and emotional support. Our community needed a victory, and this result gives me great faith in the judicial process.”

-- Phoenix Vice Mayor Laura Pastor

“Today’s decision by the U.S. Court of Appeals in favor of the City of Phoenix will allow Phoenix Sky Harbor International Airport to return to pre-existing flight paths and provide protections to our historic neighborhoods. I would like to thank our impacted residents who spearheaded this team effort and stood with us as the City of Phoenix legal team researched and litigated this case and obtained a very favorable verdict.”

-- Phoenix City Councilman Daniel Valenzuela, District 5 Chairman of the Downtown, Aviation, Economy and Innovation Subcommittee.

“The decision by the U.S. Court of Appeals to rule in favor of the city is a victory for our residents who fought tirelessly to restore quality of life throughout their neighborhoods. The new flight paths will be vacated and the process returned to the FAA to get this corrected.”

-- Phoenix City Councilman Jim Waring, District 2.

“This morning, the United States Court of Appeals in Washington, D.C. ruled in favor of the city of Phoenix in our lawsuit against the FAA’s changed flight paths at Phoenix Sky Harbor International Airport. These flight path changes – completed without any consultation with the communities – have disrupted the lives of many residents throughout our neighborhoods. The new flight routes and procedures at Sky Harbor will be vacated and returned to the FAA for further review. Today’s decision was a testament to the Team Phoenix response in which we all worked together to hold the FAA accountable for failing to work with our communities and upending our quality of life. I’d like to thank all of the residents who came out to public meetings, called our noise complaint line, and pressured the FAA to resolve this problem. Phoenix is such a desirable city and one that we must all fight to preserve and protect.”

-- Phoenix City Councilman Michael Nowakowski, District 7 Member of the Downtown, Aviation, Economy and Innovation Subcommittee.