

# DC FAIR SKIES COALITION

September 9, 2016

Carmine Gallo  
Eastern Region Administrator  
Federal Aviation Administration  
1 Aviation Plaza  
Jamaica, New York 11434

Elizabeth L. Ray  
Vice President, Mission Support Services  
Air Traffic Organization  
800 Independence Avenue, SW  
Washington, DC 20591

Re: DC Fair Skies Coalition Comments on FAA's LAZIR B Proposal

Dear Administrator Gallo and Ms. Ray,

The DC Fair Skies Coalition is a group of communities in the District of Columbia and Georgetown University organized to reduce the impact of aircraft noise on the DC neighborhoods along the east bank of the Potomac. In addition to the University, its members include Burleith Citizens Association, Citizens Association of Georgetown, Foggy Bottom Citizens Association, Hillandale Homeowners Association, Foxhall Citizens Association, Colony Hill Neighborhood Association, and Palisades Citizen Association. The Coalition was formed in 2015 to protest and challenge in Court the FAA's publication of nine new northbound departures routes which incorporated a new departure procedure called LAZIR. The lawsuit entitled CAG vs. FAA, Case No.15-1285 is pending before the Federal DC Court of Appeals.

The Coalition is also a party to an Administrative Petition dated May 27, 2016 (attached) demanding that the FAA take immediate action to abate the currently unlawful and unacceptable levels of aircraft noise that are being inflicted upon the residents of Historic Georgetown and neighboring District of Columbia communities on the East side of the Potomac River. The Petition was signed by the Mayor of the District of Columbia, DC Council Members for Wards 2 and 3, and all At Large Council Members. The Petition sets forth the history of the

current LAZIR flight path which involved moving the historic NATIONAL 328 departure flight path from Ronald Reagan National Airport approximately one-half mile east and impacting residents from Foggy Bottom to Palisades with increased aircraft noise and pollution.

The Petition notes that this was done without any of the statutorily required environmental review of this new flight path and without notice or opportunity for affected communities and their elected representatives to comment and seek alternatives. While the FAA has asserted that there was some review of the departure changes as part of the multi-airport environmental review in 2013 of the proposed Metroplex Next Generation (NexGen) aircraft routes, that review treated LAZIR as an existing route and made no evaluation of the decision to move the National 328 aircraft noise east. Furthermore the FAA failed to notify any of the community organizations affected by that decision or their elected representatives.

The Petition also notes that the FAA and the Metropolitan Airports Authority (MWAA) have intensified the impact of this flight path change by effectively abandoning the night time noise rule that used to restrict flights after 11:00 PM and prior to 7:00 AM; increasing the percentage of north flow departures from 50 % to close to 65% regardless of wind direction; failing to require heavier, noisier long-range aircraft to use Dulles; and failing to impose mandatory noise abatement flight procedures. The bottom line result of all these actions and inactions is that residents from Foggy Bottom to Palisades can not sleep through the night or carry on a conversation without interruption.

Now, facing community outrage from both sides of the Potomac River over aircraft noise, the FAA is proposing to modify the northern departure flight path again without sufficient community input or environmental consideration. The FAA is proposing a shift from LAZIR to LAZIR B. The FAA announced at a Community Working Group meeting that 'B' was the best of three alternatives to LAZIR it had considered and could be implemented on a fast track. The majority of lay representatives gave a nod to advancing work on B, with the representative from Ward 3 abstaining. (The Community Working Group was organized by MWAA to deal with aircraft noise problems created by flight operations to and from Ronald Reagan National Airport.)

While the Coalition is appreciative that the FAA recognizes that it has inflicted a serious aircraft noise impact on Northwest DC and is considering remedial action, the process should involve, at the very least, a full assessment of all alternatives to LAZIR, including reverting to the National 328 flight path. While the planned

community meetings next week are an improvement on the stealth changes in departure flight paths the FAA engaged in previously to create LAZIR, these show and tell format meetings are not a substitute for a careful environmental review of the type that has so far never been performed for LAZIR. And the impacted communities and their elected officials need to be given notice and an opportunity to review and submit comments on the environmental analysis.

This an opportunity for the FAA “to do it right” and obtain resident input and understanding of all the alternatives and why the FAA prefers one over others. We understand that Elizabeth Ray informed the MWAA Working Group, at its last meeting on August 11, 2016, that the FAA has not yet decided the appropriate level of environmental review for this proposal. In our view, this proceeding does not lend itself to the use of a Categorical Exclusion (Catex) but requires, a full environmental assessment. Issuing a Catex in this case without more community involvement in the process would be highly controversial and would almost certainly lead to litigation by impacted parties. It would also violate the FAA’s own environmental regulations which call for a detailed environmental assessment of changes to departure flight paths impacting noise sensitive residential areas.

In addition to our concerns about making any changes to the existing unreviewed LAZIR flight path without a detailed environmental assessment, the Coalition has several concerns about the details of the LAZIR B Proposal.

- The principal concern of residents in Northwest DC is the significant increase in aircraft noise since Spring 2015 most of which is attributable to the implementation of nine new northbound routes all of which incorporate the LAZIR terminal procedure as the initial segment. Given that concern, how is LAZIR B responsive to resident’s complaints about the former LAZIR departure procedure? According to the FAA’s noise analysis of LAZIR B dated Dec 10, 2015, LAZIR B would decrease average noise levels slightly in Georgetown but increase average noise levels (by up to 1 decibel) in most of residential Northwest DC . How is an increase in aircraft noise responsive to complaints from residents of Northwest DC about LAZIR?
- The historic northern departure flight path, the NATIONAL 328, takes planes after take-off on a straight line flight path on a compass heading 328 over the Pentagon, Arlington National Cemetery, and commercial Arlington before intersecting the river. What was the justification for

moving that flight path about ½ mile east so that planes using LAZIR are flying over Georgetown University and MacArthur Boulevard and bombarding Georgetown and nearby communities with aircraft noise without any input whatsoever from the residents in DC?

- Why is the first Waypoint (WP) of the proposed LAZIR B route named ADAXE not moved back to the existing National 328 route? All planes not equipped with RNAV navigation equipment are required to use NATIONAL 328 and pilots of any planes can request it. Since it can be used by all planes today what is the justification for not moving ADAXE back to the National 328 flight path and significantly reducing noise levels in Georgetown and nearby communities?
- Why is the second WP names BEBLE made a fly by WP to the east? And why is that WP moved east? Since all planes are required to fly east of it on the way to the next WP, moving BEBLE east necessarily will impact communities north of Georgetown with increased aircraft noise. Why is BEBLE not made a fly over WP or a WP to fly by to the west to ensure that planes stay close to the river rather than flying over residential communities in Northwest DC?
- Our understanding of current flight rules is that a plane is not considered off course until it strays one mile from the route shown on FAA route maps. Is any change being considered in that flight rule that would set penalties for exceeding the LAZIR B route by more than ¼ mile?
- If RNAV equipped planes frequently depart from the prescribed course by ½ mile how can the FAA claim that a flight path less than ½ mile from DC will not result in planes flying over DC? This is a concern with LAZIR B raised by the Ward Two representative to the MWAA Community Working Group in an email to Ms. Ray dated December 16, 2015.

Why is the third WP named COVTO moved east? Since all planes flying east have to fly east of COVTO, moving that WP east necessarily will impact communities such as Palisades with increased aircraft noise, as the FAA's own noise analysis demonstrates. Why is the proposed new

COVTO not made a fly by WP to the west or a fly-over waypoint to ensure that planes stay on the current and historical flight path near the George Washington Parkway rather than flying over DCA?

As the above questions make clear, the Coalition has many concerns about the LAZIR B Proposal which can not be addressed adequately in one informal meeting. We also need to time to consult with experts about the FAA's justification of this Proposal and obtain a fuller explanation from the FAA about its noise impacts on individual communities. Moving parts of the controversial LAZIR flight path east of its current track, leading to planes flying further east over northwest DC, appears totally unacceptable as a solution to the aircraft noise created by LAZIR.

However we are willing to work in good faith with the FAA to see if there is an acceptable accommodation of the aircraft noise concerns of those on the Virginia side of the river with those on the DC side through an open environmental assessment process. That is the process we urge be followed in this case.

Sincerely,



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ED SOLOMON

Chairman, DC Fair Skies Coalition

On Behalf of  
Burleith Citizens Association,  
Citizens Association of Georgetown,  
Foggy Bottom Citizens Association,  
Hallandale Homeowners Association,  
Foxhall Citizens Association,  
Colony Hill Neighborhood Association,  
Palisades Citizen Association, and  
Georgetown University