



Airport Noise Complaints: Everybody Complains About Complaints, But What Do We Do About Them?

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What Is A Complaint?

**Valid
Expression
of
Annoyance?**



**Statistically
Meaningless
Reflection of
Individual
Preference?**

Three Perspectives on the Use of Complaints

- Judicial and Regulatory
- Statistical and Modeling
- Practical Application

Judicial and Regulatory Treatment of Complaints

- It depends
- Different Attitudes
 - Court Review of Airports
 - FAA for Its Own Actions
 - FAA Review of Sponsor Actions

Friends of the E. Hampton Airport v. Town of E. Hampton,
152 F. Supp. 3d 90 (E.D.N.Y 2015)

- “In adopting the Town Laws, the Town considered formal complaints submitted through the complaint log, which yielded over 23,000 complaints. The Court recognizes that a large portion of these complaints came from a small number of households, but it cannot be argued that the Town lacked data to support a finding of a noise problem at the Airport, particularly given the large increase in helicopter traffic in recent years.”

North Shore Helicopter Routes

- “In light of the minimal costs imposed and the substantial number and volume of complaints, the FAA finds that this rule is justified.”
 - Modeled Contours < DNL 45 Db
 - 77 Federal Register 39911 (July 6, 2012)
- “The FAA could reasonably accept these comments from individual members of the public ... as empirical data of a noise problem.” *Helicopter Ass’n Int’l, Inc. v. FAA*, 722 F.3d 430, 436 (D.C. Cir. 2013).

Compliance Handbook ¶13.16

- **Use of Complaint Data.** Complaint data (i.e., from homeowner complaints filed with the airport) are generally not statistically valid indicators or measurements of a noise problem. Therefore, complaint data is usually not an acceptable justification for a restriction.
- As the Federal Interagency Committee on Noise (FICON) noted in its 1992 report, “the best available measure of [community annoyance] is the percentage of the area population characterized as ‘highly annoyed’ (%HA) by long-term exposure to noise of a specified level (expressed in terms of DNL).”

Questions?

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