



MAYOR CHRIS BOLLWAGE

CITY OF ELIZABETH PRESS RELEASE



FOR IMMEDIATE RELEASE

Contact: William Reyes
Public Information Officer
908-820-4124

CITY OF ELIZABETH FILES SUIT AGAINST FAA

ELIZABETH, NJ September 5, 2007--- Mayor Chris Bollwage and City Council jointly announce the filing of a lawsuit in the U.S. Federal Court for the District of New Jersey on behalf of the City of Elizabeth and its residents, seeking an injunction of the implementation of the Federal Aviation Administration's (FAA) Record of Decision (ROD) and Final Environmental Impact Statement (EIS), which redesign the airspace over the tri-state area.

The suit claims that the FAA's preferred redesign, chosen to increase operating efficiency at the area's airports, will "have a significant adverse noise impact upon the City of Elizabeth and its residents..." and "...will significantly and adversely increase aircraft noise levels for the City of Elizabeth and its residents above their current levels."

"We enter into this suit fighting for the sustainability of our residents' quality of life. By the FAA's own admission, their redesigned air traffic pattern will have an immediate adverse impact borne solely by the population of the City of Elizabeth," stated Mayor Chris Bollwage. "We simply cannot sit back and allow the FAA to disrupt our way of life for the sake of appeasing the major airlines at an airport which clearly has reached capacity. The alleged increase in efficiency of one or two additional flights per day does not override the fact that our residents will have to pay for it with a mercurial increase in noise. "

Mayor Bollwage referenced recent news reports which underscore Newark Liberty International Airport reaching practical capacity at peak times. In three of the previous four years, Newark has ranked last in on-time arrivals and this year ranked 30 out of 32 in on-time departures. City Officials point-out that the FAA's redesign of airplane traffic over the City would do little or nothing at relieving air traffic congestion. "Redirecting planes over the City of Elizabeth will not solve Newark Liberty's congestion problem," said Mayor Bollwage. "The FAA needs to admit Newark Liberty has reached capacity and address that issue before trying to implement an air traffic plan that will adversely impact our entire City."

Last month, the FAA released their EIS which outlined the redesign of the airspace in the New York/New Jersey/Philadelphia Metropolitan Area. According to the FAA, the redesign will result in an increased operating efficiency at the area's airports. However, the newly selected air routes will have a significant negative noise impact on the entire City of Elizabeth. Essentially, the FAA plan will have airplanes flying over the City in a fan like pattern, which would result in additional airplanes flying directly over more residential areas than the current route. City officials point out that three aviation crashes occurred in the City when similar flight patterns were in place in the mid 1950s.

In addition, the suit makes the argument that the FAA has failed to comply with the requirements of the National Environmental Policy Act of 1969 (NEPA), an Act that established a national environmental standard for noise analysis and mandates conclusions that are scientifically unbiased and valid. The Complaint further states that the FAA's noise analysis and conclusions have failed to achieve this required standard under NEPA. Moreover, the Complaint contends that the FAA failed to comply with NEPA by either conducting and/or releasing certain noise studies concerning the City of Elizabeth.

"How the FAA can ignore safety concerns and go back to flight patterns which endangered so many is beyond comprehension," said Councilman Frank Cuesta. "Whether you are a resident or airline passenger the outcome of this lawsuit could have a profound impact on your life. This is not just a City of Elizabeth problem; this is a tri-state issue. I hope more municipalities will join us and defend their residents' quality of life."