



County of Rockland

Office of County Executive C. Scott Vanderhoef

NEWS RELEASE

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FOR IMMEDIATE RELEASE
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Rockland files brief against FAA in US Supreme Court ***Vanderhoef says county will fight to overturn court's decision to dismiss county's lawsuit against airspace redesign plan***

New City, NY – County Executive C. Scott Vanderhoef announced that Rockland County attorneys filed a brief in United States Supreme Court in Washington, DC Tuesday to petition the court to overturn its decision to dismiss the county's case against the Federal Aviation Administration (FAA)'s flawed airspace redesign plan.

Rockland took its fight against the FAA's New York/New Jersey/Philadelphia Metropolitan Airspace Redesign Project to the highest court in the country this week, arguing that the Court of Appeals incorrectly dismissed the county's claim that the FAA failed to comply with several laws, including disregarding proper public notice and comment provisions.

"The FAA is a bureaucratic organization that believes it can continue to disregard the voices and the quality of life of Rockland residents, and they are wrong," Vanderhoef said. "We will fight this case in the top court in the country to make sure our concerns are vetted in court."

Vanderhoef said the FAA specifically violated its own regulations in failing to seek Rockland's input on possible noise impacts of the redesign plan in violation of the National Environmental Protection Agency, or NEPA, in "a deliberate attempt to deprive the public of a full understanding of the impact of this redesign plan and to deprive them of their right to have their voices heard."

The court's rejection of the case also did not consider critical Clean Air Act stipulations by excusing the FAA from its failure to quantify the impact of increased air emissions from the redesign plan, Vanderhoef said, placing it in potential violation of the Clean Air Act.

Holland & Knight of New York and Washington, DC, experts in the fields of environmental and aviation law, filed the lawsuit against the FAA on behalf of Rockland County and its petitioners in September 2007. The basis of the suit included the FAA's use of unreliable methodology to measure potential noise impact, the FAA's failure to adequately address environmental concerns, and possible violations of regulations and the federal Airport Noise and Capacity Act of 1990 in its treatment of alternatives and noise mitigation issues.

The Rockland County Legislature recently approved an additional \$15,000 expenditure for outside counsel so that the County could continue to fight against the FAA's redesign plan in court.

