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MAC CONTINUES TO DENY HOMEOWNERS PROMISED SOUND INSULATION – INSTEAD OFFERS MILLIONS TO THE AIRLINES

MINNEAPOLIS: After reading Tuesday that the Metropolitan Airports Commission is considering offering millions in subsidies to NWA and other carriers, local homeowner, John Mitchell, says he was "disgusted. While the MAC has abandoned its commitment of a sound insulation program to homeowners - they are now looking at doling out almost \$280 million to the airlines. It is so typical of the MAC. Plead poverty to homeowners, renege on their promise to us, and then give the money to the airlines."

In 1996, the Minnesota legislature decided to expand the Minneapolis-St. Paul International Airport (MSP) rather than move it to a rural, Dakota County location. As part of that decision, MAC was to come up with a sound insulation program for neighboring homes who would be hit with increased noise from the expanded airport. As Wes Skoglund, an airport neighbor (and then Minnesota Senator), explained it at a 1996 public hearing on the issue, "...we didn't move along side the airport. The airport moved along side us." In 1996, following negotiations with City Officials and the airlines, MAC committed to provide a sound insulation program to homeowners in the 60-64 DNL contours that would cost more than \$167 million. That didn't seem too excessive since the MAC saved \$2.2 billion by expanding in the city location.

But in 2004, when the airport expansion was completed, the MAC unilaterally announced it would not keep its commitment. Instead the MAC said it would offer \$47.5 million, but homeowners would have to pay approximately 1/2 the costs. According to Bowles, a class representative in the homeowners' case, "The MAC's conduct to homeowners has been completely dishonorable."

The affected Cities and homeowners have initiated two separate lawsuits to ask the Court to enforce the MAC's promise. In the homeowners' case, MAC has repeatedly tried to get the case dismissed. In court documents filed by MAC, the Commission has argued that as a legislative body, one commission cannot make a commitment that binds a future commission. According to the homeowners' attorney, Carolyn Anderson, "Ironically, the MAC's primary argument in our case is that the current MAC is not required to keep a promise made by a previous MAC. Today's announcement completely flies in the face of that position. If MAC can make a 13-year promise to the airlines today, they surely should be held to a promise they made to homeowners in 1996."

At the regularly scheduled MAC Commission meeting today, the proposal was discussed by the Commissioners as well as by the public officials, homeowners, and other interested parties attending the meeting. Among those who spoke urging the MAC to follow through on their commitment to fully fund the sound insulation program were Minneapolis Mayor R.T. Rybak, Senator Scott Dibble, and Carolyn Anderson, one of the attorneys for the Class in the homeowners' litigation.



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Asked whether he believes that neighboring homes will ever receive the promised insulation, Warren Bowles, a local homeowner and Class Representative in the homeowner lawsuit, admitted he still has hope, "I believe in the legal process and I actually believe that some of the MAC staff and commissioners are still looking out for the community and not just cow-towing to Northwest. Maybe I'm overly optimistic; but I still hope the system works."

For more information about the airport noise case, please visit: www.zimmreed.com/airport-noise

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