Summary of Joint Petitioners Brief
Filed June 9, 2026: U.S. Court of Appeals for the D.C. Circuit
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This legal brief, filed by Palm Beach County, the Town of Palm Beach, and the City of West Palm Beach, argues that the Federal Aviation Administration (FAA) acted unlawfully when it created permanent, 24-hour flight restrictions over the Mar-a-Lago Club and redesigned airport flight paths to avoid that area.

The local governments are asking the court to cancel these orders based on the following main points:

1. The Restrictions are Excessive and Poorly Explained

The petitioners argue that while they support the President's security, the FAA has not provided a "reasoned explanation" for why a **permanent, 24/7/365 no-fly zone** is necessary. Previously, restrictions were only in place when the President was actually visiting the club. The brief points out that the FAA failed to explain why flights must be prohibited even when the President is thousands of miles away. Furthermore, they claim the FAA ignored its own senior leadership's suggestions for less disruptive alternatives, such as exempting commercial airlines that already follow strict security protocols.

2. The FAA Bypassed Public Input and Environmental Reviews

The local governments contend that the FAA skipped mandatory legal steps designed to protect the public:

- **No Public Comment:** The FAA established the "National Defense Airspace" through a "Notice to Airmen" instead of following standard rules that require a public notice-and-comment period.
- **Inadequate Environmental Studies:** The FAA claimed these changes were "exempt" from environmental review. When they finally did a study, they used a "methodological error" by including data from *after* the restrictions began to set their "baseline," which made the new noise levels look less severe than they actually are.
- **Ignoring Local Experts:** The FAA failed to consult with local officials regarding the impact on historic properties and public parks.

3. Significant Harm to the Community's Quality of Life

The brief describes how the new flight paths have "decimated" the quiet atmosphere of local neighborhoods.

- **Noise and Pollution:** Residents report being disturbed by loud aircraft as early as 6:00 a.m. and as late as 11:00 p.m., with some noting soot on their property and the smell of jet fuel.
- **Damage to Historic Sites:** Local leaders are concerned that constant low-altitude flights and vibrations will cause **structural damage** to irreplaceable historic buildings.
- **Impact on Parks:** Previously quiet parks and beaches are now subject to constant overhead traffic, making face-to-face conversation nearly impossible for visitors.

4. Reduced Airport Safety and Efficiency

The local governments argue the FAA's changes have made the Palm Beach International Airport less effective and potentially more dangerous:

- **Capacity Loss:** The restrictions have effectively "shortened" the usable runway space and reduced the number of arrivals the airport can handle per hour.
- **Safety Risks:** Pilots have filed official reports describing the new flight paths as requiring **"aggressive" and "uncomfortable" maneuvers** at low altitudes. One report noted that the new paths make it difficult for departing pilots to spot arriving planes, leading to "dangerous" situations.
- **Economic Injury:** The county has already seen flights diverted to other airports due to these restrictions, leading to lost revenue from landing and gate fees.

Conclusion

The petitioners conclude that the FAA's actions were **"arbitrary and capricious"** because they were based solely on a Secret Service request without any independent analysis by the FAA to balance security with the needs of the public and the airport. They are asking the court to **vacate (cancel)** the restrictions and the redesigned flight procedures.