The City of Minneapolis appreciates the opportunity to provide public comment regarding the proposed changes to the Federal Aviation Administration's Order 1050.1E. We would particularly like to direct our comments and input on the new legislatively mandated Categorical Exclusion (CATEX) included in these regulatory changes paragraphs (5–6.5q and 5–6.5r). When the legislative CATEX outlined in Section 213(c)(2) was included in the FAA Modernization and Reform Act of 2012, the City formally addressed Congress and the FAA to make our concerns regarding the potential impacts of this CATEX known.

The City's concerns with this CATEX focus on the ambiguity of the language and its reference to measuring noise on a "per flight basis", and although the report issued by the NextGen Advisory Committee in August, 2013, provides further instructions on a method for measuring the noise impact, this CATEX still poses potential for significant noise impact changes on communities without a full NEPA outlined Environmental Assessment (EA).

The lack of a full EA for Performance Based Navigation (PBN) procedure implementation serves to highlight what we view as a larger issue with existing regulatory CATEXes. We believe that because of the unique nature of the changes PBN procedures have the potential to impose on communities, namely the increase of **frequency** and **concentration** of flight patterns, the current process for reaching any regulatory CATEX is insufficient to accurately measure the true noise impact.

We support full Environmental Assessments for PBN implementation at all Operational Evolution Partnership (OEP) and non-OEP airports in the United States until further consideration of the health and physiological impacts of new PBN procedures can be studied and new, appropriate metrics for impact can be put in place that reflect the potential impact on communities. We support federal investment into the study of these impacts.

If the intent of reaching a regulatory or legislative CATEX is to expedite NextGen implementation, or specifically PBN implementation at airports in the United States, communication with communities regarding not only the potential impact, but the process with which the FAA determines impact, is key. We look forward to continuing to engage on this issue and highlight community needs.