October 20, 2014

Docket Operations
M–30, U.S. Department of Transportation (DOT)
1200 New Jersey Avenue SE
Room W12–140, West Building Ground Floor
Washington, DC 20590–0001

RE: Docket Number FAA–2014–0510

Dear Sir or Madame:

We are Minnesota state legislators representing a significant portion of the fully built, densely populated communities in the vicinity of Minneapolis St. Paul International Airport that would be dramatically affected should the Federal Aviation Administration (FAA) implement Section 213(c)(2) of the FAA Modernization and Reform Act of 2012 and the development of the Net Noise Reduction method. Senator Dibble and Representative Hornstein serve as chairs of our respective Transportation Committees in the Minnesota House and Senate. Representative Thissen serves as Speaker of the Minnesota House.

We have previously articulated our view, in multiple forums and via legislative policy initiatives, that it is entirely inappropriate to exempt from National Environmental Policy Act (NEPA) review changes to air traffic over densely populated areas. Contrary to the implications of the FAA Modernization and Reform Act, noise impacts cannot be meaningfully measured on a per flight basis. Science, research, and our years of lived experience, show us that effects of noise on health and quality of life result from its cumulative effects over time. The Net Noise Reduction Method policy language should be amended or removed from law. It should not be implemented.
Performance Based Navigation (PBN) procedures must be fully studied and understood, in the context of an analysis via NEPA review, prior to implementation. If consequence on human health, quality of life, and the viability of communities are shown to be too great, they should not be undertaken. In light of the changes PBN procedures will impose on communities -- an increase in frequency and concentration of flights and emissions, it is clear that granting a regulatory categorical exclusion from NEPA, known as CATEX, via legislative fiat was arbitrary. It defeats the overarching purpose of NEPA and completely ignores true noise and environmental impact.

In the Twin Cities granting CATEX will undermine years of hard work and significant progress to lessen the impacts of a major international airport located more closely to densely populated areas than many other airports of its size or larger.

It is essential that communities affected be fully informed and authentically engaged in the process of reviewing PBN at all so-called Operational Evolution Partnership (OEP) and non-OEP airports.

Very truly yours,

D. Scott Dibble
State Senator, District 61
Chair, Senate Transportation Committee

Frank Hornstein
State Representative, District 61A
Chair, House Transportation Committee

Paul Thissen
State Representative, District 61B
Speaker of the House