

wetland areas. The land is currently zoned residential. Parcel 15A was acquired under FAA Project No. 8-26-0051-02. Parcel 62 was not acquired with federal funds. There are no impacts to the airport by allowing the airport to lease the property. The airport desires to enter into a long-term lease to provide a long-term revenue source. Approval does not constitute a commitment by the FAA to financially assist in the disposal of the subject airport property nor a determination of eligibility for grant-in-aid funding from the FAA. The disposition of proceeds from the lease of the airport property will be in accordance FAA's Policy and Procedures Concerning the Use of Airport Revenue, published in the **Federal Register** on February 16, 1999.

In accordance with section 47107(h) of title 49, United States Code, this notice is required to be published in the **Federal Register** 30 days before modifying the land-use assurance that requires the property to be used for an aeronautical purpose.

**DATES:** Comments must be received on or before October 3, 2005.

**FOR FURTHER INFORMATION CONTACT:** Mr. Lawrence C. King, Project Manager, Federal Aviation Administration, Great Lakes Region, Detroit Airports District Office, DET ADO 607, 11677 South Wayne Road, Romulus, Michigan 48174. Telephone Number (734) 229-2933/ FAX Number (734) 229-2950. Documents reflecting this FAA action may be reviewed at this same location or at Jackson County-Reynolds Field, Jackson, Michigan.

**SUPPLEMENTARY INFORMATION:** Following is a legal description of the property located in Jackson, Jackson County, Michigan, and described as follows:

**PARCEL 15A—37.444 Acres**

Part of the Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 28, Town 2 South, Range 1 West, Blackman Township, Jackson County, Michigan being described as:

Commencing at the West  $\frac{1}{4}$  post of said Section 28; thence North  $00^{\circ}11'29''$  East, along the West line of said Section 28, a distance of 54.81 feet to the North right-of-way line of I-94 and being the Point of Beginning of this description; thence continuing North  $00^{\circ}11'29''$  East, along said West section line, a distance of 1271.67 feet to the Northwest corner of the Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of said Section 28; thence North  $89^{\circ}44'57''$  East, along the North line of said Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , a distance of 1325.56 feet to the Northeast corner of said Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ ; thence South

$00^{\circ}02'47''$  West, along the East line of said Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , a distance of 1132.89 feet to the North right-of-way line of I-94; thence 1274.58 feet, along a curve to the right on said North right-of-way line, with a radius of 5579.65 feet, a central angle of  $13^{\circ}07'01''$ , and a chord of South  $83^{\circ}29'06''$  West 1274.58 feet to a point of tangency; thence North  $89^{\circ}57'24''$  West, along said North right-of-way line, a distance of 62.53 feet to the Point of Beginning.

Subject to a road right-of-way over the West 33.00 feet as used and occupied by Doney Road.

Subject to an easement for the Hurd-Marvin Drain.

Subject to an easement for Consumers Power as recorded in Liber 804, Page 275, Jackson County Records.

Subject to an easement for storm drainage over the East 10.00 feet of the Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 28 lying North of the Hurd-Marvin Drain as recorded in Liber 720, Page 236, Jackson County Records.

**PARCEL 62—30.453 Acres**

Part of the Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  and part of the Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 28, Town 2 South, Range 1 West, Blackman Township, Jackson County, Michigan being described as:

Commencing at the West  $\frac{1}{4}$  post of said Section 28; thence North  $00^{\circ}11'29''$  East, along the West line of said Section 28, a distance of 1326.48 feet to the Northwest corner of the Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of said Section 28; thence North  $89^{\circ}44'57''$  East, along the North line of said Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , a distance of 1325.56 feet to the Northeast corner of said Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  and being the Point of Beginning of this description; thence continuing North  $89^{\circ}44'57''$  East, along the North line of the Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , a distance of 1325.56 feet to the North-South  $\frac{1}{4}$  line of said Section 28; thence North  $89^{\circ}40'07''$  East, along the North line of the Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of said Section 28, a distance of 123.00 feet; thence South  $00^{\circ}05'53''$  East, parallel with and 123.00 feet East of said North-South  $\frac{1}{4}$  line, a distance of 663.98 feet to the North right-of-way line of I-94; thence the following three courses along said I-94 right-of-way,

(1) South  $67^{\circ}22'11''$  West a distance of 193.46 feet;

(2) South  $71^{\circ}22'56''$  West a distance of 794.42 feet to a point of curvature;

(3) 539.91 feet, along a curve to the right with a radius of 5579.65 feet, a central angle of  $05^{\circ}32'39''$ , and a chord of South  $74^{\circ}09'16''$  West 539.70 feet to

the West line of said Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ ; thence North  $00^{\circ}02'47''$  East, along said West line of the Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , a distance of 1132.89 feet to the Point of Beginning.

Subject to an easement for the Hurd-Marvin Drain.

Subject to an easement for storm drainage over part the West 20.00 feet of the North 20.00 feet of the Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 28 as recorded in Liber 721, Page 836, Jackson County Records.

Subject to easements for sanitary sewer over part of the Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 28 as recorded in Liber 872, Page 320, and Liber 868, Page 307, Jackson County Records.

Issued in Romulus, Michigan, on August 8, 2005.

**Winsome A. Lenfert,**

*Acting Manager, Detroit Airports District Office, FAA, Great Lakes Region.*

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**BILLING CODE 4910-13-M**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**Noise Compatibility Program Revision Notice; Austin, TX**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice.

**SUMMARY:** The Federal Aviation Administration (FAA) announces its findings on the Noise Compatibility Program revision submitted by the city of Austin under the provisions of 49 U.S.C. (the Aviation Safety and Noise Abatement Act, hereinafter referred to as "the Act") and 14 CFR part 150. These findings are made in recognition of the description of Federal and nonfederal responsibilities in Senate Report No. 96-52 (1980). On April 5 and May 8, 2000, The FAA determined that the noise exposure maps submitted by the city of Austin under part 150 complied with applicable requirements. On August 5, 2005, the FAA approved a revision to the Austin-Bergstrom International Airport Noise Compatibility Program. The program measure in this revision was fully approved.

**EFFECTIVE DATE:** The effective date of the FAA's approval of the Austin-Bergstrom International Airport Noise Compatibility Program revision is August 5, 2005.

**FOR FURTHER INFORMATION CONTACT:** Mr. Paul Blackford, Environmental

Specialist, Federal Aviation Administration, Texas Airports Development Office, ASW-650, 2601 Meacham Boulevard, Fort Worth, Texas 76193-0650. Telephone (817) 222-5607. Documents reflecting this FAA action may be reviewed at this same location.

**SUPPLEMENTARY INFORMATION:** This notice announces that the FAA has given its overall approval to the Noise Compatibility Program revision for Austin-Bergstrom International Airport, effective August 5, 2005.

Under section 47504 of the Act, an airport operator who has previously submitted a noise exposure may submit to the FAA a Noise Compatibility Program which sets forth the measures taken or proposed by the airport operator for the reduction of existing non-compatible land uses and prevention of additional non-compatible land uses within the area covered by the noise exposure maps. The Act requires such programs to be developed in consultation with interested and affected parties including local communities, government agencies, airport users, and FAA personnel.

Each Airport's Noise Compatibility Program developed in accordance with Federal Aviation Regulations (FAR) Part 150 is a local program, not a Federal program. The FAA does not substitute its judgment for that of the airport proprietor with respect to which measures should be recommended for action. The FAA's approval or disapproval of FAR Part 150 program recommendations is measured according to the standards expressed in Part 150 and the Act and is limited to the following determinations.

a. The Noise Compatibility Program was developed in accordance with the provisions and procedures of FAR Part 150;

b. Program measures are reasonably consistent with achieving the goals of reducing existing non-compatible land uses around the airport and preventing the introduction of additional non-compatible land uses;

c. Program measures would not create an undue burden on interstate or foreign commerce, unjustly discriminate against types or classes of aeronautical uses, violate the terms of airport grant agreements, or intrude into areas preempted by the Federal Government; and

d. Program measures relating to the use of flight procedures can be implemented within the period covered by the program without derogating safety, adversely affecting the efficient use and management of the navigable airspace and air traffic control systems,

or adversely affecting other powers and responsibilities of the Administrator prescribed by law.

Specific limitations with respect to FAA's approval of an Airport Noise Compatibility Program are delineated in FAR Part 150, section 150.5. Approval is not a determination concerning the acceptability of land uses under Federal, state, or local law. Approval does not by itself constitute an FAA implementing action. A request for Federal action or approval to implement specific noise compatibility measures may be required, and an FAA decision on the request may require an environmental assessment of the proposed action. Approval does not constitute a commitment by the FAA to financially assist in the implementation of the program nor a determination that all measures covered by the program are eligible for grant-in-aid funding from the FAA. Where Federal funding is sought, requests for project grants must be submitted to the FAA regional office in Fort Worth, Texas.

The city of Austin submitted to the FAA on April 5, 1999, the noise exposure maps, descriptions, and other documentation produced during the noise compatibility planning study conducted from August 1998 through March 1999. Subsequently, the city submitted a revised 2004 noise exposure map, which the FAA approved on May 8, 2000. The Austin-Bergstrom International Airport's noise exposure maps were determined by FAA to be in compliance with applicable requirements on April 5, 1999 and May 8, 2000. Notices of these determinations were published in the **Federal Register** on April 20, 1999 and May 25, 2000, respectively.

The Austin-Bergstrom International Airport study contains a proposed Noise Compatibility Program revision comprised of actions designed for phased implementation by airport management and adjacent jurisdictions. It was requested that the FAA evaluate and approve this material as a Noise Compatibility Program revision as described in section 47504 of the Act. The FAA began its review of the program revision on February 11, 2005, and was required by a provision of the Act to approve or disapprove the program within 180 days (other than the use of new or modified flight procedures for noise control). Failure to approve or disapprove such program within the 180-day period shall be deemed an approval of such program.

The submitted program revision contained one (1) proposed action for noise mitigation off the airport. The FAA completed its review and

determined that the procedural and substantive requirements of the Act and FAR Part 150 have been satisfied. The overall program revision, therefore, was approved by the FAA effective August 5, 2005.

Outright approval was granted for the one (1) specific program measure. Approved action elements included a land use mitigation measure involving a land acquisition program and a sound insulation program. These determinations are set forth in detail in a Record of Approval signed by the Associate Administrator for Airports, ARP-1, on August 5, 2005. The Record of Approval, as well as other evaluation materials and the documents comprising the submittal, are available for review at the FAA office listed above and at the administrative offices of the Austin-Bergstrom International Airport. The Record of Approval also will be available on-line at <http://www.faa.gov/arp/environmental/14cfr150/index14.cfm>.

Issued in Fort Worth, Texas, August 24, 2005.

**Kelvin L. Solco,**

*Manager, Airports Division.*

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**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Membership in the National Parks Overflights Advisory Group Aviation Rulemaking Committee

**AGENCIES:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice.

**SUMMARY:** The National Park Service (NPS) and the Federal Aviation Administration (FAA), as required by the National Parks Air Tour Management Act of 2000, established the National Parks Overflights Advisory Group (NPOAG) in March 2001. The NPOAG was formed to provide continuing advice and counsel with respect to commercial air tour operations over and near national parks. On October 10, 2003, the Administrator signed Order No. 1110-138 establishing the NPOAG as an aviation rulemaking committee (ARC). This notice informs the public of a vacancy on the NPOAG ARC, for a member representing air Indian tribal interests, and invites interested persons to apply to fill the vacancy.

**FOR FURTHER INFORMATION CONTACT:** Barry Brayer, Executive Resource Staff, Western Pacific Region Headquarters,