

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.¹²

Nancy M. Morris,
Secretary.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Noise Compatibility Program Notice; Northwest Arkansas Regional Airport, Highfill, AR

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice.

SUMMARY: The Federal Aviation Administration (FAA) announces its findings on the noise compatibility program submitted by Northwest Arkansas Regional Airport 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 June 7, 2005, the FAA determined that the noise exposure maps submitted by Northwest Arkansas Regional Airport Authority under Part 150 were in compliance with applicable requirements. On December 2, 2005, the FAA approved the Northwest Arkansas Regional Airport noise compatibility program. Both of the recommendations of the program were approved. No program elements relating to new or revised flight procedures for noise abatement were proposed by the airport sponsor.

EFFECTIVE DATE: The effective date of the FAA's approval of the Northwest Arkansas Regional Airport noise compatibility program is December 2, 2005.

FOR FURTHER INFORMATION CONTACT: Mr. Tim Tandy, Federal Aviation Administration, ASW-630, Fort Worth, TX 76193-0630; telephone (817) 222-5635. 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 for Northwest Arkansas Regional Airport, effective December 2, 2005.

Under Section 47504 of the Act, an airport operator who has previously

submitted a noise exposure map 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 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 or 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 Northwest Arkansas Regional Airport Authority submitted to the FAA on May 25, 2005, the noise exposure maps, descriptions, and other documentation produced during the noise compatibility planning study conducted from August 4, 2000 through May 25, 2005. The Northwest Arkansas Regional Airport Authority noise exposure maps were determined by FAA to be in compliance with applicable requirements on June 7, 2005. Notice of this determination was published in the **Federal Register** on June 22, 2005.

The Northwest Arkansas Regional Airport requested that the FAA evaluate and approve its submitted material as a noise compatibility program as described in Section 47504 of the Act. The FAA began its review of the program on June 2, 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 to be an approval of such program.

The submitted program contained two proposed actions for noise mitigation. 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, therefore, was approved by the FAA effective December 2, 2005.

Outright approval was granted for both of the specific program elements. The sponsor proposes to reevaluate the FAR Part 150 Study at the end of five years. In addition, if there is a significant change in either aircraft types or numbers of operations, or significant new facilities, the sponsor proposes to update the study prior to the end of the five-year timeframe. The sponsor also proposes to develop a Planners Forum type committee to review proposed land use changes in the Airport Influence Area. The committee could be composed of planners representing the various jurisdictions, regional planners, airport

¹² 17 CFR 200.30-3(a)(12).

staff and FAA Air Traffic Control representatives.

These determinations are set forth in detail in a Record of Approval signed by the FAA Associate Administrator for Airports on December 2, 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 Northwest Arkansas Regional Airport Authority. 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, December 23, 2005.

Kelvin L. Solco,

Manager, Airports Division.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Availability of Finding of No Significant Impact/Record of Decision (FONSI/ROD) and Department of Transportation Act Section 4(f) Determination for the Final Environmental Assessment, Erie International Airport, Erie, PA

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice.

SUMMARY: The Federal Aviation Administration (FAA) is issuing this notice to advise the public that it has issued a Finding of No Significant Impact/Record of Decision (FONSI/ROD), effective December 8, 2005, for the Final Environmental Assessment that evaluated the proposed extension of Runway 6-24 at Erie International Airport (ERI), Tom Ridge Field, Erie, Pennsylvania.

SUPPLEMENTARY INFORMATION: The FAA has completed and issued its Finding of No Significant Impact/Record of Decision (FONSI/ROD) for the proposed extension of Runway 6-24 at Erie International Airport, Tom Ridge Field, Erie, Pennsylvania. The FONSI/ROD sets out the FAA's consideration of environmental and other factors and is based on the Final Environmental Assessment (EA) for the Proposed Extension of Runway 6-24 at Erie International Airport, Tom Ridge Field, Erie, Pennsylvania dated October 2005 and the Erie International Airport, Tom Ridge Field, Section 4(f) Report dated July 2005. Mitigation measures intended to minimize potential environmental

impacts are identified in the FONSI/ROD and would become part of this Runway Extension Project. There are no environmental impacts associated with the preferred alternative that cannot be mitigated below FAA established significance thresholds.

The project considers the proposed extension of Runway 6-24 at Erie International Airport. The runway extension is needed to accommodate existing and future aviation demand as demonstrated in the recently completed airport master plan.

The Final EA presented the purpose and need for the project, a comprehensive analysis of the alternatives to the proposed project, including No-Action Alternative and potential impacts associated with the proposed development of the Runway 6-24 extension at ERI. The Final EA also identified the FAA's Preferred Alternative (Build Alternative 3) and described the proposed Mitigation Program for the Preferred Alternative that will be implemented by the Erie Municipal Airport Authority to off-set unavoidable environmental impacts.

Copies of the FONSI/ROD are available for review by appointment only at the following locations.

Please call to make arrangements for viewing:

Federal Aviation Administration
Harrisburg Airports District Office, 3905 Hartzdale Drive, Suite 508, Camp Hill, PA 17011, (717) 730-2830 and Erie Municipal Airport Authority, 4411 W. 12th Street, Erie, PA 16505-3091, (814) 833-4258.

FOR FURTHER INFORMATION CONTACT: Edward S. Gabsewics, CEP, Environmental Protection Specialist, Federal Aviation Administration, Harrisburg Airports District Office, 3905 Hartzdale Drive, Suite 508, Camp Hill, PA 17011, Telephone 717-730-2832. Documents reflecting this FAA action may be reviewed at these same locations.

Issued in Camp Hill, Pennsylvania, December 14, 2005.

Wayne T. Heibeck,

Manager, Harrisburg Airports District Office.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

RTCA Special Committee 202: Portable Electronic Devices

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of RTCA Special Committee 202 Meeting: Portable Electronic Devices.

SUMMARY: The FAA is issuing this notice to advise the public of a meeting of RTCA Special Committee 202: Portable Electronic Devices.

DATES: The meeting will be held on January 30-31, February 1-3, 2006, from 9 a.m. to 4:30 p.m.

ADDRESSES: The meeting will be held at Conference Rooms, 1828 L Street, NW., Suite 805, Washington, DC.

FOR FURTHER INFORMATION CONTACT: RTCA Secretariat, 1828 L Street, NW., Suite 805, Washington, DC, 20036-5133; telephone (202) 833-9339; fax (202) 833-9434; Web site <http://www.rtca.org>.

SUPPLEMENTARY INFORMATION: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub.L. 92-463, 5 U.S.C., Appendix 2), notice is hereby given for a Special Committee 202 Portable Electronic Devices meeting. The agenda will include:

- January 30:
 - Working Groups (WG) 1 through 4 meet.
 - WG-1, PED Characterization, Garmin Room
 - WG-2, Aircraft Path Loss and Test, with WG-3, Aircraft Susceptibility, MacIntosh-NBAA-Hilton/ATA Room
 - WG-4, Risk Assessment, Mitigation, and Process, Colson Board Room
- January 31 and February 2:
 - Opening Plenary Session (Welcome and Introductory Remarks, Review Agenda, Review/Approve previous Common Plenary Summary, Review Open Action Items)
 - Update from Regulatory Agencies (FAA, UK-CAA, Canadian TSB, FCC or other)
 - Update from CEA PEDs Working Group by Doug Johnson of CEA
 - Update on CTIA Task Force on cell phones on airborne aircraft by Paul Guckian of QUALCOMM
 - Report on updates to GPS Sensitivity data of Table 6 by Robert Erlandson of OST Global
 - Report on cell phone demonstration on the 777-200LR Worldliner flight by Peter Tuggey of Aeromobile
 - Considerations to develop recommendation on Guidance for Airplane Design and Certification in support of Phase 2 TOR requirements by Dave Walen FAA CSTA EMI and Grey Dunn FAA ANM-111
 - Overview of comments received to proposed changes for Interim DO-294 update