

## DEPARTMENT OF TRANSPORTATION

## Federal Aviation Administration

## 14 CFR Part 93

[Docket No. 28902; Notice No. 97-6]

RIN 2120-AG38

## Establishment of Corridors in the Grand Canyon National Park Special Flight Rules Area

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM); withdrawal.

**SUMMARY:** The FAA is withdrawing an NPRM that was published on May 15, 1997 (62 FR 26902), which proposed to amend two of the Flight-Free Zones within the Grand Canyon National Park (GCNP) by establishing two corridors through the Flight-free Zones (Notice No. 97-6). The first corridor through the Bright Angel Flight-free Zone would have been an incentive corridor to be used only by the most noise efficient aircraft. The second corridor in the Toroweap/Shinumo Flight-free Zone through the National Canyon area would create a viable air tour route in the central section of the Park while addressing some concerns of the Native Americans. The FAA, in consultation with the National Park Service (NPS), is withdrawing this NPRM because the agencies have determined not to proceed with an air tour route in the vicinity of National Canyon and are presently considering alternatives to this route. The FAA will address all substantive comments filed in response to Notice 97-6 in the near future.

**DATES:** The proposed rule at 62 FR 26902 is withdrawn July 10, 1998.

**FOR FURTHER INFORMATION CONTACT:** Dave Metzbowler, Office of Flight Standards, Air Transportation Division (AFS-200), 800 Independence Avenue, S.W., Washington, DC 20591, telephone (202) 267-3724.

## SUPPLEMENTARY INFORMATION:

## Background

On December 31, 1996, the FAA published in the **Federal Register** three

concurrent actions a Notice of Proposed Rulemaking (61 FR 69334), a Notice of Availability of Proposed Commercial Air Tour Routes (61 FR 69356), and a Final Rule (61 FR 69302). These actions were part of an overall strategy to reduce further the impact of aircraft noise on the park environment and to assist the NPS in achieving the statutory mandate imposed by Public Law 100-91.

Based on comments received during the comment period for the Notice of Availability of Proposed Commercial Routes, the FAA received valuable information from commenters, as well as suggestions for alterations and refinements of the route structure from officials of the GCNP and NPS that could potentially produce noise reduction benefits. Furthermore, comments submitted by the air tour operators, the environmentalists, and the Native Americans on the National Canyon corridor in the NPRM led the FAA to conclude that the National Canyon air tour routes was not a viable option.

As a result of the comments received on both notices, the FAA issued a new proposed route structure concurrent with the issuance of a second NPRM (Notice No. 97-6) (62 FR 26902; May 15, 1997), which included a revised National Canyon corridor.

The revised National Canyon route proposed in Notice 97-6 was designed to provide a viable air tour route through the center of the canyon while at the same time providing mitigation of the effects of noise over Havasupai cultural and sacred sites. Because it was designed to be used only by the quietest technology aircraft for westbound traffic after December 31, 2001, the National Canyon route was found to provide noise mitigation. The proposed Bright Angel Corridor for use by quietest technology aircraft was crafted as an incentive for operators to convert to quiet technology. The comment period for Notice No. 97-6 closed June 16, 1997, and approximately 142 comments were received.

The FAA, in consultation with the NPS, has determined not to proceed with the proposals set forth in Notice

No. 97-6 at this time. The agencies are presently considering alternatives to the National Canyon area for air tour routes. Once the air tour route structure for GCNP has been determined, the FAA will issue a Notice of Availability of Proposed Routes and provide for notice and public comment on any associated rulemaking. The FAA recognizes its responsibility to address the comments filed in response to Notice 97-6 and will do so in the near future. However, in order to facilitate the development of the air tour route structure, the FAA is withdrawing the NPRM now and will dispose of the comments in a separate document. In a companion document to this NPRM withdrawal published elsewhere in this issue of the **Federal Register**, the FAA has amended the proposed rule, Notice No. 96-15, to remove the two sections that first proposed a National Canyon corridor.

## Environmental Review

In conjunction with Notice 97-6, the FAA reevaluated the December 1996 Final Environmental Assessment/ Finding of No Significant Impact (1996 Final EA/FONSI) for the Special Flight Rules in the Vicinity of Grand Canyon National Park to determine whether the proposed changes in NPRM 97-6 of the second Notice of Availability of Proposed Routes, published concurrently, were substantial so as to warrant preparation of additional environmental documentation. The FAA determined that the conclusions in the 1996 Final EA/FONSI were still substantially valid. Once the air tour route structure is determined, the FAA will conduct the appropriate environmental review and provide for notice and public comment.

## Withdrawal of Proposed Rule

Accordingly, Notice No. 97-6 published in the **Federal Register** on May 15, 1997 (62 FR 26902) is withdrawn.

Issued in Washington, DC on July 10, 1998.

**Richard O. Gordon,**

*Director, Flight Standards Service.*

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