

Order 5190.6A. The FAA may approve the request, in whole or in part, no later than November 30, 2004.

The following is a brief overview of the request: The City of North Bend Oregon plans to transfer all assets and liabilities associated with the North Bend Municipal Airport, including surplus government land and AIP Grant obligations, to the Coos County Airport District. After the transfer, the Coos County Airport District will sell 6.92 acres of airport land to the City of North Bend. The City's sewage treatment plant is currently located on this parcel. The land is non-aeronautical property and will be sold at fair market value with proceeds used for airport capital improvement projects.

Any person may inspect the request in person, by appointment, at the FAA office listed above.

**FOR FURTHER INFORMATION CONTACT:** Mr. Dave Roberts, Project Manager, Federal Aviation Administration, Northwest Mountain Region, Airports Division, Seattle Airports District Office, 1601 Lind Avenue, SW., Suite 250, Renton, Washington 98055-4056.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at North Bend Municipal Airport, 2348 Colorado Ave., North Bend, OR 97459-2079.

Issued in Renton, Washington on July 19, 2004.

**J. Wade Bryant,**

*Manager, Seattle Airports District Office.*

[FR Doc. 04-17018 Filed 7-26-04; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Receipt of Noise Compatibility Program and Request for Review; Fort Lauderdale Executive Airport, Fort Lauderdale, FL

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

**ACTION:** Notice.

**SUMMARY:** The Federal Aviation Administration (FAA) announces that it is reviewing a proposed noise compatibility program that was submitted for Fort Lauderdale Executive Airport under the provisions of Title I of the Aviation Safety and Noise Abatement Act of 1979 (Pub. L. 96-193) (hereinafter referred to as "the Act") and 14 CFR part 150 by the City of Fort Lauderdale. This program was submitted subsequent to a determination by FAA that the

associated noise exposure maps submitted under 14 CFR part 150 for Fort Lauderdale Executive Airport were in compliance with applicable requirements effective February 19, 2004. The proposed noise compatibility program will be approved or disapproved on or before January 16, 2005.

**EFFECTIVE DATE:** The effective date of the start of FAA's review of the associated noise compatibility program is July 20, 2004. The public comment period ends September 20, 2004.

**FOR FURTHER INFORMATION CONTACT:** Bonnie L. Baskin, Federal Aviation Administration, Orlando Airports District Office, 5950 Hazeltine National Dr., Suite 400, Orlando Florida 32822, (407) 812-6331, Extension 130. Comments on the proposed noise compatibility program should also be submitted to the above office.

**SUPPLEMENTARY INFORMATION:** This notice announces that the FAA is reviewing a proposed noise compatibility program for Fort Lauderdale Executive Airport which will be approved or disapproved on or before January 16, 2005. This notice also announces the availability of this program for public review and comment.

An airport operator who has submitted noise exposure maps that are found by FAA to be in compliance with the requirements of Federal Aviation Regulations (FAR) part 150, promulgated pursuant to Title I of the Act, may submit a noise compatibility program for FAA approval which sets forth the measures the operator has taken or proposes for the reduction of existing noncompatible uses and for the prevention of the introduction of additional noncompatible uses.

The FAA has formally received the noise compatibility program for Fort Lauderdale Executive Airport, effective on July 20, 2004. It was requested that the FAA review this material and that the noise mitigation measures, to be implemented jointly by the airport and surrounding communities, be approved as a noise compatibility program under section 104(b) of the Act. Preliminary review of the submitted material indicates that it conforms to the requirements for the submittal of noise compatibility programs, but that further review will be necessary prior to approval or disapproval of the program. The formal review period, limited by law to a maximum of 180 days, will be completed on or before January 16, 2005.

The FAA's detailed evaluation will be conducted under the provisions of 14

CFR part 150, section 150.33. The primary considerations in the evaluation process are whether the proposed measures may reduce the level of aviation safety, create an undue burden on interstate or foreign commerce, or be reasonably consistent with obtaining the goal of reducing existing noncompatible land uses and preventing the introduction of additional noncompatible land uses.

Interested persons are invited to comment on the proposed program with specific reference to these factors. All comments, other than those properly addressed to local land use authorities, will be considered by the FAA to the extent practicable. Copies of the noise exposure maps, the FAA's evaluation of the maps, and the proposed noise compatibility program are available for examination at the following locations: Federal Aviation Administration, Orlando Airports District Office, 5950 Hazeltine National Dr., Suite 400, Orlando, Florida 32822.

Questions may be directed to the individual named above under the heading, **FOR FURTHER INFORMATION CONTACT**.

Issued in Orlando, Florida July 20, 2004.

**W. Dean Stringer,**

*Manager, Orlando Airports District Office.*

[FR Doc. 04-17019 Filed 7-26-04; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### FAA Approval of Noise Compatibility Program; Lincoln Airport, Lincoln, NE

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

**ACTION:** Notice.

**SUMMARY:** The Federal Aviation Administration (FAA) announces its findings on the noise compatibility program submitted by the Lincoln Airport Authority 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 September 26, 2003, the FAA determined that the noise exposure maps submitted by the Lincoln Airport Authority under part 150 were in compliance with applicable requirements. On June 7, 2004, the FAA approved the Lincoln Airport noise compatibility program.

Seventeen measures were included in the Lincoln Airport Noise Compatibility Plan. Of the seventeen measures, fourteen were approved; one measure was approved in part and disapproved in part for the purposes of part 150; and two measures were disapproved pending submission of additional information. No program elements relating to new or revised flight procedures for noise abatement were proposed by the airport operator.

**EFFECTIVE DATE:** The effective date of the FAA's approval of the Lincoln Airport noise compatibility program is June 7, 2004.

**FOR FURTHER INFORMATION CONTACT:**

Mark Schenkelberg, 901 Locust, Kansas City, Missouri, 64106. 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 Lincoln Airport, effective June 7, 2004.

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, governmental 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 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 Kansas City, Missouri.

Lincoln Airport submitted to the FAA on February 18, 2003, the noise exposure maps, descriptions, and other documentation produced during the noise compatibility planning study conducted from February 2002 through February 2003. The Lincoln Airport noise exposure maps were determined by FAA to be in compliance with applicable requirements on September 26, 2003. Notice of this determination was published in the **Federal Register** on October 8, 2003 (68 FR 58162).

The Lincoln Airport study contains a proposed noise compatibility program comprised of actions designed for phased implementation by airport management and adjacent jurisdictions from the date of study completion to the year 2009. It was requested that the FAA evaluate and approve this material as a noise compatibility program as described in section 47504 of the Act. The FAA began its review of the program on December 10, 2003, 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 five Noise Abatement Elements, eight Land Use Management Elements, and four Program Management Elements. 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 June 7, 2004.

Outright approval was granted for all the Land Use Management Elements and Program Management Elements and for two of the Noise Abatement Elements. One Noise Abatement Element was approved in part and disapproved in part for purposes of part 150. Two Noise Abatement Elements were disapproved pending submission of additional information to make an informed analysis.

These determinations are set forth in detail in a Record of Approval signed by the FAA Associate Administrator of Airports on June 7, 2004. 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 Lincoln Airport. The Record of Approval also will be available on-line at <http://www.faa.gov/arp/environmental/14cfr150/index14.cfm>.

Issued in Central Region, July 15, 2004.

**George A. Hendon,**

*Manager, Airports Division.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### **Notice of Intent To Rule on Application 04-11-U-00-MKE To Use the Revenue From a Passenger Facility Charge (PFC) at General Mitchell International Airport, Milwaukee, WI**

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

**ACTION:** Notice of intent to rule on application.

**SUMMARY:** The FAA proposes to rule and invites public comment on the application to use the revenue from a PFC at General Mitchell International Airport under the provisions of 49 U.S.C. 40117 and part 158 of the Federal Aviation Regulations (14 CFR part 158).