

**OFFICE OF THE UNITED STATES
TRADE REPRESENTATIVE**

**WTO Dispute Settlement Proceeding
Regarding Hungary's Export Subsidies
on Agricultural Products (Docket No.
WTO/D-14)**

AGENCY: Office of the United States Trade Representative.

ACTION: Notice; request for comments.

SUMMARY: Pursuant to section 127(b)(1) of the Uruguay Round Agreements Act (URAA) (19 U.S.C. 3537(b)(1)), the Office of the United States Trade Representative (USTR) is providing notice that the United States has requested the establishment of a dispute settlement panel under the Agreement Establishing the World Trade Organization (WTO), to examine Hungary's export subsidies on agricultural products. More specifically, the United States alleges that Hungary's export subsidies are inconsistent with the obligations of the WTO Agreement on Agriculture, including, but not limited to, Article 3.3, Article 8 and Article 9.2. USTR also invites written comments from the public concerning the issues raised in the dispute.

DATES: Although USTR will accept any comments received during the course of the dispute settlement proceedings, comments should be submitted on or before March 17, 1997, to be assured of timely consideration by USTR in preparing its first written submission to the panel.

ADDRESSES: Comments may be submitted to Ileana Falticeni, Office of Monitoring and Enforcement, Room 501, Attn: Hungary Export Subsidies Dispute, Office of the U.S. Trade Representative, 600 17th Street, N.W., Washington, DC 20508.

FOR FURTHER INFORMATION CONTACT: William D. Hunter, Attorney, (202) 395-3582, or Marilyn Moore, Senior Economist, (202) 395-6127.

SUPPLEMENTARY INFORMATION: On January 9, 1997, the United States requested establishment of a WTO dispute settlement panel to examine whether Hungary's export subsidies on agricultural products are inconsistent with the obligations of the WTO Agreement on Agriculture. Argentina, Australia and New Zealand also requested the establishment of a panel. The WTO Dispute Settlement Body (DSB) considered the U.S. request at its meeting on January 22, 1997. Under the WTO Understanding on Rules and Procedures Governing the Settlement of Disputes, the DSB must establish a panel at the next DSB meeting where a

panel request is on the agenda, unless the DSB determines by consensus otherwise. The next scheduled DSB meeting will be held on February 25, 1997. Under normal circumstances, the panel, which will hold its meetings in Geneva, Switzerland, would be expected to issue a report detailing its findings and recommendations within six to nine months after it is established.

Major Issues Raised by the United States and Legal Basis of Complaint

In Hungary's Schedule annexed to the Marrakesh Protocol to the General Agreements on Tariffs and Trade 1994 (Schedule), Hungary provided an exclusive list of the agricultural products or groups of products that would be eligible for particular categories of export subsidies. Hungary's Schedule also specified the maximum level of expenditure for such subsidies that may be allocated or incurred for each year with respect to each agricultural product or group of products, and the maximum quantity of each agricultural product or group of products for which such subsidies could be granted each year. In 1995, Hungary provided export subsidies on agricultural products that are not specified in its Schedule. In addition, in the case of agricultural products that are specified in its Schedule, Hungary provided export subsidies in excess of its specified budgetary outlay and quantity commitment levels. Both sets of circumstances continued in 1996.

Hungary's export subsidies appear to be inconsistent with Hungary's obligations to limit its export subsidies under the Agreement on Agriculture, including, but not limited to, Article 3.3, Article 8, and Article 9.2.

Public Comment: Requirements for Submissions

Interested persons are invited to submit written comments concerning the issues raised in the dispute. Comments must be in English and provided in fifteen copies. A person requesting that information contained in a comment submitted by that person be treated as confidential business information must certify that such information is business confidential and would not customarily be released to the public by the commenter. Confidential business information must be clearly marked "BUSINESS CONFIDENTIAL" in a contrasting color ink at the top of each page of each copy.

A person requesting that information or advice contained in a comment submitted by that person, other than business confidential information, be treated as confidential in accordance

with section 135(g)(2) of the Trade Act of 1974 (19 U.S.C. 2155(g)(2))—

(1) Must so designate that information or advice;

(2) must clearly mark the material as "SUBMITTED IN CONFIDENCE" in a contrasting color ink at the top of each page of each copy; and

(3) is encouraged to provide a non-confidential summary of the information or advice.

Pursuant to section 127(e) of the URAA (19 U.S.C. 3537(e)), USTR will maintain a file on this dispute settlement proceeding, accessible to the public, in the USTR Reading Room: Room 101, Office of the United States Trade Representative, 600 17th Street, N.W., Washington, DC 20508. The public file will include a listing of any comments received by USTR from the public with respect to the proceeding; the U.S. submissions to the panel in the proceeding; the submissions, or non-confidential summaries of submissions, to the panel received from other participants in the dispute, as well as the report of the dispute settlement panel and, if applicable, the report of the Appellate Body. An appointment to review the public file (Docket WTO/D-14 ("U.S.—Hungary Export Subsidies")), may be made by calling Brenda Webb, (202) 395-6186. The USTR Reading Room is open to the public from 9:30 a.m. to 12 noon and 1 p.m. to 4 p.m., Monday through Friday.

A. Jane Bradley,

Assistant U.S. Trade Representative for Monitoring and Enforcement.

[FR Doc. 97-4181 Filed 2-19-97; 8:45 am]

BILLING CODE 3190-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Approval of Noise Compatibility Program; Tallahassee Regional Airport, Tallahassee, FL

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice.

SUMMARY: The Federal Aviation Administration (FAA) announces its findings on the noise compatibility program submitted by the City of Tallahassee, Florida, under the provisions of Title I of the Aviation Safety and Noise Abatement Act of 1979 (Public Law 96-193) and 14 CFR Part 150. These findings are made in recognition of the description of Federal and non-Federal responsibilities in Senate Report No. 96-52 (1980). On June 25, 1996, the FAA determined that

the noise exposure maps submitted by the City of Tallahassee, Florida, under Part 150 were in compliance with applicable requirements. On December 20, 1996, the Administrator approved the Tallahassee Regional Airport noise compatibility program. Thirteen (13) of fifteen (15) recommendations of the program were approved in full. Two recommendations were partially approved.

EFFECTIVE DATE: The effective date of the FAA's approval of the Tallahassee Regional Airport noise compatibility program is December 20, 1996.

FOR FURTHER INFORMATION CONTACT: Mr. Tommy J. Pickering, P.E., Federal Aviation Administration, Orlando Airports District Office, 5950 Hazeltine National Drive, Suite 400, Orlando, Florida 32822-5024, (407) 812-6331, Extension 29. 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 Tallahassee Regional Airport, effective December 20, 1996.

Under Section 104(a) of the Aviation Safety and Noise Abatement Act of 1979 (hereinafter referred to as "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 noncompatible land uses and prevention of additional noncompatible 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

measure 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 of 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 noncompatible land uses around the airport and preventing the introduction of additional noncompatible land uses;

c. Program measures would not create an undue burden on interstate or foreign commerce, unjustly discriminate against types or classes of aeronautical users, 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 Airports District Office in Orlando, Florida.

The City of Tallahassee, Florida, submitted to the FAA on June 4, 1996, updated noise exposure maps, descriptions, and other documentation produced during the noise compatibility planning study conducted from January 3, 1994 through May 30, 1996. The Tallahassee Regional Airport noise exposure maps were determined by FAA to be in compliance with applicable requirements on June 25, 1996. Notice of this determination was published in the Federal Register.

The Tallahassee Regional 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 2001. It was requested that FAA evaluate and approve this material as a noise compatibility program as described in Section 104(b) of the Act. The FAA began its review of the program on June 25, 1996, and was required by a provision of the Act to approve or disapprove the program within 180 days (other than the use of new 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 fifteen (15) proposed actions for noise mitigation on and 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, therefore, was approved by the Administrator effective December 20, 1996.

Outright approval was granted for thirteen (13) of the fifteen (15) specific program measures. Two (2) measures were partially approved. The approval action was for the following program measures:

OPERATIONAL CONTROLS

Operational control number	Description	NCP pages
1	Balance the air carrier and military jet departure activity on Runways 27 and 36 (approximately 40 percent of the departure activity on each runway) to reduce noise exposure north of the airport. Departure activity on other runways should remain the same as the current conditions. This measure recommends a modification of Air Traffic Control procedures to increase the use of Runway 27 departures of air carrier and military jet activity to approximately 40 percent and to reduce departure of these aircraft to approximately 40 percent on Runways 36. For military jet departures, approximately 40 percent of these represent touch and go activity and would need to remain on Runway 36. The remaining military jet activity would be assigned to the same as the proposed air carrier activity. Other aircraft runway utilization would remain the same as the current condition. This would reduce noise exposure on sensitive areas north of the Airport and reduce the number of impacts within their 65 DNL contour by 53 people. FAA Action: Approved as a voluntary measure.	Pgs. 35–36; p. 12; and Table 14.
2	This measure recommends the implementation of a “close-in” departure procedure for Runways 36 and 09 and a “distant” departure for Runway 18 based on Advisory Circular 91–53A. This will increase aircraft altitude over noise sensitive areas south of the Airport and reduce noise levels in residential areas north and east of the Airport. FAA Action: Approved as a voluntary measure.	Pgs. 36–37; Table 14; and AC 91–53.
3	This measure recommends that when precision approach Global Positioning System (GPS) technology becomes available, a GPS should be installed and alternative approach procedures to Runway 27 should be reviewed to determine if approach track modifications are warranted. This will provide for future flexibility in reducing arrival noise to areas east of the Airport. FAA Action: Approved in part. FAA approves the review of alternative approach procedures to Runway 27 to determine if approach track modifications are warranted for noise benefits when precision approach GPS technology becomes available. The airport operator may submit supplemental information, including the noise benefits, upon completion of its review and may request approval under Part 150 of specified approach procedures to be used. However, the installation of a GPS under Part 150 is disapproved. The primary benefits of a GPS would be related to a development upgrade rather than noise benefits. This does not prevent the installation of a GPS outside of Part 150.	Pg. 37 and Table 14.
4	This measure supports the Federal legislation for the phase-out of Stage 2 aircraft by the year 2000. The phase-out of Stage 2 aircraft will reduce the impact of aircraft noise on areas surrounding the Airport. FAA Action: Approved as an expression of airport operator support for the Federal transition schedule.	Pg. 37 and Table 14.

LAND USE MEASURES

Land use control number	Description	NCP pages
1	This measure recommends that current zoning for the City of Tallahassee and Leon County be amended to implement noise overlay zoning to supplement the underlying zoning categories. Overlay Zone 1 should be associated with the 60 DNL contour and Zone 2 should be associated with the 65 DNL contour using identifiable features to define the limits. Generally, residential uses, churches, hospitals and schools would be excluded from the 65 DNL contour and consideration would be given to precluding the location of additional mobile homes from the 60 DNL contour and above. This could preclude the potential for future incompatible development in areas subject to overflight and noise exposure. FAA Action: Approved.	Pg. 42–43; Exhibit 12; and Tables 13 & 15.
2	It is recommended that current zoning for the City of Tallahassee and Leon County be changed to designate land north of the Airport, east of Sand Road, West of Capitol Circle S.W., and south of S.R. 20 for future compatible forms of commercial and industrial development; and to designate land north of S.R. 20, west of Capitol Circle S.W., south of Gum Road and east of a north-south line situated approximately 3,600 feet west of Capitol Circle S.W. for low density residential development. This would preclude the potential for future incompatible development in areas subject to overflight and noise exposure. FAA Action: Approved in part. The portion of this recommendation related to any new residential development, regardless of density, does not meet Part 150 approval criteria to prevent the introduction of noncompatible land uses and is disapproved. This disapproval for purposes of Part 150 is not intended to discourage planning efforts to reduce the potential for future noncompatible land uses.	Pgs. 43–44; Exhibits 11 and 13; and Tables 13 & 15.
3	It is recommended that existing building codes for the City of Tallahassee and Leon County be amended to require soundproofing in new residential and noise sensitive institutional land uses (churches, hospitals, etc.) that may occur within the composite current and future 65 DNL noise contours. This addresses noise impacts which may occur on new noise sensitive uses in undeveloped areas. The application of these standards should only impact vested residential lots or parcels available for development, and only if the acquisition program proposed is not implemented. FAA Action: Approved. Sound attenuation consistent with Part 150 Table 1 will make these structures compatible. The FAA believes that the prevention of additional residential land uses within the DNL 65dB contour is highly preferred over allowing such uses even at lower densities and combined with sound attenuation. The airport operator and local land use jurisdiction are urged to pursue all possible avenues to discourage new residential development within these levels of noise exposure.	Pgs. 44–45 and Tables 13 & 15.
4	It is recommended that the City of Tallahassee and Leon County amend the current Tallahassee-Leon County Comprehensive Plan to incorporate the recommendations of the updated FAR part 150 Noise Compatibility Study into the provisions of their planning document. This would identify noise and land use compatibility areas within the aircraft noise impact areas. FAA Action: Approved.	Pgs. 47–48 and Tables 13 & 15.

LAND USE MEASURES—Continued

Land use control number	Description	NCP pages
5	It is recommended that procedures be implemented to factor noise compatibility considerations into the project review process of local planning commissions, Boards of Adjustment and staff review of land development proposals. This measure would include the development of specific checklist items relating to issues of noise compatibility and a map showing the area where noise compatibility issues are critical. FAA Action: Approved.	Pg. 48 and Tables 13 & 15.
6	It is recommended that the Broadmoor Estates Mobile Home Park be considered for voluntary fee simple acquisition and the present occupants be relocated to other compatible locations not impacted by aircraft related noise. This would remove approximately 210 residences (incompatible land uses) from high noise contour areas. FAA Action: Approved.	Pgs. 50–51; Exhibit 13; and Tables 13 & 15.
7	It is recommended that a voluntary purchase program be implemented for the acquisition of all 52 existing single-family residential units in The Cascades, depending upon the extent of neighborhood disruption, and 17 existing predominantly mobile homes located near the eastern terminus of Sullivan Road. This would remove these residences from high noise contour areas. FAA Action: Approved as a voluntary measure.	Pgs. 49–52; Exhibit 13; and Tables 13 & 15.
8	Acquisition is recommended for three parcels of undeveloped land located almost entirely within the 65dB contour: west of Capitol Circle S.W., south of Jackson Bluff Road, and north of Lake Cascade that has the potential for residential development. This will provide positive control over land use within high noise contour areas or land available for potential residential development. FAA Action: Approved. This measure is subject to a determination at the time of implementation that the purchase is necessary to prevent new noncompatible development because noncompatible development on the vacant land is highly likely and local land use controls will not prevent such development.	Pgs 52–53; Exhibit 13; and Tables 13 & 15.
9	It is recommended that as a final option, owners of noise impacted property who either opt not to participate in the voluntary purchase program, or whose dwellings are not technologically or financially feasible to undergo soundproofing will be offered the opportunity to sell an avigation easement to the airport. The avigation easement purchase offer will be made only after the completion of the voluntary purchase program and the residential soundproofing program is completed. This will provide protection to the airport from litigation and will provide notification to future residents of noise exposure. FAA Action: Approved.	Pgs. 53–54; Exhibit 13; and Tables 13 & 15.
10	It is recommended that soundproofing should be offered as an option to owners of permanent residential structures located within the DNL 65dB voluntary purchase areas, if in doing so, it is both technologically feasible and cost efficient. The soundproofing option would not commence until completion of the voluntary acquisition program. Mobile homes would not be eligible. This would address impacts on existing residences and result in notification of future residents of noise impacts. In exchange for the soundproofing, the residents will be required to dedicate an easement and nonsuite covenant to the airport. FAA Action: Approved.	Pgs. 54–55; Exhibit 13; and Tables 13 & 15.
11	It is recommended that the City of Tallahassee and Leon County should continue practicing environmental land use controls during their development review process. This supports the prohibition of residential land use within noise impacted portions of the study area. FAA Action: Approved.	Pg. 46 and Tables 13 & 15.

These determinations are set forth in detail in a Record of Approval endorsed by the Administrator on December 20, 1996. 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 office of the City of Tallahassee, Florida.

Issued in Orlando, Florida on February 4, 1997.

Charles E. Blair,

Manager, Orlando Airports District Office.

[FR Doc. 97-4204 Filed 2-19-97; 8:45 am]

BILLING CODE 4910-13-M

Notice of Intent to Rule on Application to Impose and Use the Revenue from a Passenger Facility Charge (PFC) at La Crosse Municipal Airport, La Crosse, Wisconsin

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 impose and use the revenue from a PFC at La Crosse Municipal Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101-508) and part 158 of the Federal Aviation Regulations (14 CFR part 158).

DATES: Comments must be received on or before March 24, 1997.

ADDRESSES: Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Minneapolis Airports District Office, 6020 28th Avenue South, Room 102, Minneapolis, Minnesota 55450.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Eldon L. Steele, Airport Manager of the La Crosse Municipal Airport at the following address: La Crosse Municipal Airport, 2850 Airport Road, La Crosse, WI 54603.

Air carriers and foreign air carriers may submit copies of written comments

previously provided to the City of La Crosse under § 158.23 of part 158.

FOR FURTHER INFORMATION CONTACT: Sandra E. DePottet, Program Manager, Minneapolis Airports District Office, 6020 28th Avenue South, room 102, Minneapolis, MN 55450, 612-713-4363. The application may be reviewed in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at La Crosse Municipal Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101-508) and part 158 of the Federal Aviation Regulations (14 CFR part 158).

On February 5, 1997, the FAA determined that the application to impose and use the revenue from a PFC submitted by City of La Crosse was substantially complete within the requirements of § 158.25 of part 158. The FAA will approve or disapprove the