

as they directly or indirectly benefit EC production and export of wheat gluten to the United States and, in the case of the wheat export tax and the starch production refund program, displace or impede imports of modified starch from the United States to the EC. The petition also states that numerous other subsidy programs available within individual EC Member States may have benefited the production of wheat starch by EC producers.

Investigation and Consultation

The Acting USTR has reviewed the allegation in the petition and has serious concerns about difficulties facing the U.S. wheat gluten and wheat starch industries. Accordingly, on March 8, 1997, the Acting USTR determined to initiate an investigation under section 302 with respect to the EC starch production refund program to determine whether subsidies granted under that program are causing or threatening to cause serious prejudice to U.S. interests with respect to U.S. exports of modified starch to the EC, or are nullifying or impairing benefits accruing to the United States under the WTO agreements. With respect to the other allegations in the petition regarding subsidized imports of EU wheat gluten into the United States, the Acting USTR has invited the petitioners to consider seeking additional information through the procedures provided for in section 308 of the Trade Act and USTR is prepared to continue working with them in the development of information and analysis which may form the basis for further action. Insofar as other U.S. trade laws are designed specifically to address the problems of increased and/or unfairly traded imports into the U.S. market, the Acting USTR noted that the petitioners may wish to explore more fully these other avenues of relief. The Acting USTR also intends to continue to pursue consultations with the EU regarding its wheat gluten exports to the United States, pursuant to a bilateral agreement with the EU on grains signed on July 22, 1996. In light of the foregoing, the Acting USTR decided at this juncture not to initiate an investigation under Section 302 with respect to these other allegations in the petition.

Pursuant to section 303(b)(1)(A) of the Trade Act, the Acting USTR has decided to delay requesting consultations with the EC, required under section 303, on the EC starch production refund program for up to 90 days for the purpose of verifying and improving the petition to ensure an adequate basis for consultations with the EC.

Public Comment: Requirements for Submissions

Interested persons are invited to submit written comments concerning the acts, policies and practices of the EC which are the subject of this investigation, the amount of burden or restriction on U.S. commerce caused by these acts, policies and practices, and the determinations required under section 304 of the Trade Act. Comments must be filed in accordance with the requirements set forth in 15 CFR 2006.8(b) (55 FR 20593) and must be filed on or before noon on Monday, April 14, 1997. Comments must be in English and provided in twenty copies to: Sybia Harrison, Staff Assistant to the Section 301 Committee, Room 223, Office of the U.S. Trade Representative, 600 17th Street, NW, Washington, D.C. 20508.

Comments will be placed in a file (Docket 301-111) open to public inspection pursuant to 15 CFR 2006.13, except confidential business information exempt from public inspection in accordance with 15 CFR 2006.15. Confidential business information submitted in accordance with 15 CFR 2006.15 must be clearly marked "BUSINESS CONFIDENTIAL" in a contrasting color ink at the top of each page on each of 20 copies, and must be accompanied by a nonconfidential summary of the confidential information. The nonconfidential summary shall be placed in the file that is open to public inspection. Copies of the public version of the petition and other relevant documents are available for public inspection in the USTR Reading Room. An appointment to review the docket (Docket No. 301-111) 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 1:00 p.m. to 4:00 p.m., Monday through Friday, and is located in Room 101. Irving A. Williamson,

Chairman, Section 301 Committee.

[FR Doc. 97-6513 Filed 3-13-97; 8:45 am]

BILLING CODE 3190-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Research, Engineering and Development (R,E&D) Advisory Committee

Pursuant to section 10(A)(2) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. App. 2), notice is hereby given of a meeting of the FAA

Research, Engineering and Development Advisory Committee. The meeting will be held on April 8-9, 1997 at the Maritime Institute of Technology, 5700 Hammonds Ferry Road, Linthicum Heights, Maryland.

On Tuesday, April 8, 1997 the meeting will begin at 8:00 a.m. and end at 5:00 p.m. On Wednesday, April 9, 1997, the meeting will begin at 8:00 a.m. and end at 5:00 p.m. The meeting agenda will review the Federal Aviation Administration planned fiscal year 1999 research and development investments in the areas of air traffic services, airports, aircraft safety, security, human factors and environment and energy.

Attendance is open to the interested public but limited to space available. Persons wishing to attend the meeting or obtain information should contact Lee Olson at the Federal Aviation Administration, AAR-200, 800 Independence Avenue, SW, Washington, DC 20591 (202) 267-7358.

Members of the public may present a written statement to the Committee at any time.

Issued in Washington, DC on March 10, 1997.

Andres G. Zellweger,

Director, Office of Aviation Research.

[FR Doc. 97-6526 Filed 3-13-97; 8:45 am]

BILLING CODE 4910-13-M

Notice of Intent To Rule on Application To Use the Revenue From a Passenger Facility Charge (PFC) at New Hanover International Airport, Wilmington, NC

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 New Hanover International 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 April 14, 1997.

ADDRESSES: Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Atlanta Airports District Office, Campus Building, 1701 Columbia Avenue, Suite 2-260, College Park, GA 30337-2747.

In addition, one copy of any comments submitted to the FAA must

be mailed or delivered to Mr. Robert J. Kemp, New Hanover County Airport Authority at the following address: Mr. Robert J. Kemp, Airport Director, New Hanover County Airport Authority, 1740 Airport Boulevard, Wilmington, NC 28405.

Air carriers and foreign air carriers may submit copies of written comments previously provided to the New Hanover County Airport Authority under section 158.23 of Part 158.

FOR FURTHER INFORMATION CONTACT: Terry R. Washington, Program Manager, Atlanta Airports District Office, 1701 Columbia Avenue, Suite 2-260, College Park, GA 30337-2747, Telephone No. (404) 305-7143.

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 use the revenue from a PFC at New Hanover International 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 27, 1997, the FAA determined that the application to use the revenue from a PFC submitted by New Hanover County Airport Authority was substantially complete within the requirements of section 158.25 of Part 158. The FAA will approve or disapprove the application, in whole or in part, no later than May 28, 1997.

The following is a brief overview of the application.

Level of the proposed PFC: \$3.00.

Charge effective date: February 1, 1994.

Charge expiration date: January 31, 1997.

Total PFC revenue collected: \$410,546.

Application number: 97-02-U-00-ILM.

Brief description of proposed project(s):

1. Medium Intensity Taxiway Lighting Rehabilitation
2. Acquire Ramp Sweeper
3. Precision Path Indicator Runway 35
4. Reconstruct/Widen Taxiways A&H, and Construct Exit Taxiways for Runway 6-24
5. Install fencing & Security Road

Class or classes of air carriers which the public agency did not require to collect PFCs: On demand air taxi/commercial operator filing FAA form 18-31 enplaning less than 150 passengers per year at New Hanover International Airport.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**. In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the New Hanover County Airport Authority.

Issued in Atlanta, Georgia on March 7, 1997.

Dell T. Jernigan,

Manager, Atlanta Airports District Office Southern Region.

[FR Doc. 97-6527 Filed 3-13-97; 8:45 am]

BILLING CODE 4910-13-M

Federal Transit Administration

Policy on Transit Joint Development

AGENCY: Federal Transit Administration (FTA), U.S. Department of Transportation.

SUMMARY: FTA is revising and clarifying its Joint Development policies with respect to program income in relation to real estate acquired with funds under Federal transit law, 49 U.S.C. 5301 et seq. This Notice supplements the guidance contained in Appendix B of FTA Circular 9300.1 "Joint Development Projects." All joint development projects undertaken in conformance with this policy will be considered "mass transportation projects" eligible for funding under FTA capital programs. This policy is applicable to development of properties acquired under previous grants as well as new grants, as specified in the FTA Master Agreement dated October 1, 1996. All such projects must generate a one-time payment or revenue stream for transit use, the present value of which equals or exceeds the fair market value of the property. In determining the fair market value, FTA will consider appraisal methods which factor in the "highest and best transit use" of the property as defined in the body of this notice. Where the grantee retains continuing control and use of the joint development for mass transportation purposes, all proceeds will be considered program income. Proposals that meet the criteria described below may be submitted at any time to the appropriate FTA regional office, listed in Attachment A.

DATES: Effective March 14, 1997.

FOR FURTHER INFORMATION CONTACT: Richard Steinmann, Director, Office of Policy Development, on (202) 366-4060; or Paul Marx, Economist, on (202) 366-1675.

SUPPLEMENTARY INFORMATION:

Introduction

Transit systems have long been encouraged to undertake joint development projects in connection with their rail transit stations. However, apparent inconsistencies between transit laws, the Common Grant Rule and FTA policy may have dissuaded some transit authorities from initiating joint development projects. This notice clarifies the relationship between transit laws and regulations and FTA policy regarding property disposition, leases of property, and sale of property for joint development. This FTA policy statement affects primarily the treatment of program income with regard to joint development and the definition of "highest and best transit use" in joint development.

Transit systems are permitted in 49 U.S.C. 5309 (a)(1)-(5) and (7) [former Section 3(a)(1)(D) of the Federal Transit Act] to use grant funds to also support "transportation projects which enhance the effectiveness of any mass transportation project and are physically or functionally related to such mass transportation project or which create new or enhanced coordination between public transportation and other forms of transportation, either of which enhance urban economic development or incorporate private investment including commercial and residential development." The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) added Section 3 (a)(1)(F), now codified at 49 U.S.C. 5309(a)(7), to the Federal transit laws. This section allows FTA grant funds to support any "other nonvehicular capital improvements that the Secretary may decide would result in increased mass transportation usage in the corridor."

FTA is encouraging transit systems to undertake transit-oriented Joint Development projects either under new grants or with property acquired under previous grants, whether the property is associated with a rail, bus or other transit facility. The purpose of this Joint Development should be both to secure a revenue stream for the transit system and to help shape the community that is being served by the transit system. Where the grantee retains effective continuing control over the joint development for mass transportation purposes (such as an easement, or a contractual arrangement), all proceeds of sale, lease or other incumbrance of the property will be treated as program income for use by the transit system to meet capital and operating needs. This is a departure from previous policy in two areas. First, FTA will now define all