

The FAA has completed its review of the noise exposure maps and related descriptions submitted by Colorado Springs Airport. The specific maps under consideration are Figures C19 and G1 in the submission. The FAA has determined that these maps for Colorado Springs Airport are in compliance with applicable requirements. This determination is effective on February 8, 2001. FAA's determination on an airport operator's noise exposure maps is limited to the determination that the maps were developed in accordance with the procedures contained in appendix A of FAR part 150. Such determination does not constitute approval of the applicant's data, information or plans, or a commitment to approve a noise compatibility program or to fund the implementation of that program.

If questions arise concerning the precise relationship of specific properties to noise exposure contours depicted on noise exposure maps submitted under 49 U.S.C 47503, it should be noted that the FAA is not involved in any way in determining the relative locations of specific properties with regard to the depicted noise contours, or in interpreting the noise exposure maps to resolve questions concerning, for example, which properties should be covered by the provisions of 49 U.S.C. 47507. These functions are inseparable from the ultimate land use control and planning responsibilities of local government. These local responsibilities are not changed in any way under part 150 or through FAA's review of noise exposure maps. Therefore, the responsibility for the detailed overlaying of noise exposure contours onto the maps depicting properties on the surface rests exclusively with the airport operator which submitted those maps, or with those public agencies and planning agencies with which consultation is required under 49 U.S.C. 47503 (a)(1). The FAA has relied on the certification by the airport operator, under section 150.21 of the FAR part 150, that the statutorily required consultation has been accomplished.

The FAA has formally received the noise compatibility program for Colorado Springs Airport, also effective on February 8, 2001. 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 August 8, 2001.

The FAA's detailed evaluation will be conducted under the provisions of 14 CFR 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 the 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, 800 Independence Avenue, SW, room 615, Washington, DC  
Federal Aviation Administration, Airports Division, 1601 Lind Avenue, SW., Renton, Washington  
Federal Aviation Administration, Denver Airports District Office, 26805 E. 68th Ave. Suite 224, Denver, Colorado  
Colorado Springs Airport, Colorado Springs, CO.

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

Issued in Renton, Washington, February 8, 2001.

**Matthew J. Cavanaugh**,  
*Acting Manager, Airports Division, ANM-600, Northwest Mountain Region.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[Docket No. FAA-2000-8278]

#### High Density Airports; Disposition of Comments From Lottery of Slot Exemptions at LaGuardia Airport

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

**ACTION:** Disposition of comments.

**SUMMARY:** This notice disposes of comments filed in the docket concerning the lottery of slot exemptions at LaGuardia Airport.

**FOR FURTHER INFORMATION CONTACT:** David L. Bennett, Office of Airport Safety and Standards, Federal Aviation

Administration, 800 Independence Avenue, SW., Washington, DC 20591.

#### SUPPLEMENTARY INFORMATION

##### Background

On December 4, 2000, the FAA conducted a lottery to reallocate slot exemptions at LaGuardia Airport that were authorized under the "Wendell H. Ford Aviation Investment and Reform Act for the 21st Century" ("AIR-21"). At the lottery, participants were invited to comment on the lottery procedures by submitting written comments to the docket. The FAA advised that all comments received would be addressed via a notice in the **Federal Register**.

##### Disposition of Comments

Comments were submitted from Midwest Express Airlines ("Midwest Express"), the Air Carrier Association of America ("ACAA"), Delta Air Lines, Inc. ("Delta") and US Airways, Inc. ("US Airways").

US Airways commented that if Legend Airlines does not commence operations and Legend's slots are allocated in accordance with the contingency round, then US Airways should be next in line to select an additional slot, should one become available for whatever reason. (US Airways bases this comment on the fact that it received only one exemption time, while the other three participating carriers received two exemptions each.) US Airways also requests that should additional slots become available before September 15, 2001, it should be given the opportunity to trade the 2100-hour slot exemption that it received during the Legend contingency round for another slot. The 2100-hour slot exemption was not the slot time selected by Legend, but rather was a replacement for an 1800-hour exemption. US Airways obtained the 2100-hour slot time only because the real slot time selected by Legend was over subscribed.

Delta commented that the FAA should reject US Airways second request to trade the 2100-hour slot exemption should additional exemptions become available. Delta argues that US Airways' situation is solely the product of the lottery procedure established by the FAA and there is no legitimate basis to give US Airways priority over Delta who was forced to eliminate more flights at LaGuardia than any other carrier.

ACAA does not support US Airways comments and further proposes that any carrier that does not utilize a slot selected at the lottery by February 1, 2001, should be prohibited from exchanging that slot for another slot.

ACAA also comments that in the event that Legend does not resume operations, the slots selected by Legend should be made available to new entrant and limited incumbent carriers and not be allocated to the commuter carriers. In addition, ACAA requests that the FAA suspend the extra section authority, suspend the buy-sell rule for LaGuardia until October 1, 2001, and provide new entrants/limited incumbents with four daily "delay-free" arrivals. These last comments are beyond the purpose of this disposition of comments concerning the lottery and will not be addressed in this document.

Midwest Express urges the FAA to reconsider its statement during the lottery that only the four commuter participants are permitted to participate in the Legend contingency round and that should there be future slot turnbacks or use/lose violations, those four commuter participants would remain eligible for the slots.

The FAA agrees with US Airways' comments with respect to the limited issue that in the event that the contingency round is allocated among the other four participating carriers, US Airways would be next in line to select an available slot, since it only selected one slot during the contingency round. The FAA does not agree that in the event that the contingency round is allocated that US Airways should be entitled to the second available slot in order to swap that slot with the 2100 slot that it had to select.

The FAA does not agree with ACAA and Midwest Express that any future slot turnbacks should be reserved for new entrant/limited incumbent. In developing the lottery procedures, the agency strived to strike a balance between the policies set forth in AIR-21 and to provide a fair and equitable distribution between the two categories of operations, consistent with the provisions of AIR-21. Since the purpose of the lottery was to cap operations at a level that was more acceptable than the current level of operations, the FAA did not structure lottery procedures so that any carrier could grow its operations. Not including the commuter carriers, all new entrant and limited incumbent carriers retained the same number of slots that they operated prior to the lottery. Consequently, while new entrant and limited incumbent carriers are limited in their ability to grow, as is the same for the commuter carriers, they have not been forced to reduce operations.

If AIR-21 exemption slots are returned for the long-term, under current lottery procedures, all new entrants have received their full

allocations and thus would not be eligible for additional allocations. The FAA does not support changing the lottery procedures during this allocation period. The procedures set forth in the December 4, 2000, **Federal Register** notice will remain in effect until September 15, 2001.

Issued in Washington, DC on February 13, 2001.

**James W. Whitlow,**  
*Deputy Chief Counsel.*

[FR Doc. 01-4149 Filed 2-16-01; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### RTCA Special Committee 194; ATM Data Link Implementation

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 Special Committee 194 meeting to be held March 12-15, 2001, starting at 1 p.m. on March 12. The meeting will be held at RTCA, 1140 Connecticut Ave., NW., Suite 1020, Washington, DC 20036.

The agenda will include: March 12: 1 p.m. Plenary Session: (1) Introductory Remarks; (2) Review Meeting Agenda; (3) Review Previous Meeting Minutes; (4) Proposed Revision 3 to Committee Terms of Reference; (5) Status of the Free Flight Select Committee Update; (6) Status of Working Group (WG)-2's document, "DO-XXX Implementation Requirements for Service Integrated Flight Operations and Air Traffic Management Using Addressed Data Link" (DO-INTEGRATION); (7) Working Group Reports; March 13: 8:30 a.m. (8) WG-2, Flight Operations and ATM Integration; (9) WG-1, Data Link Ops Concept & Implementation Plan; March 14: 8:30 a.m. (10) WG-2 and WG-1 meetings continue; 1 p.m. (11) WG-4, Service Provider Interface; March 15: 9 a.m. Plenary Session: (12) Review Meeting Agenda; (13) Review Status of WG-2 document, DO-INTEGRATION; (14) Working Group Reports; (15) Other Business; (16) Data and Location of Next Meeting; (17) Closing.

Attendance is open to the interested public but limited to space availability. With the approval of the chairman, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the RTCA Secretariat, 1140 Connecticut Avenue, NW., Suite 1020, Washington, DC 20036; (202) 833-9339 (phone); (202)

833-9434 (fax); or <http://www.rtca.org> (web site). Members of the public may present a written statement to the committee at any time.

Issued in Washington, DC, on February 12, 2001.

**Janice L. Peters,**  
*Designated Official.*

[FR Doc. 01-4152 Filed 2-16-01; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Environmental Impact Statement: Orange and San Diego Counties, California

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Revised Notice of Intent.

**SUMMARY:** The FHWA is issuing this revised notice to advise the public that an environmental impact statement will be prepared for a proposed transportation improvement project in southern Orange County and northern San Diego County, California. A previous Notice of Intent was published in the **Federal Register** on December 16, 1993 (58 FR 65758, Dec. 16, 1993) and public scoping meetings were held on August 25, 1994 and September 16, 1994.

#### FOR FURTHER INFORMATION CONTACT:

Robert L. Cady, Transportation Engineer, Federal Highway Administration, California Division, 980 Ninth Street, Suite 400, Sacramento, California 95814-2724. Telephone: (916) 498-5038.

**SUPPLEMENTARY INFORMATION:** The FHWA in cooperation with the California Department of Transportation (Caltrans) will prepare an Environmental Impact Statement (EIS), on a proposal to locate and construct transportation infrastructure improvements in southern Orange County and northern San Diego County. The Transportation Corridor Agencies (TCA) is currently preparing a Subsequent Environmental Impact Report (SEIR) to comply with the review requirements of the state of California Environmental Quality Act. In an effort to eliminate unnecessary duplication and reduce delay, the document to be prepared, will be a joint EIS/SEIR in accordance with the President's Council on Environmental Quality Regulations as described in 40 Code of Federal Regulations (CFR), sections 1500.5 and 1506.2.

The purpose of the proposed project is provide improvements to the