

recognition of the description of Federal and nonfederal responsibilities in Senate Report No. 96-52 (1980). On February 5, 2002, the FAA determined that the noise exposure maps submitted by the AABCP under Part 150 were in compliance with applicable requirements. On August 2, 2002, the Administrator approved the noise compatibility program. All of the recommendations of the program were approved.

**EFFECTIVE DATES:** The effective date of the FAA's approval of the Lake Charles Regional Airport noise compatibility program is August 2, 2002.

**FOR FURTHER INFORMATION CONTACT:** Mike Saupp, Department of Transportation, Federal Aviation Administration, 2601 Meacham Boulevard, Fort Worth, Texas, 76137, (817) 222-5645. 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 Lake Charles Regional Airport, effective August 2, 2002.

Under Title 49 U.S.C., section 47504 (hereinafter referred to as "Title 49"), 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 within the area covered by the noise exposure maps. Title 49 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 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 Title 49 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 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, § 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 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 Division Office in Fort Worth, Texas.

The AABCP submitted to the FAA on September 10, 2001, the noise exposure maps, descriptions, and other determination produced during the noise compatibility planning study conducted from August 17, 1999 through September 10, 2001. The Lake Charles Regional Airport noise exposure maps were determined by FAA to be in compliance with applicable requirements on February 5, 2002. Notice of this determination was published in the **Federal Register** on March 5, 2002.

The Lake Charles Regional Airport study contains a proposed noise compatibility program comprised of actions designed for implementation by airport management and adjacent jurisdictions from the date of study completion to the year 2006. It was requested that the FAA evaluate and approve this material as a noise compatibility program as described in Title 49. The FAA began its review of

the program on February 5, 2002 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 six proposed actions for noise mitigation on and off the airport. The FAA completed its review and determined that the procedural and substantive requirements of Title 49 and FAR part 150 have been satisfied. The overall program, therefore, was approved by the Administrator effective August 2, 2002.

Outright approval was granted for all of the specific program elements. Approved elements development of a voluntary runway use procedure, continuation of noise abatement flight procedures, and zoning actions and requirements.

These determinations are set forth in detail in a Record of Approval endorsed by the Administrator on August 2, 2002. The Record of Approval, as well as other evaluation materials and the documents comprising the submittal, are available at the FAA office listed above and at the administrative offices of the AABCP.

Issued in Fort Worth, Texas, August 6, 2002.

**Naomi L. Saunders,**

*Manager, Airports Division.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Noise Exposure Map Notice: Denver International Airport, Denver, CO

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

**ACTION:** Notice.

**SUMMARY:** The Federal Aviation Administration (FAA) announces its determination that the noise exposure maps submitted by Denver International Airport (DEN) under the provisions of 49 U.S.C. 47503(a) and 14 CFR part 150 are in compliance with applicable requirements.

**EFFECTIVE DATES:** The effective date of the FAA's determination on the Denver International Airport noise exposure maps is August 5, 2002.

**FOR FURTHER INFORMATION CONTACT:** Dennis Ossenkop, FAA, Airports Division, ANM-611, 1601 Lind Avenue, SW., Renton, Washington, 98055-4056.

**SUPPLEMENTARY INFORMATION:** This notice announces that the FAA finds that the noise exposure maps for Denver International Airport are in compliance with applicable requirements of part 150, effective August 5, 2002.

Under 49 U.S.C. 47503(a), an airport operator may submit to the FAA a noise exposure map that meets applicable regulations and which depicts non-compatible land uses as of the date of submission of such maps, a description of projected aircraft operations, and the ways in which such operations will affect such maps. 49 U.S.C. 47503(a)(1) requires such maps to be developed in consultation with interested and affected parties in the local community, government agencies and persons using the airport.

An airport operator who has submitted a noise exposure map that has been found by FAA to be in compliance with the requirements of Federal Aviation Regulation (FAR) part 150, promulgated pursuant to 49 U.S.C. 47503(a), 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 non-compatible uses and for the prevention of the introduction of additional non-compatible uses. The FAA has completed its review of the noise exposure maps and related descriptions submitted by DEN. The specific maps under consideration are Figures 5-1 and 5-2 in the submission. The FAA has determined that these maps for Denver International Airport are in compliance with applicable requirements. This determination is effective on August 5, 2002. 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.

Copies of the noise exposure maps and of the FAA's evaluation of the maps are available for examination at the following locations:

Federal Aviation Administration,  
Independence Avenue, SW., Room  
615, Washington, DC.  
Federal Aviation Administration,  
Airports Division, ANM-600, 1601  
Lind Avenue, SW., Renton,  
Washington, 98055-4056.  
Denver Airports District Office, 26805 E.  
68th Ave., Suite 224, Denver, CO  
80249-6361.  
Denver International Airport, Airport  
Office Building, 8500 Pena Boulevard,  
Denver, Colorado.

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

Issued in Renton, Washington, August 5, 2002.

**Lowell H. Johnson,**

*Manager, Airports Division, ANM-600,  
Northwest Mountain Region.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Planned Modification of the Houston Class B Airspace Area; TX

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

**ACTION:** Notice of public meetings.

**SUMMARY:** This notice announces the rescheduling of three fact-finding informal airspace meetings to solicit information from airspace users, and others, concerning a plan to modify the Class B airspace area at the George Bush Intercontinental Airport/Houston, TX. The purpose of these meetings is to

provide interested parties an opportunity to present views, recommendations, and comments on the plan to modify the Houston, TX, Class B airspace area. All comments received during these meetings will be considered prior to any revision or issuance of a notice of proposed rulemaking.

**TIMES AND DATES:** Meetings. These informal airspace meetings will be rescheduled to Tuesday, October 15, 2002, at 6 pm-9 pm; Wednesday, October 16, 2002, at 6 pm-9 pm; and Tuesday, October 22, 2002, at 6 pm-9 p.m. Comments must be received on or before November 26, 2002.

**ADDRESSES:** On October 15, 2002, the meeting will be held at Fletcher Aviation, at the William P. Hobby Airport, 9000 Randolph, Houston, TX 77061. The October 16, 2002, meeting will be held at the Academic Room 126 at the North Harris College, 2700 W.W. Thorne Drive, Houston, TX 77073. The October 22, 2002, meeting will be held in the Terminal Building at the West Houston Airport, 18000 Groschke, Houston, TX 77094.

**COMMENTS:** Send comments on the proposal in triplicate to: Manager, Air Traffic Division, ASW-500, Federal Aviation Administration, Southwest Region Headquarters, 2601 Meacham Blvd., Fort Worth, TX 76137-4298.

**FOR FURTHER INFORMATION CONTACT:** Caroline Carey, Houston ATCT, George Bush Intercontinental Airport/Houston, 2700 West Terminal Rd., Houston, TX 77032; telephone (281) 209-8603.

#### SUPPLEMENTARY INFORMATION:

##### Meeting Procedures

(a) These meetings will be informal in nature and will be conducted by one or more representatives of the FAA Southwest Region. A representative from the FAA will present a formal briefing on the planned Class B airspace area modification. Each participant will be given an opportunity to deliver comments or make a presentation at the meetings. Only comments concerning the proposal to modify the Class B airspace area will be accepted.

(b) These meetings will be open to all persons on a space-available basis. There will be no admission fee or other charge to attend and participate.

(c) Any person wishing to make a presentation to the FAA panel will be asked to sign in and estimate the amount of time needed for such presentation. This will permit the panel to allocate an appropriate amount of time for each presenter.