

property by Rarity Communities and its land owners.

- To minimize pollutant loading and prevent spilling fuel or wastewater, any fuel storage or dispensing facility located temporarily or permanently on development project property will comply with TVA Resource Stewardship (TVARS) Guidelines for Storage Tanks (4.5.5), including the preparation and implementation of a Spill Prevention and Control Plan. A marina sewage pump out station will be installed and operated according to TVARS Guidelines 4.5.3, and the marina will comply with TVARS Guidelines for Discharges (4.5.1) (See Appendix F of the Final EIS).

• Rarity Communities will construct a trail terminal on TVA Parcel 6 (Parcel 6A), consisting of a paved access road, paved parking lot for approximately 18 vehicles, walkways, 6 picnic sites, and restroom in accordance with TVA design specifications described Figure G-2 in Appendix G, and permit public ingress/egress across Rarity Pointe property to access the proposed greenway trail system on TVA's adjoining upstream and downstream property.

• TVA's deed transferring title of the approximately 116 acres to Rarity Communities will state that residential access for individual water use facilities will not be considered anytime in the future by TVA and that individual water use facilities are prohibited.

- To prevent an increase in future flood damages:

A. Rarity Communities and the operator of the marina will securely anchor all floating facilities to prevent them from floating free during major floods.

B. Any future facilities or equipment subject to flood damage would be located above the TVA Flood Risk Profile elevation of 817.0 feet MSL.

C. Any future development proposed within the limits of the 100-year floodplain, elevation 816.2 feet MSL, would be consistent with the requirements of Executive Order 11988.

D. All future development would be consistent with the requirements of TVA's Flood Control Storage Loss Guideline.

• TVA Cultural Resources will review the proposed dredge site area during low winter pool, prior to any disturbance, to verify the results of a previous archeological survey.

As appropriate, these commitments will be implemented through the documents transferring title to the TVA property, conveying easement rights, and/or TVA's approval of development project elements under section 26a of

the TVA Act and TVA will remain responsible for enforcing compliance.

Dated: September 4, 2003.

**Kathryn J. Jackson,**

*Executive Vice President, River System Operations & Environment.*

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**BILLING CODE 8120-08-P**

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**ACTION:** Notice; assignment of new tasks to the Aviation Rulemaking Advisory Committee (ARAC) and withdrawal of prior tasks.

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**SUMMARY:** This notice announces the withdrawal of four prior ARAC tasks, and describes two new tasks assigned to and accepted by the ARAC. This notice informs the public of the ARAC activities and invites public participation in the ARAC working groups.

**FOR FURTHER INFORMATION CONTACT:** Mr. David Showers, Manager, Standards Office, 901 Locust, Kansas City, Missouri 64106, (816) 329-4110, [david.r.showers@faa.gov](mailto:david.r.showers@faa.gov).

**SUPPLEMENTARY INFORMATION:**

**Background**

The FAA set up the Aviation Rulemaking Advisory Committee (ARAC) to give recommendations to the FAA Administrator on aviation-related rulemakings. The Secretary of Transportation determined the formation and use of the ARAC are necessary and in the public interest in performing duties imposed on the FAA by law.

In 1992, the JAA and the FAA committed to harmonizing, where proper and to the maximum extent possible, the FAR (Federal Aviation Regulations) and JAR (Joint Aviation Requirements) rules and associated materials. However, since the new ARAC tasks will not result in a change to the FAR (*i.e.*, 14 CFR part 23) or the associated guidance material, formal harmonization with the JAR is not planned. The FAA will share the ARAC's recommendations and the FAA's actions on them with the JAA. Although the FAA is not currently planning rulemaking action as a result of these tasks, if such action is proper in the future, harmonization with the JAR will be undertaken.

**New Tasks**

The FAA assigned and the ARAC accepted the two tasks described in this section. Each task is to be done in two phases.

*Task I:* Develop safety standards suitable for all jet and high-performance airplanes up to 19,000 pounds, including those in the commuter category.

This task is intended to create safety standards that would be available to address future part 23 jets and high-performance airplane configurations. It would provide industry with a better understanding of potential requirements before committing to a project involving

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**DEPARTMENT OF TRANSPORTATION**

**Office of the Secretary**

**Application of Primaris Airlines, Inc. for Certificate Authority**

**AGENCY:** Department of Transportation.

**ACTION:** Notice of order to show cause (Order 2003-9-1), Dockets OST-2003-14773 and OST-2003-14774.

**SUMMARY:** The Department of Transportation is directing all interested persons to show cause why it should not issue an order finding Primaris Airlines, Inc., fit, willing, and able, and awarding it certificates of public convenience and necessity to engage in interstate and foreign scheduled passenger air transportation of persons, property and mail.

**DATES:** Persons wishing to file objections should do so no later than September 18, 2003.

**ADDRESSES:** Objections and answers to objections should be filed in Dockets OST-2003-14773 and OST-2003-14774 and addressed to the Department of Transportation Dockets (SVC-124.1, Room PL-401), U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590, and should be served upon the parties listed in Attachment A to the order.

**FOR FURTHER INFORMATION CONTACT:** Ms. Delores King, Air Carrier Fitness Division (X-56, Room 6401), U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590, (202) 366-2343.

Dated: September 4, 2003.

**Michael W. Reynolds,**

*Acting Assistant Secretary for Aviation and International Affairs.*

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**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**Aviation Rulemaking Advisory Committee; General Aviation Certification and Operations Issues**

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