

such other relief as the Department may deem necessary or appropriate.

*Docket Number:* DOT-OST-2011-0068.

*Date Filed:* March 29, 2011.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* April 19, 2011.

*Description:* Application of American Eagle Airlines, Inc. requesting a certificate of public convenience and necessity authorizing scheduled foreign air transportation of person, property, and mail from a point or points in the United States, via intermediate points, to a point or points in any open skies country.

*Docket Number:* DOT-OST-2011-0073.

*Date Filed:* April 1, 2011.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* April 22, 2011.

*Description:* Application of Orange Air, LLC requesting a certificate of public convenience and necessity authorizing Orange Air to engage in interstate charter air transportation of persons, property and mail.

*Docket Number:* DOT-OST-2011-0074.

*Date Filed:* April 1, 2011.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* April 22, 2011.

*Description:* Application of Orange Air, LLC requesting a certificate of public convenience and necessity authorizing Orange Air to engage in foreign charter air transportation of persons, property, and mail between any place in the United States and any place outside thereof.

**Renee V. Wright,**

*Program Manager, Docket Operations, Federal Register Liaison.*

[FR Doc. 2011-9162 Filed 4-14-11; 8:45 am]

**BILLING CODE 4910-9X-P**

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### Aviation Proceedings, Agreements Filed the Week Ending April 2, 2011

The following Agreements were filed with the Department of Transportation under the Sections 412 and 414 of the Federal Aviation Act, as amended (49 U.S.C. 1382 and 1384) and procedures governing proceedings to enforce these provisions. Answers may be filed within 21 days after the filing of the application.

*Docket Number* DOT-OST-2011-0069.

*Date Filed* March 30, 2011.

*Parties* Members of the International Air Transport Association.

*Subject* (a) TC23 between Middle East, Africa and TC3 (except South West Pacific) Flex Fares Resolutions, Geneva, 14-15 June 2010 (Memo 0449/0447), TC23 between Middle East, Africa and TC3 (except South West Pacific) Flex Fares, Geneva, 14-15 June 2010 (Memo 0454/0452), TC23 between Middle East, Africa and TC3 (except South West Pacific) Minutes (Memo 0450/0448).

(b) TC23 Middle East/Africa—TC3 (except South West Pacific) Flex Fare Resolution 111tt, Mail Vote 673 (Memo 0458/0454), Intended Effective Date: 1 April 2011.

**Renee V. Wright,**

*Program Manager, Docket Operations, Federal Register Liaison.*

[FR Doc. 2011-9164 Filed 4-14-11; 8:45 am]

**BILLING CODE 4910-9X-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Noise Exposure Map; Louisville International Airport, Louisville, KY

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

**ACTION:** Notice.

**SUMMARY:** The Federal Aviation Administration (FAA) announces its determination that the Noise Exposure Maps submitted by Louisville Regional Airport Authority for Louisville International Airport under the provisions of 49 U.S.C. 47501 *et. seq* (Aviation Safety and Noise Abatement Act) and 14 CFR part 150 are in compliance with applicable requirements.

**DATES:** *Effective Date:* The effective date of the FAA's determination on the noise exposure maps is April 7, 2011.

**FOR FURTHER INFORMATION CONTACT:** Phillip J. Braden, Federal Aviation Administration, Memphis Airports District Office, 2862 Business Park Drive, Building G, Memphis, Tennessee 38118, 901-322-8181.

**SUPPLEMENTARY INFORMATION:** This notice announces that the FAA finds that the Noise Exposure Maps submitted for Louisville International Airport are in compliance with applicable requirements of Title 14 Code of Federal Regulations (CFR) part 150, effective April 7, 2011. Under 49 U.S.C. section 47503 of the Aviation Safety and Noise Abatement Act (the Act), an airport operator may submit to the FAA Noise Exposure Maps which meet applicable

regulations and which depict noncompatible 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. The Act 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 Noise Exposure Maps that are found by FAA to be in compliance with the requirements of 14 CFR part 150, promulgated pursuant to the Act, may submit a Noise Compatibility Program for FAA approval which sets forth the measures the airport operator has taken or proposes to take to reduce existing noncompatible uses and prevent the introduction of additional noncompatible uses.

The FAA has completed its review of the Noise Exposure Maps and accompanying documentation submitted by Louisville Regional Airport Authority. The documentation that constitutes the "Noise Exposure Maps" as defined in Section 150.7 of 14 CFR part 150 includes: Figure 11, "Existing Condition 2011 Noise Exposure Map"; Figure 12, "Forecast Condition 2012 Noise Exposure Map"; Figure 4, "Existing 2011 North Flow Arrival and Departure Tracks"; Figure 5, "Existing 2011 South Flow Arrival and Departure Tracks"; Figure 6, "Forecast 2016 North Flow Arrival and Departure RNAV Tracks"; Figure 7, "Forecast 2016 South Flow Arrival and Departure RNAV Tracks"; Figure 8, "Military Arrival and Departure Tracks"; Figure 13, "Comparison of Existing 2011 and Forecast 2016 Noise Exposure Maps"; Table 4, "2011 Operations Summary"; Table 5, "Modeled Average Daily Aircraft Operations for 2011"; Table 6, "2016 Operations Summary"; Table 7, "Modeled Average Daily Aircraft Operations for 2016"; Table 9, "Overall Runway Use Percentages for 2011"; Table 10, "Modeled Average Daily Runway Use for 2011"; Table 14, "Overall Runway Use Percentages for 2016"; Table 15, "Modeled Average Daily Runway Use for 2016"; Table 21, "Military Helicopter Flight Tracks and Use"; Table 25, "Estimated Residential Population within 2011 and 2016 DNL Contours". The FAA has determined that these Noise Exposure Maps and accompanying documentation are in compliance with applicable requirements. This determination is effective on April 7, 2011.

FAA's determination on the airport operator's Noise Exposure Maps is limited to a finding that the maps were developed in accordance with the

procedures contained in Appendix A of 14 CFR part 150. Such determination does not constitute approval of the airport operator'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 a Noise Exposure Map submitted under Section 47503 of the Act, 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 exposure contours, or in interpreting the Noise Exposure Maps to resolve questions concerning, for example, which properties should be covered by the provisions of Section 47506 of the Act. 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 14 CFR part 150 or through FAA's review of Noise Exposure Maps.

Therefore, the responsibility for the detailed overlaying of noise exposure contours onto the map depicting properties on the surface rests exclusively with the airport operator that submitted those maps, or with those public agencies and planning agencies with which consultation is required under Section 47503 of the Act. The FAA has relied on the certification by the airport operator, under Section 150.21 of 14 CFR part 150, that the statutorily required consultation has been accomplished.

Copies of the full Noise Exposure Maps documentation and of the FAA's evaluation of the maps are available for examination at the following locations:

Federal Aviation Administration,  
Memphis Airports District Office,  
2862 Business Park Drive, Building G,  
Memphis, Tennessee 38118.

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

Issued in Memphis, Tennessee on April 7, 2011.

**Phillip J. Braden,**

*Manager, Memphis Airports District Office.*

[FR Doc. 2011-9224 Filed 4-14-11; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[Docket No. FAA-2011-0361]

#### Policy and Procedures Concerning the Use of Airport Revenue; Policy Regarding Airport Rates and Charges: Petition of the Clark County Department of Aviation To Use a Weight-Based Air Service Incentive Program

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

**ACTION:** Notice of petition; request for comments.

**SUMMARY:** This notice requests comments on a petition to accept an air service incentive program at McCarran International Airport (Airport) as consistent with Federal law and policies on the use of airport revenue and on airport rates and charges. The petitioner Clark County Department of Aviation is the owner and operator of the Airport. The petitioner is the recipient of Federal grants under the Airport Improvement Program (AIP), and is subject to obligations under AIP grant agreements, including Federal law and policy on the use of airport revenue and on airport rates and charges. The FAA has interpreted these policies, and the underlying Federal statutes, to permit a temporary waiver of standard airport fees for carriers that provide new air service at an airport, as an incentive to begin or expand air service. The agency recently issued the Air Carrier Incentive Program Guidebook to provide specific guidance to airport operators on the use of air service incentive programs. That guidance restates FAA's previously issued opinions regarding what constitutes new service as characterized in the FAA's *Policy and Procedures Concerning the Use of Airport Revenue (Revenue Use Policy)* (64 FR 7696). Since the inception of the *Revenue Use Policy* in 1999, the FAA has defined new air service as: (a) Service to an airport destination not currently served, (b) nonstop service where no nonstop service is currently offered, (c) new entrant carrier, and/or (d) increased frequency of flights to a specific destination. The FAA's interpretation has not permitted an airport operator to offer an incentive program that provides discounts based on increased aircraft weight or an increased number of seats on existing flights. The petitioner proposes an incentive program that would reward air carriers for an increase in landed weight. An increase in landed weight could result from an increase in

the size of aircraft used, or "upgauging," on existing flights as well as from added flights. The petitioner requests that the FAA amend existing guidance to make clear that its proposed incentive plan is consistent with Federal law and general agency policies on the use of airport revenue and on airport rates and charges. The FAA is publishing this notice of the petition for public comment on whether agency guidance should be interpreted or amended as requested.

**DATES:** Send your comments on or before May 31, 2011.

**ADDRESSES:** You may send comments [identified by Docket Number FAA-2011-0361] using any of the following methods:

- *Government-wide rulemaking Web site:* Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.

- *Mail:* Docket Operations, U.S. Department of Transportation, West Building, Ground Floor, Room W12-140, Routing Symbol M-30, 1200 New Jersey Avenue, SE., Washington, DC 20590.

- *Fax:* 1-202-493-2251.
- *Hand Delivery:* To Docket Operations, Room W12-140 on the ground floor of the West Building, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

*Privacy:* We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. For more information, see the Privacy Act discussion in the **SUPPLEMENTARY INFORMATION** section of this document.

*Docket:* To read background documents or comments received, go to <http://www.regulations.gov> at any time or to Room W12-140 on the ground floor of the West Building, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Stacy Swigart, Airport Compliance Division, ACO-100, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591, telephone (202) 267-8725; facsimile: (202) 267-5257; e-mail: [Stacy.Swigart@faa.gov](mailto:Stacy.Swigart@faa.gov).

**SUPPLEMENTARY INFORMATION:** An air service incentive program is a temporary reduction in the fees that an airport operator charges air carriers at the airport, or other temporary benefits for carriers, for the purpose of promoting new or additional air service.