

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****Approval of Noise Compatibility Program for Kona International Airport at Keahole, Keahole, North Kona, HI**

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice.

SUMMARY: The Federal Aviation Administration (FAA) announces its findings on the noise compatibility program submitted by the Hawaii State Department of Transportation, Airports Division (DOT-A) under the provisions of 49 U.S.C. 47501 et seq. (formerly the Aviation Safety and Noise Abatement Act, hereinafter referred to as “the Act”) and 14 Code of Federal Regulations (CFR) part 150 (hereinafter referred to as “Part 150”) On January 12, 2010, the FM determined that the noise exposure maps submitted by the DOT-A under Part 150 were in compliance with applicable requirements. On April 20, 2011 the FAA approved the Kona International Airport at Keahole noise compatibility program. All of the recommendations of the program were approved. No program elements relating to new or revised flight procedures for noise abatement were proposed.

DATES: *Effective Date:* The effective date of the FM’s approval of the Noise Compatibility Program for Kona International Airport at Keahole is April 20, 2011.

FOR FURTHER INFORMATION CONTACT:

Gordon Wong, Environmental Protection Specialist, FAA Western-Pacific Region, Honolulu Airports District Office, 300 Ala Moana Boulevard, Room 7-128, Honolulu, Hawaii, telephone number (808) 541-1232. 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 Kona International Airport at Keahole, effective April 20, 2011. Under section 104(a) of the Aviation Safety and Noise Abatement Act of 1979, as amended (herein after referred to as the “Act”) [recodified as 49 U.S.C. 47504], an airport operator who has previously submitted a Noise Exposure Map may submit to the FM a Noise Compatibility Program which sets forth the measures taken or proposed by the airport operator for the reduction of existing non-compatible land uses and prevention of additional non-compatible land uses within the area covered by the

Noise Exposure Maps. The Act 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 FM 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 the Act, and 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 non-compatible land uses around the airport and preventing the introduction of additional non-compatible 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, section 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 a the program nor a determination that all measures covered by the program are eligible for grant-in-aid funding from the FAA under the Airport and Airway

Improvement Act of 1982, as amended. Where federal funding is sought, requests for project grants must be submitted to the FAA Airports District Office in Honolulu, Hawaii.

The DOT-A submitted to the FAA on April 27, 2009, the Noise Exposure Maps for evaluation. The FAA determined that the Noise Exposure Maps for Kona International Airport at Keahole were in compliance with applicable requirements on January 12, 2010. Notice of this determination was published in the **Federal Register** on January 25, 2010 (Volume 75/No. 15/ pages 3959-3960).

The Kona International Airport at Keahole study contains a proposed noise compatibility program comprised of actions designed for phased implementation by airport management and adjacent jurisdictions. It was requested that the FAA evaluate and approve this material as a Noise Compatibility Program as described in 49 U.S.C. 47504 (formerly Section 104(b) of the Act). The FM began its review of the program on October 27, 2010, and was required by a provision of the Act to approve or disapprove the program within 180 days (other than the use of new or modified 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 Noise Compatibility Program recommended one Noise Abatement Element, eight Land Use Management Elements and three Program Management Elements. The FM completed its review and determined that the procedural and substantive requirements of the Act and FAR Part 150 have been satisfied. The overall program was approved, by the Manager of the Airports Division, Western-Pacific Region, effective April 20, 2011.

Approval was granted for one Noise Abatement Element, eight Land Use Management Elements and three Program Management Elements. The approved measures included: a pilot education program; maintaining an established communication process between DOT-A, Hawaii County, and Hawaii State Land Use Commission for the review of proposed development near the airport; DOT-A to encourage Hawaii County to revise the Environmental Quality Section of Hawaii County General Plan to include additional policies related to airport land use compatibility; establish an Airport Influence Area for Kona International Airport to define the area that land use compatibility policies would apply; DOT-A to encourage

Hawaii County to adopt an airport compatibility checklist for discretionary review of projects within its vicinity, maintain compatible zoning designations within the 2013 60 DNL noise contour; require the dedication of noise and aviation easements through the subdivision approval process; adopt fair disclosure regulations to notify property owners of the noise generated by aircraft operations; adopt an airport noise overlay zone; monitor implementation of the Part 150 Noise Compatibility Program; updated the Noise Exposure Maps and Noise Compatibility Programs as necessary; and acquire and implement a noise monitoring system.

The FAA determinations are set forth in detail in the Record of Approval signed by the Manager of the Airports Division, Western-Pacific Region, on April 20, 2011. The Record of Approval, as well as other evaluation materials and the documents comprising the submittal, are available for review at the FAA office listed above and at the administrative offices of the Kona International Airport at Keahole. The Record of Approval also will be available on-line at: http://www.faa.gov/airports/environmental/airport_noise/part_150/states/.

Issued in Hawthorne, California, on December 12, 2011.

Mark A. McClardy,

Manager, Airports Division, Western-Pacific Region, AWP-600.

[FR Doc. 2012-1805 Filed 1-27-12; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration (FAA)

Notice of Opportunity for Public Comment on Surplus Property Release at Laurinburg-Maxton Airport, Maxton, NC

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice.

SUMMARY: Under the provisions of Title 49, U.S.C. 47153(c), notice is being given that the FAA is considering a request from the Laurinburg-Maxton Airport Commission to waive the requirement that approximately 322.24 acres of airport property, located at the Laurinburg-Maxton Airport, be used for aeronautical purposes.

DATES: Comments must be received on or before February 29, 2012.

ADDRESSES: Comments on this notice may be mailed or delivered in triplicate to the FAA at the following address:

Atlanta Airports District Office Attn: Rusty Nealis, Program Manager, 1701 Columbia Ave., Suite 2-260, Atlanta, GA 30337-2747.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to JoAnn Gentry, Executive Director, Laurinburg-Maxton Airport Commission at the following address:

Laurinburg-Maxton Airport
Commission, 16701 Airport Road,
Maxton, NC 28364.

FOR FURTHER INFORMATION CONTACT: Rusty Nealis, Program Manager, Atlanta Airports District Office, 1701 Columbia Ave., Campus Building, Suite 2-260, Atlanta, GA 30337-2747, (404) 305-7142. The application may be reviewed in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA is reviewing a request by the Laurinburg-Maxton Airport Commission to release approximately 322.24 acres of airport property at the Laurinburg-Maxton Airport. The property consists of one parcel located on the south side of Skyway Church Road (State Road 1435). This property is currently shown on the approved Airport Layout Plan as non-aeronautical use land and the proposed use of this property is compatible with airport operations. The City will ultimately sell the property for future industrial use with proceeds of the sale providing funding for future airport development.

Any person may inspect the request in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**. In addition, any person may, upon request, inspect the request, notice and other documents germane to the request in person at the Laurinburg-Maxton Airport.

Issued in Atlanta, Georgia, on January 20, 2012.

Scott L. Seritt,

Manager, Atlanta Airports District Office, Southern Region.

[FR Doc. 2012-1803 Filed 1-27-12; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement: Pennington County, SD

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of Intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an Environmental Impact Statement will be

prepared for proposed road improvements on South Rochford Road in Pennington County, South Dakota.

FOR FURTHER INFORMATION CONTACT: Ms. Marion Barber, Environmental Specialist, FHWA, 116 East Dakota Avenue, Suite A, Pierre, SD 57501, (605) 226-7326; Mr. Terry Keller, Environmental Supervisor, Project Development, South Dakota Department of Transportation, 700 E. Broadway Avenue, Pierre, SD 57501, (605) 773-3721; Mr. Heine Junge, Highway Superintendent, Pennington County Highway Department, 3601 Cambell Street, Rapid City, SD 57701 (605) 394-2166. Further information can be found and comments can be submitted via the project Web site at <http://www.southrochfordroad.com>.

SUPPLEMENTARY INFORMATION:

Background

The FHWA, in cooperation with the SDDOT and Pennington County, South Dakota, will prepare an Environmental Impact Statement (EIS) on a proposal for roadway improvements on South Rochford Road in Pennington County, South Dakota. The proposed project would involve roadway improvements to South Rochford Road for approximately 10 miles between the Town of Rochford and the intersection of South Rochford Road and Deerfield Road.

The proposed project is considered necessary to improve year-round access to the Town of Rochford from the Deerfield Lake area. The existing roadway is difficult to maintain with a gravel surface, steep grades, drainage issues, and curvilinear alignment. Alternatives under consideration include: (1) No action; (2) roadway improvements along the existing alignment; and (3) roadway improvements on a new alignment. The proposed work would include reconstructing the two-lane roadway, providing an all-weather surface, and improving the drainage and associated roadway structures. Adjusting existing utilities and acquisition of right-of-way (ROW) may be necessary.

Based on preliminary environmental analysis, it is anticipated that the proposed project may require the following Federal permits: Section 404 Permit for filling/dredging water of the United States and Section 401 Water Quality Certification. A Special Use Permit may be required from the U.S. Forest Service.

An agency scoping meeting and public scoping/information meeting are planned with the meetings scheduled between February and June of 2012.