

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 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 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 of the program nor a 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 regional office in Fort Worth, Texas.

The City of Laredo submitted to the FAA on February 28, 2007, the noise exposure maps, descriptions, and other documentation produced during the noise compatibility planning study conducted from October 27, 2004, through December 18, 2006. The Laredo International Airport noise exposure maps were determined by FAA to be in compliance with applicable requirements on September 22, 2005. Notice of this determination was published in the **Federal Register** on September 30, 2005.

The Laredo International Airport study contains a proposed noise compatibility program comprised of actions designed for phased implementation by airport management and adjacent jurisdictions from January 4, 2007 beyond the year 2010. It was requested that the FAA evaluate and approve this material as a noise compatibility program as described in section 47504 of the Act. The FAA began its review of the program on February 28, 2007, 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 submitted program contained seven proposed actions for noise mitigation off the airport. The FAA completed its review and determined that the procedural and substantive requirements of the Act and FAR Part 150 have been satisfied. The overall program, therefore, was approved by the FAA effective June 22, 2007.

Outright approval was granted for five of the specific program elements. One element was disapproved and one element was approved in part. The disapproved Element proposed to offer fee simple acquisition, or the purchase of an avigation easement from owners of vacant land in the squared off 65 DNL contour.

Vacant land is considered a compatible land use and the City of Laredo has adequate controls in place to prevent noncompatible land use development. The disapprove in part element proposed to replace the noise contours in city Ordinance No. 94-0-012 with worst-case scenario contours developed by the City. Replacement of the contours included in the City Ordinance with the contours shown in the *2010 Future Condition Noise*

*Exposure Map With Program Implementation* was approved.

Replacement of Ordinance Contours with the worst-case scenario contours was disapproved for purposes of Part 150. Three elements proposed fee simple acquisition, sound insulation, or purchase of an avigation easement in separate geographical areas around the airport. The three measures were approved. One of the remaining two elements proposed coordination with the Texas Real Estate Commission to gain approval of a modification to the Seller's Disclosure form. The revision would require depiction of the property location within the boundaries of the Noise Exposure Map. The remaining element proposed an update to the Noise Exposure Maps and Noise Compatibility Program should noise levels significantly increase or decrease. Both elements were approved.

These determinations are set forth in detail in a Record of Approval signed by the Southwest Region, Airports Division Manager on June 22, 2007. 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 Laredo International Airport. The Record of Approval also will be available on-line at <http://www.faa.gov/arp/environmental/14cfr150/index14.cfm>.

Issued in Fort Worth, Texas, July 3, 2007.

**Kelvin L. Solco,**

*Manager, Airports Division.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Noise Compatibility Program Notice; Shreveport Regional Airport, Shreveport, LA

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

**ACTION:** Notice.

**SUMMARY:** The Federal Aviation Administration (FAA) announces its findings on the noise compatibility program submitted by the Shreveport Regional Airport Authority under the provisions of 49 U.S.C. (the Aviation Safety and Noise Abatement Act, hereinafter referred to as "the Act") and 14 CFR Part 150. These findings are made in recognition of the description of Federal and nonfederal responsibilities in Senate Report No. 96-52 (1980). On January 12, 2007 the

FAA determined that the noise exposure maps submitted by the Shreveport Regional Airport under Part 150 were in compliance with applicable requirements. On May 24, 2007, the FAA approved the Shreveport Regional Airport noise compatibility program. Four of the six recommendations of the program were approved in full, one was approved in part, and one was disapproved.

**DATES:** *Effective dates:* The effective date of the FAA's approval of the Shreveport Regional Airport noise compatibility program is May 24, 2007.

**FOR FURTHER INFORMATION CONTACT:** Tim Tandy, Federal Aviation Administration, ASW-640, Fort Worth, TX 76193-0640 at (817) 222-5644. 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 Shreveport Regional Airport, effective May 24, 2007.

Under section 47504 of the Act, 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 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 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 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 of the program nor a 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 regional office in Fort Worth, Texas.

The Shreveport Regional Airport Authority submitted to the FAA on December 7, 2006 the noise exposure maps, descriptions, and other documentation produced during the noise compatibility planning study conducted from 2004 through 2006. The Shreveport Regional Airport noise exposure maps were determined by FAA to be in compliance with applicable requirements on January 12, 2007. Notice of this determination was published in the **Federal Register** on January 22, 2007.

The Shreveport Regional Airport study contains a proposed noise compatibility program comprised of actions designed for phased implementation by airport management and adjacent jurisdictions from 2007 to beyond the year 2012. It was requested that the FAA evaluate and approve this material as a noise compatibility program as described in section 47504 of the Act. The FAA began its review of the program on January 12, 2007 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 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 the Act and FAR Part 150 have been satisfied. The overall program, therefore, was approved by the FAA effective May 24, 2007.

Outright approval was granted for four of the specific program elements. Program Recommendation 1, designating a nose heading for all aircraft undergoing engine run-up exercises at the Continental Airlines Maintenance facility was disapproved, since the analysis neither identifies significant noise impacts associated with engine run-ups nor indicates that the proposed action would appreciably affect the Yearly Day/Night Average Sound (DNL) 65 and greater noise contours. Program Recommendation 3, involving acquisition of non-compatible properties and vacant lots located east of the airport was approved in part. Acquisition of vacant lots north of Hollywood Avenue not directly associated with residential properties to be purchased under this NCP was disapproved pending further documentation justifying their acquisition for improved marketability purposes or prevention of imminent noncompatible development. The following program recommendations were approved in full: Program Recommendation 2, involving soundproofing and/or sales assistance for noncompatible properties located north of the airport; Program Recommendation 4, involving soundproofing and/or sales assistance for noncompatible properties located south of the airport; Program Recommendation 5, involving fee simple acquisition of 22 noncompatible properties, and soundproofing and sales assistance for other noncompatible properties located south of the airport; and Program Recommendation 6, involving hiring a consultant to conduct and oversee the continued implementation of the non-expenditure land use management measures of the 1992 NCP, which form the basis for the current NCP update.

These determinations are set forth in detail in a Record of Approval signed by the FAA Southwest Region Airports Division Manager on May 24, 2007. 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 Shreveport Regional Airport Authority. The Record of Approval also will be available on-line at <http://www.faa.gov/arp/environmental/14cfr150/index14.cfm>.

Issued in Fort Worth, Texas, July 3, 2007.

**Kelvin L. Solco,**

*Manager, Airports Division.*

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. MC-F-21022]<sup>1</sup>

#### Callen Hotard—Acquisition—Hotard Coaches, Inc.

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice Tentatively Approving Finance Transaction.

**SUMMARY:** Callen Hotard (Applicant), a noncarrier individual, who is owner and president of Calco Travel, Inc. (Calco) (MC-161117), a motor passenger carrier, has filed an application under 49 U.S.C. 14303 to acquire control of Hotard Coaches, Inc. (Coaches) (MC-143881), a motor passenger carrier, from Greyhound Lines, Inc. (Greyhound) (a regulated passenger carrier). Greyhound is a subsidiary of Laidlaw Transportation Holdings, Inc. (LTHI) (a noncarrier). Applicant proposes to acquire control via a stock purchase by Hotard Travel, Inc. (Hotard Travel) (a noncarrier), a corporation formed by Applicant and Szeszycki Hospitality, L.L.C. (Szeszycki) (a noncarrier).<sup>2</sup> Coaches would continue to hold its Federal Motor Carrier Safety

Administration motor passenger carrier operating license. Persons wishing to oppose this application must follow the rules at 49 CFR 1182.5 and 1182.8. The Board has tentatively approved the transaction, and, if no opposing comments are timely filed, this notice will be the final Board action.

**DATES:** Comments must be filed by August 27, 2007. Applicant may file a reply by September 11, 2007. If no comments are filed by August 27, 2007, this notice is effective on that date.

**ADDRESSES:** Send an original and 10 copies of any comments referring to STB Docket No. MC-F-21022 to: Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001. In addition, send one copy of comments to Applicant's representative: Kenneth Siegel, Strasburger & Price, LLP, 1800 K Street, NW., Suite 301, Washington, DC 20006-2225.

**FOR FURTHER INFORMATION CONTACT:** Julia M. Farr, (202) 245-0359. [Federal Information Relay Service (FIRS) for the hearing impaired: 1-800-877-8339.]

**SUPPLEMENTARY INFORMATION:** Applicant is owner and president of Calco, a subchapter S corporation incorporated under the laws of the State of Louisiana. Calco operates as a charter bus company providing both local and nationwide charter bus service. Hotard Travel is a Louisiana corporation formed by Applicant and Szeszycki for the purposes of completing this stock purchase transaction. Coaches is a Mississippi corporation that provides charter service in Mississippi and Louisiana. LTHI owns ten federally registered motor passenger carrier subsidiaries, including Greyhound and Coaches.<sup>3</sup> Applicant states that Greyhound and its affiliates had gross revenues exceeding \$2 million in during the 12-month period preceding the date of this application.

The parties finalized a stock purchase agreement on June 7, 2007. The shares of Coaches will be transferred to an independent voting trust pending final Board approval to avoid unauthorized control. The Board's Secretary provided the parties an informal, non-binding, opinion on the voting trust agreement in letters dated June 25, 2007, and July 6, 2007.

Under 49 U.S.C. 14303(b), the Board must approve and authorize a transaction found to be consistent with the public interest, taking into consideration at least: (1) The effect of the transaction on the adequacy of

transportation to the public; (2) the total fixed charges that result; and (3) the interest of affected carrier employees.

Applicant has submitted information, as required by 49 CFR 1182.2, including the information to demonstrate that the proposed transaction is consistent with the public interest under 49 U.S.C. 14303(b). Applicant states that the proposed transaction will improve the adequacy of transportation services available to the public, that the proposed transaction will not have an adverse effect on total fixed charges, and that the interests of employees of Coaches will not be adversely impacted. Additional information, including a copy of the application, may be obtained from Applicant's representative.

On the basis of the application, we find that the proposed acquisition is consistent with the public interest and should be authorized. If any opposing comments are timely filed, this finding will be deemed vacated and, unless a final decision can be made on the record as developed, a procedural schedule will be adopted to reconsider the application. See 49 CFR 1182.6(c). If no opposing comments are filed by the expiration of the comment period, this notice will take effect automatically and will be the final Board action.

Board decisions and notices are available on our Web site at: <http://www.stb.dot.gov>.

This decision will not significantly affect either the quality of the human environment or the conservation of energy resources.

*It is ordered:*

1. The motion to substitute Hotard Travel, Inc., in place of Callen Hotard as the named applicant in this proceeding is denied.

2. The proposed finance transaction is approved and authorized, subject to the filing of opposing comments.

3. If timely opposing comments are filed, the findings made in this notice will be deemed as having been vacated.

4. This notice will be effective on August 27, 2007, unless timely opposing comments are filed.

5. A copy of this notice will be served on: (1) The U.S. Department of Transportation, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue, SE., Washington, DC 20590; (2) the U.S. Department of Justice, Antitrust Division, 10th Street & Pennsylvania Avenue, NW., Washington, DC 20530; and (3) the U.S. Department of Transportation, Office of the General Counsel, 1200 New Jersey Avenue, SE., Washington, DC 20590.

Dated: July 6, 2007.

<sup>1</sup> A request for interim approval under 49 U.S.C. 14303(i) was included in this filing (STB Docket No. MC-F-21022 TA). In a decision served on June 25, 2007, temporary approval was granted, effective on the service date of the decision.

<sup>2</sup> The verified application and request for interim approval was originally filed by Applicant. However, on June 26, 2007, Applicant filed a petition requesting that Hotard Travel, a Louisiana corporation formed by Applicant and Szeszycki (which does not require Board approval for this transaction because it will have minority control of Coaches), be permitted to substitute for Applicant as the purchasing party in this proceeding. Hotard Travel, as a noncarrier that does not control another carrier, does not require Board authority for this transaction. However, Applicant, who also controls Calco, requires Board approval to control Coaches (indirectly) through his control of Hotard Travel (by virtue of his majority interest in Hotard Travel). Accordingly, there is no need to substitute parties in this transaction. However, the notice reflects that the sale of Coaches' stock will be made to Hotard Travel, and not directly to Applicant.

<sup>3</sup> See *Laidlaw Inc.-Intra-Corporate Family Transaction Exemption*, STB Docket No. MC-F-20998 (STB served Feb. 21, 2003).