

be mailed or delivered to Mr. Stephen Cassens, Airport Director of the Northwest Regional Airport Commission at the following address: Northwest Regional Airport Commission 1330 Airport Access Road, Traverse City, Michigan 49686.

Air carriers and foreign air carriers may submit copies of written comments previously provided to the Northwest Regional Airport Commission under § 158.23 of Part 158.

FOR FURTHER INFORMATION CONTACT: Mr. Jason Watt, Program Manager, Federal Aviation Administration, Detroit Airports District Office, 11677 South Wayne Road, Suite 107, Romulus, Michigan 48174 (734-229-2906). The application may be reviewed in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at Cherry Capital Airport under the provisions of 49 U.S.C. 40117 and Part 158 of the Federal Aviation Regulations (14 CFR Part 158).

On April 8, 2004, the FAA determined that the application to impose and use the revenue from a PFC submitted by the Northwest Regional Airport Commission was substantially complete within the requirements of § 158.25 of Part 158. The FAA will approve or disapprove the application, in whole or in part, no later than July 7, 2004.

The following is a brief overview of the application.

Level of the proposed PFC: \$4.50.

Proposed charge effective date: January 1, 2018.

Proposed charge expiration date: April 1, 2019.

Total estimated PFC revenue: \$1,190,785.

Brief description of proposed project: Environmental Assessment for New Terminal Building and Associated Projects; Pre-design for South Terminal Complex; Airport Rescue Fire Fighting (ARFF) Vehicle Procurement; Security Fencing, South Building Area; Clearing and Grubbing New Airline Terminal Complex; Reimbursement of Costs Associated with the Preparation of Previous PFC Applications; Reimbursement of Charges for Audits Performed on the PFC Program; Construct Water Main and Sanitary Sewer Utilities to New Terminal Site (Part A and B); Natural Gas Service to New Terminal, Proposed ARFF Building and Snow Removal Equipment Building; Install Multi-user Flight Inspection Display System, Premise Wiring and Public Address System;

Service Road and Utilities; Design of Taxiway G, Perimeter Road, and Airport Layout Plan Update; Design of Terminal Baggage and Passenger Screening; Landscaping and Irrigation South Terminal Project; Perimeter Road; Airport Entrance Drive; Passenger Loading Bridges; Furnish and Install Part 1542 Computer Controlled Access System; Airport Boundary Survey and Update Exhibit "A" Property Map; and Construct Parallel Taxiway "G".

Class or classes of air carriers, which the public agency has requested not be required to collect PFCs: Part 135, Air Taxi/Commercial Operators filing FAA Form 1800-31.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**.

In addition, any person may, upon request, inspect the application, notice, and other documents germane to the application in person at the Northwest Regional Airport Commission.

Issued in Des Plaines, Illinois, on June 1, 2004.

Sandy Nazar,

Acting Manager, Planning and Programming Branch, Airports Division, Great Lakes Region.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent To Rule on Application 04-07-C-00-CMH To Impose and Use the Revenue From a Passenger Facility Charge (PFC) at Port Columbus International Airport, Columbus, OH

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of intent to rule on application.

SUMMARY: The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at Port Columbus International Airport under the provisions of the 49 U.S.C. 40117 and part 158 of the Federal Aviation Regulations (14 CFR part 158).

DATES: Comments must be received on or before July 9, 2004.

ADDRESSES: Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Detroit Airports District Office, 11677 South Wayne Road, Suite 107, Romulus, Michigan 48174.

In addition, one copy of any comments submitted to the FAA must

be mailed or delivered to Ms. Elaine Roberts, President and Chief Executive Officer of the Columbus Regional Airport Authority at the following address: Port Columbus International Airport, 4600 International Gateway, Columbus, Ohio 43219.

Air carriers and foreign air carriers may submit copies of written comments previously provided to the Columbus Regional Airport Authority under § 158.23 of part 158.

FOR FURTHER INFORMATION CONTACT: Mr. Jason K. Watt, Program Manager, Detroit Airports District Office, 11677 South Wayne Road, Suite 107, Romulus, Michigan 48174, (734 229-2906). The application may be reviewed in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at Port Columbus International Airport under the provisions of the 49 U.S.C. 40117 and part 158 of the Federal Aviation Regulations (14 CFR part 158). On May 10, 2004, the FAA determined that the application to impose and use the revenue from a PFC submitted by the Columbus Regional Airport Authority was substantially complete within the requirements of § 158.25 of part 158. The FAA will approve or disapprove the application, in whole or in part, no later than August 28, 2004.

The following is a brief overview of the application.

Proposed charge effective date:

October 1, 2004.

Proposed charge expiration date:

October 1, 2010.

Level of the proposed PFC: \$3.00.

Total estimated PFC revenue:

\$3,819,158.

Brief description of proposed projects: Terminal and Curb Front Signage Improvements; Flight Information Display System and Baggage Information Display System Improvements; PFC Program Formulation and Administrative Costs.

Level of the proposed PFC: \$4.50.

Total estimated PFC revenue:

\$73,743,756.

Brief description of proposed projects: Concourse C-Apron Expansion; Concourse C-5-Gate Expansion; Runway 10R Hold Apron Relocation; West Extension of Taxiway B; Runway 10R glide Slope Relocation; Taxiway C Rehabilitation; Antenna Farm Relocation; Terminal Apron Rehabilitation/Glycol Collection; Perimeter and Tug Roads—Phase 1; Runway 10R-28L Rehabilitation; Runway 10R-28L Safety Area Improvements; Security Fencing; Snow

Removal Equipment; East Apron Rehabilitation; Safety Area Improvements on Taxiway E; International Gate/Federal Inspection Service Expansion; Rehabilitate East Portion of Apron; Access Control System Replacement.

Class or classes of air carriers, which the public agency has requested not to be required to collect PFCs: Air Taxi/Commercial Operators when enplaning revenue passengers in service and equipment reportable to FAA on FAA Form 1800-31.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the Columbus Regional Airport Authority.

Issued in Des Plaines, Illinois, on June 1, 2004.

Sandy Nazar,

Acting Manager, Planning and Programming Branch, Airports Division, Great Lakes Region.

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DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Revised Programmatic Executive Order 11990 (EO 11990) Wetland Finding

AGENCY: Federal Highway Administration (FHWA), New York Division Office, DOT.

ACTION: Notice and request for comments.

FINDING: In accordance with EO 11990, and based on the following procedures, the FHWA NYDO finds that this programmatic wetland finding may be applied to any Federal-aid project classified as a Categorical Exclusion (CE) with an approved US Corps of Engineers (COE) permit (excluding Nationwide Permit 23) and/or a project classified as a CE that impacts isolated wetlands for which:

1. There will be no practicable alternative to the proposed construction in wetlands;
2. The proposed project will include all practicable measures to minimize harm to the involved wetlands which may result from such use;
3. The project will be developed in accordance with the procedure for a public involvement/public hearing

program approved by FHWA pursuant to 23 CFR 771.111(h)(1); and

4. The project CE documentation shall demonstrate that avoidance and minimization issues are discussed and described for each wetland. The following information shall be documented in the New York State Department of Transportation (NYSDOT) project file:

- a. Approximate wetland size;
- b. Area of impact including temporary and permanent impacts;
- c. Type of wetland, including the function and value of the wetland;
- d. Any plan sheets that show the location of the wetland and the project boundaries.

Any Federal-aid transportation project requiring an Environmental Assessment (EA) or Environmental Impact Statement (EIS) that may impact wetlands shall require an individual wetland finding.

SUMMARY: The NYDO is advising the public that it has made a programmatic EO 11990 Wetland Finding for Federally Aided Highway Projects classified as CEs under 23 CFR 771.117 with approved COE permits (excluding those projects that require Nationwide Permit 23). The Nationwide Permit 23 is issued only if it has been determined by FHWA that a project will not have significant impacts and that the project is to be classified as a CE; therefore, FHWA must review the wetlands impacts of a project prior to making this decision.

The programmatic EO 11990 evaluation and wetland finding has been prepared for transportation improvement projects which require a COE Section 404 Permit (both Nationwide and Individual) and those that impact isolated wetlands. It satisfies the requirements of EO 11990 and US Department of Transportation (DOT) Order 5660.1A for all projects that meet the applicability criteria listed. No individual wetland findings will thus be required for such projects.

BACKGROUND: EO 11990, issued on May 24, 1977, requires each Federal agency to develop procedures for Federal actions whose impact is not significant enough to require the preparation of an EIS under Section 102(2)(c) of the National Environmental Policy Act (NEPA), as amended. The EO states that each Federal agency "shall avoid undertaking or providing assistance for new construction located in wetlands unless the head of the agency finds:

- (1) That there is no practicable alternative to such construction, and (2) that the proposed;
- (2) Action includes all practicable measures to minimize harm to wetlands which may result from such use.

The US DOT Order 5660.1A states, "In carrying out any activities (including small scale projects which do not require documentation) with a potential effect on wetlands, operating agencies should consider the following facts * * *" this requires USDOT agencies to consider the effects on wetlands for all projects (including categorical exclusions).

Federal-aid applicants consider these effects during the NEPA evaluation process and further consider these effects through the wetland permitting process and associated meetings with resource agencies (COE, EPA, FWS, NYDEC). The NYSDOT and FHWA routinely evaluate practicable avoidance alternatives or options. If avoidance alternatives are not practicable, then practicable measures to minimize harm are considered and included in the project.

The DOT Order 5660.1A requires USDOT agencies to make a formal wetland finding for major projects. The NYSDOT will make a formal wetland finding for all EAs and EISs. This formal wetland finding will be made in the Final EA/Finding of No Significant Impact or Final EIS/Record of Decision.

There will be a 45-day public comment period starting the day of publication and prior to the issuance of the Programmatic Agreement.

FOR FURTHER INFORMATION CONTACT:

Erika Thompson, Environmental Program Coordinator, Federal Highway Administration, New York Division Office, Leo W. O'Brien Federal Building 7th Floor, Albany, NY 12207 (e-mail Erika.Thompson@fhwa.dot.gov or telephone 518-431-4125 x 255).

Dated: June 3, 2004.

Robert Arnold,

Division Administrator.

[FR Doc. 04-13011 Filed 6-8-04; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket Number 2004 18000]

Requested Administrative Waiver of the Coastwise Trade Laws

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Invitation for public comments on a requested administrative waiver of the Coastwise Trade Laws for the vessel MOON DANCE.

SUMMARY: As authorized by Public Law 105-383 and Public Law 107-295, the Secretary of Transportation, as