

noted that the FAA is not involved in any way in determining the relative locations of specific properties with regard to the depicted noise 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 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 FAR Part 150, that the statutorily required consultation has been accomplished.

Copies of the full noise exposure map documentation and of the FAA's evaluation of the maps are available for examination at the following locations:

Federal Aviation Administration, Airports Division, Suite 315, 1601 Lind Avenue, SW., Renton, Washington;

Federal Aviation Administration, Seattle Airports District Office, 1601 Lind Ave. SW., Suite 250, Renton, Washington;

Snohomish County Airport, Office of the Airport Director, 3220 100th Street, SW., Everett, WA.

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

Issued in Renton, Washington, January 8, 2004.

**Lowell H. Johnson,**

*Manager, Airports Division, Northwest Mountain Region.*

[FR Doc. 04-2202 Filed 2-2-04; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Noise Exposure Map Notice for Reid-Hillview Airport, San Jose, CA

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

**ACTION:** Notice.

**SUMMARY:** The Federal Aviation Administration (FAA) announces its

determination that the noise exposure maps submitted by County of Santa Clara, California for Reid-Hillview 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.

**EFFECTIVE DATE:** The effective date of the FAA's determination on the noise exposure maps is January 13, 2004.

**FOR FURTHER INFORMATION CONTACT:** Elisha Novak, Federal Aviation Administration, San Francisco Airports District Office, 831 Mitten Road, Burlingame, California 94010-1303, Telephone: 650/876-2928.

**SUPPLEMENTARY INFORMATION:** This notice announces that the FAA finds that the noise exposure maps submitted for Reid-Hillview Airport are in compliance with applicable requirements of Part 150, effective January 13, 2004. Under 49 U.S.C. section 47503 of the Aviation Safety and Noise Abatement Act (hereinafter referred to as "the Act"), an airport operator may submit to the FAA noise exposure maps which meet applicable regulations and which depict non-compatible 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 Federal Aviation Regulations (FAR) part 150, promulgated pursuant to the Act, may submit a noise compatibility program for FAA approval which sets forth the measures the operator has taken or proposes to take to reduce existing non-compatible uses and prevent the introduction of additional non-compatible uses.

The FAA has completed its review of the noise exposure maps and accompanying documentation submitted by County of Santa Clara, California. The documentation that constitutes the "Noise Exposure Maps" as defined in section 150.7 of part 150 includes: Figure 6.1 "Existing Conditions (2002) Noise Exposure Map," and Figure 6.2 "Five-Year Forecast (2007) Noise Exposure Map." The Noise Exposure Maps contain current and forecast information including the depiction of the airport and its boundaries, the runway configurations, land uses such as

residential, open space, commercial/office, community facilities, libraries, churches, open space, infrastructure, vacant and warehouse and those areas within the Community Noise Equivalent Level (CNEL) 60, 65, 70 and 75 noise contours. Estimates for the number of people within these contours for the year 2002 are shown in Table 7.3. Estimates of the future residential population within the 2007 noise contours are shown in Table 7.6. Figure 3.1 displays the location of noise monitoring sites. Flight tracks for the existing and the five-year forecast Noise Exposure Maps are found in Figures 5.2, 5.3, 5.4 and 5.5. The type and frequency of aircraft operations (including nighttime operations) are found in Tables 5.1 and 5.2. The FAA has determined that these noise exposure maps and accompanying documentation are in compliance with applicable requirements. This determination is effective on January 13, 2004.

FAA's determination on an 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 FAR part 150. Such determination does not constitute approval of the applicant'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 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 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 FAR part 150, that the

statutorily required consultation has been accomplished.

Copies of the full noise exposure map documentation and of the FAA's evaluation of the maps are available for examination at the following locations:

Federal Aviation Administration, Community and Environmental Needs Division, APP-600, 800 Independence Avenue, SW., Washington, DC 20591;

Federal Aviation Administration, Western-Pacific Region, Airports Division, Room 3012, 15000 Aviation Boulevard, Hawthorne, California 90261;

Federal Aviation Administration, San Francisco Airports District Office, 831 Mitten Road, Burlingame, California 94010-1303;

W. Carl Honaker, Acting Director of County Airports, County of Santa Clara, Roads & Airports Department, Airport Division, 2500 Cunningham Avenue, San Jose, California 94148.

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

Issued in Hawthorne, California, on January 13, 2004.

**Ellsworth L. Chan,**

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

[FR Doc. 04-2205 Filed 2-2-04; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Commission

#### Receipt of an Amendment to Noise Compatibility Program and Request for Review

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

**ACTION:** Notice.

**SUMMARY:** The Federal Aviation Administration (FAA) announces that it is reviewing a proposed amendment to the noise compatibility program that has been submitted on January 12, 2004 for Toledo Express Airport under the provisions of 49 U.S.C. 47501 *et seq.* (the Aviation Safety and Noise Abatement Act, hereinafter referred to as "the Act") and 14 CFR part 150 by Toledo-Lucas County Port Authority. This amendment to the program was submitted subsequent to the approval by FAA of the noise compatibility program on July 22, 2003 and a determination that the associated noise exposure maps submitted under 14 CFR part 150 for Toledo Express Airport were in compliance with applicable requirements, effective January 24,

2003, published in the **Federal Register** February 14, 2003. The proposed noise compatibility program amendment will be approved or disapproved on or before July 11, 2004.

**EFFECTIVE DATE:** The effective date of the start of FAA's review of the noise compatibility program amendment is January 14, 2004. The public comment period ends March 13, 2004.

**FOR FURTHER INFORMATION CONTACT:** Katherine S. Jones, Community Planner, DET ADO 606, Detroit Airports District Office, 11677 South Wayne Road, Ste. 107, Romulus, MI 48174. Comments on the proposed noise compatibility program amendment should also be submitted to the above office.

**SUPPLEMENTARY INFORMATION:** This notice announces that the FAA is reviewing a proposed noise compatibility program amendment for Toledo Express Airport, which will be approved or disapproved on or before July 11, 2004. This notice also announces the availability of this program amendment for public review and comment.

An airport operator who has submitted noise exposure maps that are found by FAA to be in compliance with the requirements of Federal Aviation Regulations (FAR) Part 150, promulgated pursuant to the Act, may submit a noise compatibility program for FAA approval which sets forth the measures the operator has taken or proposes to reduce existing non-compatible uses and prevent the introduction of additional non-compatible uses.

The FAA has formally received the noise compatibility program amendment for Toledo Express Airport, effective on January 12, 2004. The airport operator has requested that the FAA review this material and that the noise mitigation measure, to be implemented jointly by the airport and surrounding communities, be approved as a noise compatibility program under section 47504 of the Act. Preliminary review of the submitted material indicates that it conforms to FAR Part 150 requirements for the submittal of noise compatibility program amendment, but that further review will be necessary prior to approval or disapproval of the program amendment. The formal review period, limited by law to a maximum of 180 days, will be completed on or before July 11, 2004.

The FAA's detailed evaluation will be conducted under the provisions of 14 CFR part 150, section 150.33. The primary considerations in the evaluation process are whether the proposed amended measures may

reduce the level of aviation safety or create an undue burden on interstate or foreign commerce, and whether they are reasonably consistent with obtaining the goal of reducing existing non-compatible land uses and preventing the introduction of additional non-compatible land uses.

Interested persons are invited to comment on the proposed program amendment with specific reference to these factors. All comments relating to these factors, other than those properly addressed to local land use authorities, will be considered by the FAA to the extent practicable. Copies of the noise exposure maps, the existing approved noise compatibility program and the proposed noise compatibility program amendment are available for examination at the following locations:

Federal Aviation Administration, Detroit Airports District Office, 11677 South Wayne Road, Ste. 107, Romulus, Michigan 48174.

Toledo-Lucas County Port Authority, Toledo Express Airport, 11013 Airport Highway, Box 11, Swanton, Ohio 43558.

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

Issued in Romulus, Michigan, January 14, 2004.

**Irene R. Porter,**

*Manager, Detroit Airports District Office.*

[FR Doc. 04-2199 Filed 2-2-04; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Proposed Notification Regarding Function and Reliability Testing for Turbofan-Powered Airplanes of 6,000 Pounds or Less Maximum Certificated Weight

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

**ACTION:** Notice of intent and request for comments.

**SUMMARY:** All new certification projects for turbofan-powered airplanes of 6,000 pounds or less maximum certificated weight will be reviewed for possible issuance of special conditions to require function and reliability testing. The special condition, if required, would effectively require compliance with the requirements of 14 CFR part 21, section 21.35, paragraphs (b)(2) and (f), and would be issued under the procedural rules found in 14 CFR part 11. Such a special condition will not be applied to