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Randall D. Bennett,

Director, Office of Aviation Analysis.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Noise Exposure Map Notice for McClellan-Palomar Airport, Carlsbad, CA

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice.

SUMMARY: The Federal Aviation Administration (FAA) announces its determination that the noise exposure maps submitted by the County of San Diego for McClellan-Palomar 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 April 26, 2005.

FOR FURTHER INFORMATION CONTACT: Peter Ciesla, Federal Aviation Administration, Western Pacific Region, Airports Division, PO Box 92007, Los Angeles, California, 90009-2007, Telephone: (310) 725-3633.

SUPPLEMENTARY INFORMATION: This notice announces that the FAA finds that the noise exposure maps submitted by McClellan-Palomar Airport are in compliance with applicable requirements of Part 150, effective April 26, 2005. Under 49 U.S.C. 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 set 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 the County of San Diego. The documentation that constitutes the "noise exposure maps" as defined in section 150.7 of Part 150 includes: Figure 5-4, Existing Conditions (2004) Noise Exposure Map and Figure 6-1, Future Condition (2009) 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, commercial/travel/recreational, industrial/manufacturing, schools, government services, open space, and unplanned areas, and also those areas within the Community Noise Equivalent Level (CNEL) 60, 65, 70 and 75 noise contours. Estimates for the number of people and residences, within these contours for the year 2004 are shown in Table 5-12. Estimates of the future number of people and residences within the 2009 noise contours are shown in Table 6-7. Flight tracks for the existing and the five-year forecast Noise Exposure Maps are found in Figures 5-1, 5-2, and 5-3. The type and frequency of aircraft operations (including nighttime operations) are found in Table 5-1 for the existing conditions (2004) and Table 6-1 for the future conditions (2009). The FAA has determined that these noise exposure maps and accompanying documentation are in compliance with applicable requirements. This determination is effective on April 26, 2005.

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 require 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.

Mr. Peter Drinkwater, Airport Director, County of San Diego, Department of Public Works, 5555 Overland Avenue, Suite 2188, San Diego, CA 92123-1295.

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

Issued in Hawthorne, California on April 26, 2005.

Mia Paredes Ratcliff,

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

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent To Rule on Application 05-05-C-00-DAY To Impose and Use the Revenue From a Passenger Facility Charge (PFC) at Dayton International Airport, Dayton, 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