

The Coast Guard invites comments and suggestions on the proposed and alternate actions in the Draft Environmental Impact Statement. The Coast Guard will consider all comments received during the comment period.

Pursuant to the court order in *Richard Strahan v. Rear Admiral John Linnon, et. al.*, the comment period shall end on September 16, 1996.

#### Background Information

On August 9, 1995, the Coast Guard published, in the Federal Register (60 FR 40631), a notice of availability and request for comments announcing the availability of an Environmental Assessment (EA) and a proposed Finding of No Significant Impact (FONSI) on Coast Guard activities along the U.S. Atlantic coast. On October 11, 1995, the Coast Guard published, in the Federal Register (60 FR 52949), a notice reopening and extending the comment period for the EA and FONSI.

The EA focused on the six whale, and five turtle species listed as threatened or endangered and found along the Atlantic coast. The Coast Guard received comments from Federal, State, and local agencies and the public.

As a result of new information concerning the October 1995 interaction between a Coast Guard vessel and a suspected Humpback whale, and recent Northern Right Whale mortalities; and as a result of comments received in response to the EA and FONSI, the Coast Guard announced in the Federal Register (61 FR 14590), of April 2, 1996, its intent to prepare an Environmental Impact Statement to assess the impacts of a revised proposed project under section 102(2)(C) of the National Environmental Policy Act.

#### Proposed Action

The DEIS contains an overview of the Coast Guard missions and describes how the proposed action, the Atlantic Protected Living Marine Resources Initiative, aids the Coast Guard in enhancing conservation of protected species in the Atlantic, rather than only six whale and five turtle species focused on in the EA.

The U.S. Coast Guard Atlantic Protected Living Marine Resource Initiative, includes:

1. The Internal Program which would include organizational directives and guidance governing the conduct of aircraft and vessel (boat and cutter) operations, the training of Coast Guard personnel, and the notification of the maritime community of threatened or endangered species sightings.
2. The Conservation Program which would include the training and

education of non-Coast Guard personnel on endangered and threatened species, and the participation of the Coast Guard with other federal, state, and local agencies in the regional recovery implementation teams to develop initiatives to address non-Coast Guard vessels.

The Coast Guard evaluation includes the latest data on the habits of protected species, and the location of Coast Guard stations and vessels, the training of Coast Guard employees related to protected species, and possible modification to vessel and aircraft operations. The DEIS also analyzes the cumulative impacts of Coast Guard assets operating together and in conjunction with other vessels.

Dated: July 25, 1996.

T.J. Meyers,

*Captain, U.S. Coast Guard, Chief, Office of Aids to Navigation.*

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#### Federal Aviation Administration

##### **Lambert-St. Louis International Airport, St. Louis, Missouri, Noise Exposure Map Notice; Receipt of Noise Compatibility Program and Request for Review**

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

**ACTION:** Notice.

**SUMMARY:** The Federal Aviation Administration (FAA) announces its determination that the noise exposure maps submitted by St. Louis, Missouri, for Lambert-St. Louis International Airport (Lambert) under the provisions of Title I of the Aviation Safety and Noise Abatement Act of 1979 (Pub. L. 96-193) and 14 CFR Part 150 are in compliance with applicable requirements. The FAA also announces that it is reviewing a proposed noise compatibility program that was submitted for Lambert-St. Louis International Airport under Part 150 in conjunction with the noise exposure maps, and that this program will be approved or disapproved on or before January 10, 1997.

**EFFECTIVE DATE:** The effective date of the FAA's determination on the noise exposure maps and of the start of its review of the associated noise compatibility program is July 15, 1996. The public comment period ends September 12, 1996. Comments submitted by the public to the FAA prior to the start date of July 15, 1996 already have been included as a part of

the record and do not need to be resubmitted.

**FOR FURTHER INFORMATION CONTACT:** Ms. Moira D. Keane, Federal Aviation Administration, Airports Division, ACE-615B, 601 E. 12th Street, Kansas City, MO 64106 (816) 426-4731.

Comments on the proposed noise compatibility program should also be submitted to the above office.

**SUPPLEMENTARY INFORMATION:** This notice announces that the FAA finds that the noise exposure maps submitted for Lambert-St. Louis International Airport are in compliance with applicable requirements of Part 150, effective July 15, 1996. Further, FAA is reviewing a proposed noise compatibility program for that airport which will be approved or disapproved on or before January 10, 1997. This notice also announces the availability of this program for public review and comment.

Under section 103 of Title I of the Aviation Safety and Noise Abatement Act of 1979 (hereinafter referred to as "the Act"), an airport operator may submit to the FAA noise exposure maps which meet applicable regulations and which depict noncompatible 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 Title I of the Act, may submit a noise compatibility program for FAA approval which sets forth the measures the operator has taken or proposes for the reduction of existing noncompatible uses and for the prevention of the introduction of additional noncompatible uses.

St. Louis, Missouri, submitted to the FAA on May 5, 1996, noise exposure maps, descriptions and other documentation which were produced during the Lambert-International Airport's FAR Part 150 Noise Computability Study. It was requested that the FAA review this material as the noise exposure maps, as described in section 103(a)(1) of the Act, and that the noise mitigation measures, to be implemented jointly by the airport and surrounding communities, be approved as a noise compatibility program under section 104(b) of the Act.

The FAA has completed its review of the noise exposure maps and related descriptions submitted by St. Louis, Missouri. The specific maps under consideration are the Existing (1994) and Future (1999) Baseline Noise Exposure Maps in the submission. The FAA has determined that these maps for Lambert-St. Louis International Airport are in compliance with applicable requirements. This determination is effective on July 15, 1996. 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 103 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 107 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 which submitted those maps, or with those public agencies and planning agencies with which consultation is required under section 103 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.

The FAA has formally received the noise compatibility program for Lambert-St. Louis International Airport, also effective on July 15, 1996. Preliminary review of the submitted material indicates that it conforms to the requirements for the submittal of noise compatibility programs, but that further review will be necessary prior to approval or disapproval of the program. The formal review period, limited by law to a maximum of 180 days, will be

completed on or before January 10, 1997.

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 measures may reduce the level of aviation safety, create an undue burden on interstate or foreign commerce, or be reasonably consistent with obtaining the goal of reducing existing noncompatible land uses and preventing the introduction of additional noncompatible land uses.

Interested persons are invited to comment on the proposed program with specific reference to these factors. All comments, 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 FAA's evaluation of the maps, and the proposed noise compatibility program are available for examination at the following locations: Federal Aviation Administration, 800 Independence Avenue, SW, Room 617, Washington, D.C. 20591. Federal Aviation Administration, Airports Division, 601 E. 12th Street, Kansas City, MO 64106. Lambert-St. Louis International Airport, Airport Planning and Development Office, 4610 N. Lindberg Boulevard, Bridgeton, MO 63044.

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

Issued in Kansas City, Missouri on July 15, 1996.

James W. Brunskill,  
*Acting Manager, Airports Division.*

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#### **[Summary Notice No. PE-96-37]**

#### **Petitions for Exemption; Summary of Petitions Received; Dispositions of Petitions Issued**

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

**ACTION:** Notice of petitions for exemption received and of dispositions of prior petitions.

**SUMMARY:** Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption (14 CFR Part 11), this notice contains a summary of certain petitions seeking relief from specified requirements of the Federal Aviation Regulations (14 CFR Chapter I), dispositions of certain petitions

previously received, and corrections. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

**DATES:** Comments on petitions received must identify the petition docket number involved and must be received on or before August 20, 1996.

**ADDRESSES:** Send comments on any petition in triplicate to:

Federal Aviation Administration, Office of the Chief Counsel, Attn: Rule Docket (AGC-200), Petition Docket No. \_\_\_\_\_, 800 Independence Avenue, SW., Washington, DC 20591.

Comments may also be sent electronically to the following internet address: [nprmcmts@mail.hq.faa.gov](mailto:nprmcmts@mail.hq.faa.gov).

The petition, any comments received, and a copy of any final disposition are filed in the assigned regulatory docket and are available for examination in the Rules Docket (AGC-200), Room 915G, FAA Headquarters Building (FOB 10A), 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-3132.

**FOR FURTHER INFORMATION CONTACT:** Mr. D. Michael Smith, Office of Rulemaking (ARM-1), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-7470.

This notice is published pursuant to paragraphs (c), (e), and (g), of § 11.27 of Part 11 of the Federal Aviation Regulations (14 CFR Part 11).

Issued in Washington, DC, on July 26, 1996.

Donald P. Byrne,  
*Assistant Chief Counsel for Regulations.*

#### **Petitions for Exemption**

*Docket No.:* 28563.

*Petitioner:* Mercer County Community College.

*Sections of the FAR Affected:* 14 CFR 141.91.

*Description of Relief Sought:* To permit Mercer County Community College to provide ground school courses over interactive television simultaneously to three institutions while notifying only one Flight Standards District Office (FSDO), instead of notifying each FSDO having jurisdiction over the individual satellite bases.

*Docket No.:* 28606.

*Petitioner:* Petroleum Helicopters, Inc.  
*Sections of the FAR Affected:* 14 CFR 135.167(b)(3) (xvi), (xvii), (xviii), and (xix).