

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****Notice of Intent To Rule on Request To Release Airport Property at the Gatlinburg/Pigeon Forge Airport, Sevierville, TN**

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

**ACTION:** Request for Public Comment.

**SUMMARY:** The Federal Aviation Administration is requesting public comment on the release of land at the Gatlinburg/Pigeon Forge Airport in the city of Sevierville, Tennessee. This property, approximately .5 acres, will change to a non-aeronautical use. This action is taken under the provisions of Section 125 of the Wendell H. Ford Aviation Investment Reform Act for the 21st Century (AIR 21).

**DATES:** Comments must be received on or before *June 1, 2009*.

**ADDRESSES:** Documents are available for review at the Tennessee Department of Transportation, Division of Aeronautics, 424 Knapp Blvd., Bldg. 4219, Nashville, TN 37217 and the FAA Airports District Office, 2862 Business Park Drive, Building G, Memphis, TN 38118. Written comments on the Sponsor's request must be delivered or mailed to: Mr. Phillip J. Braden, Manager, Memphis Airports District Office, 2862 Business Park Drive, Building G, Memphis, TN 38118.

In addition, a copy of any comments submitted to the FAA must be mailed or delivered to Mr. Bob Woods, Director, TDOT, Division of Aeronautics, P.O. Box 17326, Nashville, TN 37217.

**FOR FURTHER INFORMATION CONTACT:** Mr. Michael Thompson, Program Manager, Federal Aviation Administration, Memphis Airports District Office, 2862 Business Park Drive, Building G, Memphis, TN 38118. The application may be reviewed in person at this same location, by appointment.

**SUPPLEMENTARY INFORMATION:** The FAA proposes to rule and invites public comment on the request to release property at the Gatlinburg/Pigeon Forge Airport, Sevierville, TN. Under the provisions of AIR 21 (49 U.S.C. 47107(h)(2)).

On April 08, 2009, the FAA determined that the request to release property at Gatlinburg/Pigeon Forge Airport submitted by TDOT, Division of Aeronautics, meets the procedural requirements of the Federal Aviation Administration. The FAA may approve the request, in whole or in part, no later than *June 1, 2009*.

The following is a brief overview of the request:

The County of Sevier, owner of the Gatlinburg/Pigeon Forge Airport, are proposing the release of approximately .5 acres of airport property so the property can be used to accommodate the construction of a new Fire Department building.

Any person may inspect, by appointment, the request in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**.

In addition, any person may, upon appointment and request, inspect the request, notice and other documents germane to the request in person at the Tennessee Department of Transportation, Division of Aeronautics.

Issued in Memphis, TN, on April 23, 2009.

**Tommy L Dupree,**

*Acting Manager, Memphis Airports District Office, Southern Region.*

[FR Doc. E9-9985 Filed 4-29-09; 8:45 am]

**BILLING CODE P**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****Notice of Intent To Rule on Request To Release Airport Property at the Cincinnati/Northern Kentucky International Airport, Hebron, KY**

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

**ACTION:** Request for public comment.

**SUMMARY:** The Federal Aviation Administration is requesting public comment on the release of land at the Cincinnati/Northern Kentucky International Airport in the city of Hebron, Kentucky. This property, approximately 1.99 acres, will change to a non-aeronautical use. This action is taken under the provisions of Section 125 of the Wendell H. Ford Aviation Investment Reform Act for the 21st Century (AIR 21).

**DATES:** Comments must be received on or before June 1, 2009.

**ADDRESSES:** Documents are available for review at the Cincinnati/Northern Kentucky International Airport, 2939 Terminal Drive, 2nd Floor Administration, Hebron, KY 41048 and the FAA Airports District Office, 2862 Business Park Drive, Building G, Memphis, TN 38118. Written comments on the Sponsor's request must be delivered or mailed to: Mr. Phillip J. Braden, Manager, Memphis Airports District Office, 2862 Business Park Drive, Building G, Memphis, TN 38118.

In addition, a copy of any comments submitted to the FAA must be mailed or

delivered to Ms. Barbara Schempf, Government Affairs/Noise Abatement Officer, P.O. Box 752000, Cincinnati, OH 45275.

**FOR FURTHER INFORMATION CONTACT:** Mr. Michael Thompson, Program Manager, Federal Aviation Administration, Memphis Airports District Office, 2862 Business Park Drive, Building G, Memphis, TN 38118. The application may be reviewed in person at this same location, by appointment.

**SUPPLEMENTARY INFORMATION:** The FAA proposes to rule and invites public comment on the request to release property at the Cincinnati/Northern Kentucky International Airport, Hebron, KY. Under the provisions of AIR 21 (49 U.S.C. 47107(h)(2)).

On April 08, 2009, the FAA determined that the request to release property at Cincinnati/Northern Kentucky International Airport meets the procedural requirements of the Federal Aviation Administration. The FAA may approve the request, in whole or in part, no later than June 1, 2009.

The following is a brief overview of the request:

The Cincinnati/Northern Kentucky International Airport is proposing the release of approximately 1.99 acres of airport property so the property can be used to accommodate the construction of the new Turfway Road Relocation Project.

Any person may inspect, by appointment, the request in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**.

In addition, any person may, upon appointment and request, inspect the request, notice and other documents germane to the request in person at the Tennessee Department of Transportation, Division of Aeronautics.

Issued in Memphis, TN, on April 23, 2009.

**Tommy L. Dupree,**

*Acting Manager, Memphis Airports District Office, Southern Region.*

[FR Doc. E9-9967 Filed 4-29-09; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****Noise Exposure Map Notice; Receipt of Noise Compatibility Program and Request for Review; Westfield-Barnes Airport, Westfield, MA**

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

**ACTION:** Notice.

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

determination that the noise exposure map for Westfield-Barnes Airport, as submitted by the City of Westfield 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, is in compliance with applicable requirements. The FAA also announces that it is reviewing a proposed noise compatibility program that was submitted for Westfield-Barnes Airport under Part 150 in conjunction with the noise exposure map, and that this program will be approved or disapproved on or before October 19, 2009.

**DATES:** *Effective Date:* The effective date of the FAA's determination on the noise exposure map and of the start of its review of the associated noise compatibility program is April 22, 2009. The public comment period ends on June 21, 2009.

**FOR FURTHER INFORMATION CONTACT:** Richard Doucette, Federal Aviation Administration, New England Region, Airports Division, ANE–600, 12 New England Executive Park, Burlington MA 01803.

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 map submitted for Westfield-Barnes Airport is in compliance with applicable requirements of Part 150, effective April 22, 2009. Further, FAA is reviewing a proposed noise compatibility program for that airport which will be approved or disapproved on or before October 19, 2009. 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 a noise exposure map which meets applicable regulations and which depicts non-compatible land uses as of the date of submission of such map, a description of projected aircraft operations, and the ways in which such operations will affect such map. The Act requires such map 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 a noise exposure map that is found by FAA to be in compliance with the requirements of Federal Aviation Regulation (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 introduction of additional non-compatible uses.

The City of Westfield submitted to the FAA, on April 22, 2009, a noise exposure map, descriptions, and other documentation that were produced during the Airport Noise Compatibility Planning (Part 150) study at Westfield-Barnes Airport from November 2006 to April 2009. It was requested that the FAA review this material as the noise exposure map, 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 the City of Westfield. The specific maps under consideration were:

Part 150 Noise Compatibility Study Update, Westfield-Barnes Airport.

Figure 1. Existing (2009) Noise Exposure Map.

Figure 2. Future (2014) Noise Exposure Map.

The FAA has determined that the maps for Westfield-Barnes Airport are in compliance with applicable requirements. This determination is effective on April 22, 2009.

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 map 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 a noise exposure map. 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 the map, 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 Westfield-Barnes Airport, also effective on April 22, 2009. 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 October 19, 2009. 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 non-compatible land uses and preventing the introduction of additional non-compatible 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 map, the FAA's evaluation of the map, and the proposed noise compatibility program are available for examination at the following locations:

Westfield-Barnes Airport, 110 Airport Road, Westfield, Massachusetts 01085.

Federal Aviation Administration, New England Region, Airports Division, ANE–600, 16 New England Executive Park, Burlington, Massachusetts 01803.

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

Issued in Burlington, Massachusetts, on April 22, 2009.

**LaVerne F. Reid,**  
Manager, Airports Division.

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