

agreements, or intrude into areas preempted by the Federal government; and

(d) Program measures relating to the use of flight procedures can be implemented within the period covered by the program without derogating safety, adversely affecting the efficient use and management of the navigable airspace and air traffic control systems, or adversely affecting other powers and responsibilities of the Administrator as prescribed by law.

Specific limitations with respect to FAA's approval of an airport noise compatibility program are delineated in FAR part 150, section 150.5. Approval is not a determination concerning the acceptability of land uses under Federal, state, or local law. Approval does not by itself constitute a FAA implementing action. A request for Federal action or approval to implement specific noise compatibility measures may be required, and an FAA decision on the request may require an environmental assessment of the proposed action.

Approval does not constitute a commitment by the FAA to financially assist in the implementation of the program nor a determination that all measures covered by the program are eligible for grant-in-aid funding from the FAA under the Airport and Airway Improvement Act of 1982. Where Federal funding is sought, requests for project grants must be submitted to the FAA Regional Office in Burlington, Massachusetts.

The City of Portland submitted to the FAA, on August 31, 2005, noise exposure maps, descriptions, and other documentation produced during the noise compatibility planning study conducted from December 2001 to August 2005. The Portland International Jetport noise exposure maps were determined by FAA to be in compliance with applicable requirements on September 9, 2005. Notice of this determination was published in the **Federal Register** on September 22, 2005.

The Portland International Airport Jetport study contains a proposed noise compatibility program comprised of actions designed for implementation by airport management and adjacent jurisdictions from the date of study completion to beyond the year 2007. The City of Portland requested that the FAA evaluate and approve this material as a noise compatibility program as described in section 104(b) of the Act. The FAA began its review of the program on September 9, 2005, and was required by a provision of the Act to approve or disapprove the program within 180 days (other than the use of new flight procedures for noise control).

Failure to approve or disapprove such a program within the 180-day period shall be deemed to be an approval of such a program.

The submitted program contained 13 proposed actions for noise mitigation on and off the airport. The FAA completed its review and determined that the procedural and substantive requirements of the Act and FAR part 150 have been satisfied. The Acting Associate Administrator therefore approved the overall program effective March 8, 2006.

Of the 13 proposed program elements, all were approved. The 13 program elements include new FMS/RNAV flight procedures, greater use of airspace over the Fore River for departures from Runway 11 and arrivals to Runway 29, a reduction in early left turns for aircraft departing Runway 29, runway use recommendations for Federal Express air cargo operations, increased use of Runway 11–29 over Runway 18–36, coordinated efforts with surrounding communities to reduce incompatible land use development, a new flight track monitoring system, periodic recalculation of noise exposure, establishment of engine run-up procedures, continued work with Federal Express to encourage conformance with noise abatement measures, a request that Brunswick Naval Air Station flight units curtail practice instrument operations at PWM, continued meetings with the Noise Advisory Committee, and attendance at meetings of local homeowner associations.

FAA's determinations are set forth in detail in a Record of Approval endorsed by the Acting Associate Administrator on March 8, 2006. The Record of Approval, as well as other evaluation materials and the documents comprising the submittal, are available for review at the FAA office listed above and at the administrative offices of Portland International Jetport, Portland, Maine.

Dated: Issued in Burlington, Massachusetts on April 21, 2006.

LaVerne Reid,

Manager, Airports Division, New England Region.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Programmatic Environmental Impact Statement: Launches and Reentries Under an Experimental Permit

AGENCY: Federal Aviation Administration (FAA), Office of Commercial Space Transportation.

ACTION: Notice of extension of scoping for the Programmatic Environmental Impact Statement (PEIS) for Experimental Permits.

SUMMARY: On March 27, 2006, the FAA published a Notice of Intent to prepare a PEIS for Experimental Permits in the **Federal Register** (71 FR 15251). The FAA has decided to extend the scoping period for the preparation of the PEIS to June 2, 2006. All comments received by June 2, 2006 will be considered in the preparation of the Draft PEIS.

FOR FURTHER INFORMATION CONTACT: Questions regarding this notice may be directed to Ms. Stacey M. Zee, FAA Environmental Specialist, c/o ICF Consulting, 9300 Lee Highway, Fairfax, VA 22031; via E-mail *PEIS-Experimental-Permits@icfconsulting.com*; or via fax at 703-934-3951. Envelopes and the subject line of e-mails or faxes should be labeled "Scoping for the Experimental Permits PEIS."

Herbert Bachner,

Manager, Space Systems Development Division.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Availability of Record of Decision for the Final Environmental Impact Statement, Phoenix Sky Harbor International Airport, Phoenix, Maricopa County, AZ

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of availability for Record of Decision.

SUMMARY: The Federal Aviation Administration (FAA) is issuing this notice to advise the public that it has published a Record of Decision (ROD) for the Final Environmental Impact Statement (FEIS) that evaluated a proposed Airport Development Program at Phoenix Sky Harbor International Airport (PHX), Phoenix, Maricopa County, Arizona.