

### A. Notice of Intent To Establish an Advisory Committee

In accordance with the requirements of the Federal Advisory Committee Act (FACA) (5 U.S.C. App. 2), an agency of the Federal government cannot establish or utilize a group of people in the interest of obtaining consensus advice or recommendations unless that group is chartered as a Federal advisory committee. The purpose of this notice is to indicate the DOT's intent to create a Federal advisory committee to make policy recommendations to Congress as directed in section 11142 of SAFETEA-LU.

### B. Name of Committee

National Surface Transportation Infrastructure Financing Commission ("the Financing Commission")

### C. Purpose and Objective

The Financing Commission will analyze future highway and transit needs and the revenue sources of the Highway Trust Fund and shall make recommendations regarding alternative approaches to financing transportation infrastructure.

The Financing Commission will not exercise program management or regulatory development responsibilities, and will make no decisions directly affecting the programs on which it provides advice. The Financing Commission will provide policy advice to the Secretary of Transportation, the Secretary of the Treasury, and the U.S. Congress from a knowledgeable and independent perspective.

### D. Balanced Membership Plans

The Financing Commission shall consist of not more than 15 members, appointed by the Secretary of Transportation (in consultation with the Secretary of the Treasury), the Chair and Ranking Minority Members of the House Ways and Means Committee, and the Chair and Ranking Minority Members of the Senate Finance Committee, as required by Section 11142(c)(1)(A)-(E) of Public Law 109-59. Members are knowledgeable in the fields of public transportation finance or highway and transit programs, policy, and needs, and include representatives of interested parties, such as State and local governments, transportation providers, and the financial community.

Commission meetings must be open to the public except where closed or partially-closed, as determined proper and consistent with the exemptions of the Government in the Sunshine Act, 5 U.S.C. 552b(c), as the basis for closure. Any member of the public is welcome to attend the Financing Commission

meetings, and, as provided in FACA, may contact and communicate with the Financing Commission directly. Time will be set aside during meetings for this purpose, consistent with the Financing Commission's need for sufficient time to complete its deliberations.

### E. Duration

Not later than 2 years after the date of its first meeting, the Financing Commission shall transmit its final report to the Secretaries of Transportation and the Treasury, and to Congress, as required by Section 11142(h) of Public Law 109-59. The Financing Commission shall terminate on the 180th day following the date of report transmittal.

### F. Notice of Establishment

(Authority: Section 11142(a) of Pub. L. 109-59)

**Mary E. Peters,**

*Secretary.*

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**BILLING CODE 4910-9X-P**

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Danbury Municipal Airport, Danbury, CT; FAA Approval of Noise Compatibility Program

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

**ACTION:** Notice.

**SUMMARY:** The Federal Aviation Administration (FAA) announces its findings on the noise compatibility program submitted by the City of Danbury, CT 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. These findings are made in recognition of the description of federal and non-Federal responsibilities in Senate Report No. 96-52 (1980). On September 9, 2006, the FAA determined that the noise exposure maps submitted by the City of Danbury under part 150 were in compliance with applicable requirements. On February 15, 2007, the Airports Division Manager approved the Danbury Municipal Airport noise compatibility program. All 3 of the proposed program elements were approved.

**EFFECTIVE DATE:** The effective date of the FAA's approval of the Danbury Municipal Airport noise compatibility program is February 15, 2007.

**FOR FURTHER INFORMATION CONTACT:** Richard Doucette, Federal Aviation

Administration, New England Region, Airports Division, 12 New England Executive Park, Burlington, Massachusetts 01803, Telephone (781) 238-7613.

Documents reflecting this FAA action may be obtained from the same individual.

**SUPPLEMENTARY INFORMATION:** This notice announces that the FAA has given its overall approval to the Danbury Municipal Airport, Danbury, CT noise compatibility program, effective February 15, 2007.

Under Section 104(a) of the Aviation Safety and Noise Abatement Act of 1979 (hereinafter the Act), an airport operator who has previously submitted a noise exposure map may submit to the FAA a noise compatibility program which sets forth the measures taken or proposed by the airport operator for the reduction of existing non-compatible land uses and prevention of additional non-compatible land uses within the area covered by the noise exposure maps.

The Act requires such programs to be developed in consultation with interested and affected parties including local communities, government agencies, airport users, and FAA personnel.

Each airport noise compatibility program developed in accordance with Federal Aviation Regulation (FAR), part 150 is a local program, not a Federal program. The FAA does not substitute its judgment for that of the airport proprietor with respect to which measures should be recommended for action. The FAA's approval or disapproval of FAR part 150 program recommendations is measured according to the standards expressed in part 150 and the Act, and is limited to the following determinations:

(a) The noise compatibility program was developed in accordance with the provisions and procedures of FAR part 150;

(b) Program measures are reasonably consistent with achieving the goals of reducing existing non-compatible land uses around the airport and preventing the introduction of additional non-compatible land uses;

(c) Program measures would not create an undue burden on interstate or foreign commerce, unjustly discriminate against types or classes of aeronautical uses, violate the terms of airport grant 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 Danbury Municipal Airport, Danbury, CT submitted to the FAA, on June 30, 2006 (revised September 6, 2006), noise exposure maps, descriptions, and other documentation produced during the noise compatibility planning study conducted from 2002 through 2006. The Danbury Municipal Airport, Danbury, CT noise exposure maps were determined by FAA to be in compliance with applicable requirements on September 9, 2006. Notice of this determination was published in the *Federal Register* on September 19, 2006.

The Danbury Municipal Airport, Danbury, CT 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 Danbury Municipal Airport, Danbury, CT 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 6, 2006, 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 3 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 Airports Division Manager therefore approved the overall program effective February 15, 2007.

Of the 3 proposed program elements, all were approved. All 3 program elements were administrative in nature. They included a Pilot Education Program, Community Outreach Efforts, and Future Updates of Noise Exposure Maps. Various noise abatement and land use measures from the 1987 NCP were restated in the Record of Approval, so that all measures now in effect would be documented in the most recent Record of Approval.

FAA's determination are set forth in detail in a Record of Approval endorsed by the Airport's Division Manager on February 15, 2007. 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 Danbury Municipal Airport, Danbury, CT.

Issued in Burlington, Massachusetts, on February 15, 2007.

**LaVerne F. Reid,**

*Manager, Airports Division, FAA New England Region.*

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**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[Summary Notice No. PE-2007-07]

#### Petitions for Exemption; Summary of Petitions Received

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

**ACTION:** Notice of petitions for exemption received.

**SUMMARY:** Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption part 11 of Title 14, Code of Federal Regulations (14 CFR), this notice contains a summary of certain petitions seeking relief from specified requirements of 14 CFR. 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 April 2, 2007.

**ADDRESSES:** You may submit comments [identified by DOT DMS Docket Number FAA-2007-27290] by any of the following methods:

- *Web Site:* <http://dms.dot.gov>.

Follow the instructions for submitting comments on the DOT electronic docket site.

- *Fax:* 1-202-493-2251.

- *Mail:* Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-001.

- *Hand Delivery:* Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

*Docket:* For access to the docket to read background documents or comments received, go to <http://dms.dot.gov> at any time or to Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:**

Tyneka Thomas (202) 267-7626, Tim Adams (202) 267-8033 or Frances Shaver (202) 267-9681, Office of Rulemaking (ARM-1), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591. This notice is published pursuant to 14 CFR 11.85 and 11.91.

Issued in Washington, DC, on March 1, 2007.

**Pamela Hamilton-Powell,**

*Director, Office of Rulemaking.*

#### Petitions for Exemption

*Docket No.:* FAA-2007-27290.

*Petitioner:* Evergreen International Aviation, Inc.

*Section of 14 CFR Affected:* 14 CFR Appendix I to part 121 subsection V(A).

*Description of Relief Sought:* To allow safety sensitive employees to transfer between Evergreen International Aviation, Inc., Evergreen International Airlines, Inc., Evergreen Air Center, Evergreen Helicopters, Inc., Evergreen Helicopters of Alaska, Inc., and Evergreen Helicopters International, Inc. without complying with pre-employment drug testing.

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