

dB contour and the NCP does not indicate that the airport sponsor has selected land use guidelines different from those in Table I of Part 150.

Fourteen of the measures pertaining to the operation of aircraft at CVG were approved, or conditionally approved. Eight of these are continuation of existing preferential operational measures. Two existing measures relating to nighttime arrival and departure runway priorities are approved to be withdrawn at the time three proposed measures modifying the nighttime runway use program are implemented. Because of changes in FAA requirements, one previously approved operational procedure must be modified. The Kenton County Airport Board is currently working with the Air Traffic Organization to develop a refined departure procedure that will result in the same noise benefit as the previously approved flight corridor consistent with FAA Order 8260.3B. The defined procedure, as modified, must be coordinated with the appropriate FAA line of businesses before being published. The ANAV procedure has not been implemented.

Eleven (11) land use measures were approved for continuation or continuation with modification to include additional area. Three implementation measures were approved.

These determinations are set forth in detail in a Record of Approval signed by the FAA on April 4, 2008. 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 office of the Kenton County Airport Board. The Record of Approval also will be available on-line at: <http://www.faa.gov/airportsairtraffic/airports/environmental/airportnoise/part150/states/>.

Issued in Memphis, Tennessee on April 8, 2008.

Phillip J. Braden,

Manager, Memphis Airports District Office.
[FR Doc. E8-8056 Filed 4-15-08; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Membership in the National Parks Overflights Advisory Group Aviation Rulemaking Committee

ACTION: Notice.

SUMMARY: By **Federal Register** notices (See 72 FR 61202; October 29, 2007 and 73 FR 3510; January 18, 2008) the National Park Service (NPS) and the Federal Aviation Administration (FAA) invited interested persons to apply to fill vacant positions on the National Parks Overflights Advisory Group (NPOAG) Aviation Rulemaking Committee (ARC). These previous notices invited interested persons to apply to fill two vacancies representing environmental concerns, due to the two incumbent members completing their respective three-year term appointment on May 30, 2008. This notice informs the public of the persons selected to fill the vacancies on the NPOAG ARC.

FOR FURTHER INFORMATION CONTACT: Barry Brayer, Special Programs Staff, Federal Aviation Administration, Western-Pacific Region Headquarters, P.O. Box 92007, Los Angeles, CA 90009-2007, telephone (310) 725-3800, e-mail: Barry.Brayer@faa.gov.

SUPPLEMENTARY INFORMATION:

Background

The National Parks Air Tour Management Act of 2000 (the Act) was enacted on April 5, 2000, as Public Law 106-181. The Act required the establishment of the advisory group within 1 year after its enactment. The NPOAG was established in March 2001.

The advisory group is comprised of a balanced group of representatives of general aviation, commercial air tour operations, environmental concerns, and Native American tribes. The Administrator of the FAA and the Director of NPS (or their designees) serve as ex officio members of the group. Representatives of the Administrator and Director serve alternating 1-year terms as chairman of the advisory group.

In accordance with the Act, the advisory group provides "advice, information, and recommendations to the Administrator and the Director—

(1) On the implementation of this title [the Act] and the amendments made by this title;

(2) On commonly accepted quiet aircraft technology for use in commercial air tour operations over a national park or tribal lands, which will receive preferential treatment in a given air tour management plan;

(3) On other measures that might be taken to accommodate the interests of visitors to national parks; and

(4) At the request of the Administrator and the Director, safety, environmental, and other issues related to commercial air tour operations over a national park or tribal lands."

Membership

The current NPOAG ARC is made up of one member representing general aviation, three members representing the commercial air tour industry, four members representing environmental concerns, and two members representing Native American interests. Current members of the NPOAG ARC are as follows:

Heidi Williams representing general aviation; Alan Stephen, Elling Halvorson, and Matthew Zuccaro representing commercial air tour operations; Chip Dennerlein, Greg Miller, Mark Peterson, and Don Barger representing environmental concerns; and Rory Majenty and Richard Deertrack representing Native American tribes. The terms of Mark Peterson and Don Barger expire on May 30, 2008.

Selection

Selected to fill these two vacancies, are Kristen Brengel for a new term, and returning member Don Barger. Their terms begin on May 31, 2008. The term of service for NPOAG ARC members is 3 years.

Issued in Hawthorne, CA on March 10, 2008.

Barry Brayer,

Manager, Special Programs Staff, Western-Pacific Region.

[FR Doc. E8-8059 Filed 4-15-08; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No. FAA-2006-25755]

Operating Limitations at New York LaGuardia Airport; Notice of Order

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed amendment to order; request for comments.

SUMMARY: The Federal Aviation Administration (FAA) is proposing amending the Order Limiting Scheduled Operations at New York LaGuardia that published in the **Federal Register** on December 27, 2006. This amendment, if adopted, would reduce the number of reservations available for unscheduled operations from six per hour to three per hour.

FOR FURTHER INFORMATION CONTACT: Rebecca MacPherson, Assistant Chief Counsel for Regulations, Office of the Chief Counsel, AGC-200, Federal Aviation Administration, 800 Independence Avenue, SW.,

Washington, DC 20591; telephone (202) 267-3073.

DATES: The FAA invites interested persons to submit written comments on this proposal by no later than May 1, 2008 in Docket FAA-2006-25755. We will give full consideration to comments received before we issue a final modification to the Order. You may send comments using any of the following methods:

- *DOT Docket Web site:* Go to <http://dms.dot.gov> and follow the instructions for sending your comments electronically.

- *Mail:* U.S. Department of Transportation, Docket Operations, M-30, Room W12-140, 1200 New Jersey Ave., SE., Washington, DC 20590.

- *Fax:* (202) 493-2251.

- *Hand Delivery:* West Building, Ground Floor, Room W12-140, U.S. Department of Transportation, 1200 New Jersey Ave., SE., Washington, DC, 20590 between 9 a.m. and 5 p.m., Monday through Friday, except for Federal holidays.

SUPPLEMENTARY INFORMATION: The FAA proposes to modify its December 12, 2006 Order, (the Order) that temporarily limits flight operations at New York's LaGuardia Airport (LaGuardia), pending its promulgation of a long-term regulation to manage congestion at the airport. We propose to reduce the number of unscheduled operations from six per hour to three. These proposed amendments would not affect scheduled operations.

I. Background

Due to LaGuardia's limited runway capacity, the airport cannot accommodate the number of flights that airlines would like to operate without causing significant congestion. The FAA has long limited the number of arrivals and departures at LaGuardia during peak demand periods through the promulgation and implementation of the High Density Rule (HDR).¹ By statute enacted in April 2000, the HDR's applicability to LaGuardia operations terminated as of January 1, 2007.² On August 29, 2006, the FAA published a notice of proposed rulemaking (NPRM) in the *Federal Register* in anticipation of the HDR's expiration. 71 FR 51360. In the NPRM, the agency proposed another congestion management program for LaGuardia, which, among other things, would continue to limit the number of scheduled and unscheduled operations at LaGuardia. Because the rulemaking

was not completed before January 1, 2007, the FAA, after notice and comment, adopted interim operational limitations on LaGuardia flights through the Order. 71 FR 77854 (December 27, 2006). Without the limits contained in the Order, the FAA projected that severe congestion-related delays would occur as a result of excessive demand at LaGuardia, leading to delays both at LaGuardia and at other airports throughout the National Airspace System.

As part of that Order, the FAA imposed a reservation system for unscheduled operations at the airport. Specifically, the FAA provided that it would accommodate up to six unscheduled reservations per hour during the hours the airport was capped as long as the operators had secured a reservation with Air Traffic Control. The FAA has tentatively decided to reduce that number of available reservations from six to three per hour. Currently, the six hourly reservations held for unscheduled operations are not fully utilized.

The FAA and MITRE's Center for Advanced Aviation System Development (CAASD) has reviewed data on air traffic operations at LaGuardia for calendar year 2007 to determine the level of unscheduled operations at the airport. In 2007 there was an average of 36 weekday operations at the airport from 6 a.m. to 10 p.m., the period the Order is in effect. During the peak hours, unscheduled operations averaged three per hour.

The FAA published an Order imposing a cap on operations at John F. Kennedy International Airport on January 18, 2008. That order took effect March 30, 2008. In addition, the FAA intends to publish an order imposing a cap on operations at Newark Liberty International Airport later this spring. In conjunction with those two orders, the FAA intends to restrict the number of unscheduled operations, other than helicopters, at both airports. The FAA has not proposed to restrict operations at Teterboro.

The FAA is concerned that restricting unscheduled operations at JFK and Newark could encourage operators to move their unscheduled operations from those airports to LaGuardia. Delay numbers at LaGuardia for 2007 were among the highest in the country. The FAA is concerned that if additional unscheduled operations move to LaGuardia, those numbers could be even higher. To ensure that this does not happen, the FAA has tentatively decided to reduce the allowable number

of unscheduled operations from six to three per hour.

Additional reservations could be made available for unscheduled operations depending on the weather, runway configuration or less than anticipated delays. In such instances the FAA would likely allow more than three unscheduled operations in a given hour. It is unlikely that the FAA would know more than eight hours in advance whether additional capacity is available. If additional capacity is available, reservations would be allocated through the Airport Reservation Office's e-CVRS reservation system and not through the local air traffic control facilities.

II. Proposed Amendment to the Order

With respect to unscheduled flight operations at LaGuardia, the FAA proposes to adopt the following measures:

1. The final order applies to all operators of unscheduled flights, except helicopter operations, at LaGuardia from 6 a.m. through 9:59 p.m., Eastern Time, Monday through Friday and from 12 noon through 9:59 p.m., Eastern Time, Sunday.

2. The final Order takes effect on January 1, 2007, and will expire at the first change of the scheduling season occurring no less than 90 days after the issuance of a final rule regulating congestion at LaGuardia.

3. No person can operate an aircraft other than a helicopter to or from LaGuardia unless the operator has received, for that unscheduled operation, a reservation that is assigned by the David J. Hurley Air Traffic Control System Command Center's Airport Reservation Office (ARO). Additional information on procedures for obtaining a reservation will be available via the Internet at <http://www.fly.faa.gov/ecvrs>.

4. Three (3) reservations are available per hour for unscheduled operations at LaGuardia. The ARO will assign reservations on a 30-minute basis.

5. The ARO receives and processes all reservation requests. Reservations are assigned on a "first-come, first-served" basis, determined as of the time that the ARO receives the request. A cancellation of any reservation that will not be used as assigned would be required.

6. Filing a request for a reservation does not constitute the filing of an instrument flight rules (IFR) flight plan, as separately required by regulation. After the reservation is obtained, an IFR flight plan can be filed. The IFR flight plan must include the reservation number in the "remarks" section.

¹ See 49 CFR part 93, subpart K.

² Aviation Investment and Reform Act for the 21st Century (AIR-21), P.L. 106-181 (April 5, 2000), 49 U.S.C. 41715(a)(2).

7. Air Traffic Control will accommodate declared emergencies without regard to reservations. Non-emergency flights in direct support of national security, law enforcement, military aircraft operations, or public-use aircraft operations will be accommodated above the reservation limits with the prior approval of the Vice President, System Operations Services, Air Traffic Organization. Procedures for obtaining the appropriate reservation for such flights are available via the Internet at <http://www.fly.faa.gov/ecvrs>.

8. Notwithstanding the limits in paragraph 4, if the Air Traffic Organization determines that air traffic control, weather, and capacity conditions are favorable and significant delay is not likely, the FAA can accommodate additional reservations over a specific period. Unused operating authorizations can also be temporarily made available for unscheduled operations. Reservations for additional operations are obtained through the ARO.

9. Reservations cannot be bought, sold, or leased.

III. Request for Comments

The FAA invites all interested persons to submit written comments on the proposals described in this order by filing their written views in Docket FAA-2006-25755 on or before May 1, 2008. The FAA does not intend this proposal to address the longer-term issues that will be considered in the related proposed rulemaking. Therefore, any submissions to the current docket should focus on the issues specified in this proposed order.

Issued in Washington, DC, on April 10, 2008.

Rebecca B. MacPherson,

*Assistant Chief Counsel for Regulations,
Federal Aviation Administration.*

[FR Doc. E8-8106 Filed 4-15-08; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Passenger Facility Charge (PFC) Approvals and Disapprovals

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Monthly Notice of PFC Approvals and Disapprovals. In January 2008, there were four applications approved. This notice also includes information on two applications, approved in December 2007, inadvertently left off the December 2007

notice. Additionally, 15 approved amendments to previously approved applications are listed.

SUMMARY: The FAA publishes a monthly notice, as appropriate, of PFC approvals and disapprovals under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101-508) and Part 158 of the Federal Aviation Regulations (14 CFR Part 158). This notice is published pursuant to paragraph d of § 158.29.

PFC Applications Approved

Public Agency: Columbus Regional Airport Authority, Columbus, Ohio.

Application Number: 08-08-C-00-CMH.

Application Type: Impose and use a PFC.

PFC Level: \$4.50.

Total PFC Revenue Approved in This Decision: \$71,050,296.

Earliest Charge Effective Date: February 1, 2010.

Estimated Charge Expiration Date: April 1, 2013.

Class of Air Carriers Not Required To Collect PFCs: Air taxi/commercial operators when enplaning revenue passengers in service and equipment reportable to FAA on FAA Form 1800-31.

Determination: Approved. Based on information submitted in the public agency's application, the FAA has determined that the approved class accounts for less than 1 percent of the total annual enplanements at Port Columbus International Airport.

Brief Description of Projects Approved for Collection and Use at a \$4.50 PFC Level: Preliminary planning, preliminary engineering, preliminary feasibility and other studies for replacement runway 10R128L.

Environmental impact statement—replacement runway 1 OR/28L. Crossover taxiway.

Air rescue replacement vehicle. Concourse B capacity enhancements.

Brief Description of Projects Approved for Collection and Use at a \$3.00 PFC Level: Pavement management program updates.

High-speed runway brooms with plows.

Terminal heating, ventilation and air conditioning, lighting, and electrical improvements.

Ticket lobby restroom expansion.

Concourse A and related terminal modifications and improvements.

International Gateway roadway loop system.

Stelzer Road/International Gateway interchange—east element.

Stelzer Road/International Gateway interchange—west element.

Project formulation.

Decision Date: December 26, 2007.

FOR FURTHER INFORMATION CONTACT: Irene Porter, Detroit Airports District Office, (734) 229-2915.

Public Agency: City of Cortez, Colorado.

Application Number: 08-02-C-00-CEZ.

Application Type: Impose and use a PFC.

PFC Level: \$4.50.

Total PFC Revenue Approved in This Decision: \$339,072.

Earliest Charge Effective Date: March 1, 2008.

Estimated Charge Expiration Date: March 1, 2016.

Class of Air Carriers Not Required To Collect PFCs: Part 135 operators.

Determination: Approved. Based on information submitted in the public agency's application, the FAA has determined that the approved class accounts for less than 1 percent of the total annual enplanements at Cortez Municipal Airport.

Brief Description of Projects Approved for Collection and Use:

Widen taxiway A north and construct A-3 connector.

Acquire land.

Airport layout plan update.

Resurface runway 3/21 (design).

Resurface runway 3/21 (construction).

Construct helicopter parking ramp.

Tie-down ramp rehabilitation.

Construct snow removal equipment building.

Widen taxiway A south and construct A-4 connector.

Decision Date: December 28, 2007.

FOR FURTHER INFORMATION CONTACT: Chris Schaffer, Denver Airports District Office, (303) 342-1258.

Public Agency: Cities of Midland and Saginaw and County of Bay, Saginaw, Michigan.

Applications Number: 08-06-C-00-MBS.

Application Type: Impose and use a PFC.

PFC Level: \$4.50.

Total PFC Revenue Approved in This Decision: \$2,783,693.

Earliest Charge Effective Date: April 1, 2008.

Estimated Charge Expiration Date: February 1, 2011.

Class of Air Carriers Not Required To Collect PFCs: Part 135 air taxi/commercial operators filing FAA Form 1800-31.

Determination: Approved. Based on information submitted in the public agency's application, the FAA has