

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****Membership Availability in the National Parks Overflights Advisory Group Aviation Rulemaking Committee To Represent Commercial Air Tour Interests****ACTION:** Notice.

**SUMMARY:** The National Park Service (NPS) and the Federal Aviation Administration (FAA), as required by the National Parks Air Tour Management Act of 2000, established the National Parks Overflights Advisory Group (NPOAG) in March 2001. The NPOAG was formed to provide continuing advice and counsel with respect to commercial air tour operations over and near national parks. This notice informs the public of one vacancy (due to completion of membership on May 19, 2007), on the NPOAG (now the NPOAG Aviation Rulemaking Committee (ARC)) for a member representing commercial air tour operators, and invites interested persons to apply to fill the vacancy.

**DATES:** Persons interested in serving on the NPOAG ARC should contact Mr. Barry Brayer in writing and postmarked or e-mailed on or before March 1, 2007.

**FOR FURTHER INFORMATION CONTACT:** Barry Brayer, Executive Resource Staff, Federal Aviation Administration, Western-Pacific Region Headquarters, 15000 Aviation Blvd., Hawthorne, CA 90250, telephone: (310) 725-3800, e-mail: [Barry.Brayer@faa.gov](mailto: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 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.

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."

Members of the advisory group may be allowed certain travel expenses as authorized by Section 5703 of Title 5, United States Code, for intermittent Government service.

By FAA Order No. 1110-138, signed by the FAA Administrator on October 10, 2003, the NPOAG became an Aviation Rulemaking Committee (ARC). FAA Order No. 1110-138, was amended and became effective as FAA Order No. 1110-138A, on January 20, 2006.

The current NPOAG ARC is made up on one member representing general aviation, three members representing the air tour industry, four members representing environmental concerns, and two members representing Native American interests. Current members of the NPOAG ARC are: Heidi Williams, Aircraft Owners and Pilots Association; Alan Stephen, fixed-winged air tour operator representative; Elling Halvorson, Papillon Airways, Inc.; Matthew Zuccaro, Helicopters Association International; Chip Dennerlein, Siskiyou Project; Greg Miller, American Hiking Society; Mark Peterson, National Audubon Society; Don Barger, National Parks Conservation Association; Rory Majenty, Hualapai Nation; and Richard Deertrack, Taos Pueblo.

**Public Participation in the NPOAG ARC**

In order to retain balance within the NPOAG ARC, the FAA and NPS invite persons interested in serving on the ARC to represent the commercial air tour industry, to contact Mr. Barry Brayer (contact information is written above in **FOR FURTHER INFORMATION CONTACT**) Requests to serve on the ARC must be made to Mr. Brayer in writing and postmarked or e-mailed on or before March 1, 2007. The request should indicate whether or not you are a member of an association representing commercial air tours or have another affiliation with issues relating to aircraft flights over national parks. The request should also state what expertise you would bring to the NPOAG ARC as related to environmental interests. The

term of service NPOAG ARC members is 3 years.

Issued in Hawthorne, CA on January 11, 2007.

**Barry Brayer,**

*Manager, Executive Resource Staff, Western-Pacific Region.*

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**BILLING CODE 4910-13-M**

**DEPARTMENT OF TRANSPORTATION****Federal Highway Administration****Environmental Impact Statement: Mecklenburg and Union Counties, NC**

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice of Intent.

**SUMMARY:** The FHWA is issuing this notice to advise the public that an Environmental Impact Statement (EIS) will be prepared for a proposed project in Mecklenburg and Union Counties, North Carolina.

**FOR FURTHER INFORMATION CONTACT:** Mr. George Hoops, Major Projects Engineer, Federal Highway Administration, 310 New Bern Avenue, Suite 410, Raleigh, North Carolina 27601-1418, Telephone: (919) 856-4350 extension 104.

**SUPPLEMENTARY INFORMATION:** Pursuant to Title 23, Code of Federal Regulations, Part 771, Environmental Impact and Related Procedures, the FHWA, in cooperation with the North Carolina Turnpike Authority (NCTA) and the North Carolina Department of Transportation (NCDOT), will prepare an environmental impact statement (EIS) addressing proposed improvements in the US 74 corridor from I-485 in Mecklenburg County to the vicinity of the Town of Marshville, which is east of the City of Monroe (the County seat) in Union County. The proposed project study extends from I-485 in the west to the vicinity of the Town of Marshville in the east and extends north and south of US 74. The proposed action is included in the long range transportation plan approved by the Mecklenburg-Union Metropolitan Planning Organization (MUMPO).

This study is a combination of two projects previously analyzed by NCDOT, the Monroe Bypass (NCDOT Transportation Improvement Program [TIP] Project R-2559) and the Monroe Connector (NCDOT TIP Project R-3329). The Monroe Bypass study addressed in the US 74 corridor from just west of the City of Monroe to just west of the Town of Marshville. An Environmental Assessment for this project was approved in March 1996, and a Finding

of No Significant Impact was issued in June 1997. The Monroe Connector study previously addressed improvements in the US 74 corridor from I-485 to US 601 in the City of Monroe, where it ended at the proposed Monroe Bypass. A Draft EIS for this project was approved in November 2003; however, a public hearing was never held. In February 2005, the NCTA adopted the Monroe Connector as a toll candidate facility, and in January 2006, the Notice of Intent for the Monroe Connector EIS was rescinded (**Federal Register** Vol. 71, No. 19, page 4958). Subsequently, NCTA adopted the Monroe Bypass project as a toll candidate facility in October 2006. The Monroe Connector and Monroe Bypass projects have been combined into a single project and will be evaluated in a single EIS.

The EIS for the proposed action will consider alternatives for improvements in the US 74 corridor from I-485 to US 74 in the vicinity of the Town of Marshville. Alternatives, including a "No-Build" Alternative (continuation of the existing condition), improving the existing US 74 corridor, and constructing a new location facility, will be considered. Several alternative corridors for a new location facility will be studied. As part of the EIS, NCTA will study the feasibility and impacts of developing the proposed project, in whole or in part, as a toll road.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State and local agencies. Scoping will occur over a series of meetings with the agencies and citizens informational workshops with the public. Information on the dates, times, and locations of the citizens informational workshops will be advertised in the local news media and newsletters will be mailed to those on the project mailing list. If you wish to be placed on the mailing list, contact Jennifer Harris at the address listed below. The Draft EIS will be available for public and agency review and comment prior to the public hearing.

To ensure the full range of issues related to the proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments and questions concerning the proposed action should be directed to the FHWA at the address provided above or directed to: Ms. Jennifer Harris, Staff Engineer, North Carolina Turnpike Authority, 5400 Glenwood Avenue, Suite 400, Raleigh, North Carolina, 27612. Telephone: (919) 571-3004.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research,

Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation of Federal programs and activities apply to this program.)

**George Hoops,**

*Major Projects Engineer, Federal Highway Administration, Raleigh, North Carolina.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

[Docket No: FTA-2006-23697]

#### Public-Private Partnership Pilot Program

**AGENCY:** Federal Transit Administration (FTA), DOT.

**ACTION:** Notice of establishment of Public-Private Partnership Pilot Program; solicitation of applications.

**SUMMARY:** Section 3011(c) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users ("SAFETEA-LU") authorizes the U.S. Secretary of Transportation to establish and implement a pilot program to demonstrate the advantages and disadvantages of public-private partnerships for certain new fixed guideway capital projects (the "Pilot Program"). This notice establishes and sets forth the definitive terms of the Pilot Program. By separate notice to be published in the **Federal Register** not later than March 31, 2007, FTA will summarize and respond to comments solicited by FTA by notice published in the **Federal Register** on March 22, 2006, at 71 FR 14568. This notice is not a "binding obligation" as defined at 49 U.S.C. 5334(l)(2). This notice is organized into three sections: (1) "Background;" (2) "Overview of Pilot Program;" and (3) "Definitive Terms."

**DATES:** To be considered in FTA's first quarterly review of applications to the Pilot Program, applications must be received by FTA on or before March 31, 2007. Applications received by FTA between March 31, 2007, and July 1, 2007, will be reviewed in FTA's second quarterly review of applications to the Pilot Program. See "Applications" at section 3(f) of this notice.

**ADDRESSES:** Applications should be submitted by U.S. Post or express mail to the Federal Transit Administration, c/o the Chief Counsel, Office of Chief Counsel, Room 9328, 400 Seventh Street, SW., Washington, DC 20590. Please note that due to security procedures in effect since October 2001 regarding mail deliveries, mail received

through the U.S. Postal Service may be subject to delays. Parties making applications to the Pilot Program should consider using an express mail service to ensure the prompt filing of any applications not filed by express mail.

#### FOR FURTHER INFORMATION CONTACT:

Questions concerning the Pilot Program should be addressed to David B. Horner, Esq., Chief Counsel, Federal Transit Administration, by e-mail at [David.Horner@dot.gov](mailto:David.Horner@dot.gov) or by telephone at (202) 689-4464. To read materials on the DOT docket responsive to FTA's notice published in the **Federal Register** on March 22, 2006, at 71 FR 14568, please go to <http://dms.dot.gov> at any time or to the Docket Management System.

#### SUPPLEMENTARY INFORMATION:

##### 1. Background

(a) *Objective.* The Public-Private Partnership Pilot Program (the "Pilot Program") is intended to demonstrate the advantages and disadvantages of public-private partnerships ("PPPs") for certain new fixed guideway capital projects funded by the Federal Transit Administration ("FTA"). In particular, the Pilot Program is intended to study whether, in comparison to conventional procurements, PPPs better reduce and allocate risks associated with new construction, accelerate project delivery, improve the reliability of projections of project costs and benefits, and enhance project performance. The Pilot Program will accordingly study projects that, among other things, utilize methods of procurement that integrate risk-sharing and streamline project development, engineering, construction,<sup>1</sup> operation, and maintenance.<sup>2</sup> The amount and terms of private investment to be made in such projects will be a significant consideration in selecting projects to participate in the Pilot Program.

(b) *PPPs in General.* As the growth in traditional transportation revenue sources, such as gasoline taxes, continues to decline and transportation operation, maintenance, replacement, and expansion needs and costs increase, transportation agencies are experiencing significant pressure to find ways to

<sup>1</sup> Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users H.R. REP. NO. 109-203, at 936-37 (2005), reprinted in 2005 U.S.C.C.A.N. 452.

<sup>2</sup> Section 5309(c)(4)(A), which permits the Secretary to approve an application to the Pilot Program if "State and local laws permit public-private agreements for all phases of project development, construction and operation of the project" (emphasis added) indicates that the Pilot Program is intended to demonstrate the advantages and disadvantages of PPPs for all aspects certain new fixed guideway capital projects, including their operation and maintenance.