

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****Notice of Intent To Rule on Application 03-09-C-00-CMX To Impose and Use the Revenue From a Passenger Facility Charge (PFC) at Houghton County Memorial Airport, Hancock, Michigan**

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of intent to rule on application.

SUMMARY: The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at Houghton County Memorial Airport under the provisions of the 48 U.S.C. 40117 and part 158 of the Federal Aviation Regulations (14 CFR part 158).

DATES: Comments must be received on or before February 27, 2003.

ADDRESSES: Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Federal Aviation Administration, Detroit Airports District Office, Willow Run Airport, East, 8820 Beck Road, Belleville, Michigan 48111. The application may be reviewed in person at this location.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Ms. Sandra D. LaMothe, Airport Manager, Houghton County Memorial Airport at the following address: Houghton County Memorial Airport, 23810 Airpark Boulevard, Suite 113, Hancock, Michigan 49913.

Air carriers and foreign air carriers may submit copies of written comments previously provided to the County of Houghton under § 158.23 of Part 158.

FOR FURTHER INFORMATION CONTACT: Ms. Arlene B. Draper, Program Manager, Federal Aviation Administration, Detroit Airports District Office, Willow Run Airport, East, 8820 Beck Road, Belleville, Michigan 48111 (734-487-7282). The application may be reviewed in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at Houghton County Memorial Airport under the provisions of 49 U.S.C. 40117 and part 158 of the Federal Aviation Regulations (14 CFR part 158).

On January 6, 2003, the FAA determined that the application to impose and use the revenue from a PFC submitted by the County of Houghton was substantially complete within the requirements of § 158.25 of part 158.

The FAA will approve or disapprove the application, in whole or in part, not later than May 2, 2003.

The following is a brief overview of the application.

Level of the proposed PFC: \$3.00.

Proposed charge effective date: September 1, 2005.

Proposed charge expiration date: May 1, 2007.

Total estimated PFC revenue: \$104,266.

Brief description of proposed projects: Acquire snow removal equipment, access road lighting, directional and entrance road signage, new electrical service to Aircraft Rescue and Fire Fighting (ARFF) building, rehabilitate public address system in passenger terminal, terminal landside rehabilitation, terminal apron pavement crack sealing, terminal airside entrance rehabilitation, thermal imaging cameras for ARFF vehicles, Unicom radio procurement, electrical transformer screen wall, runway 13 protection zone hazard removal, terminal bathroom rehabilitation, PFC application reimbursement, security fencing with perimeter road.

Class or classes of air carriers, which the public agency has requested to be required to collect PFCs: The County of Houghton has not requested approval to exclude a class or classes of carriers from the PFC collection requirements.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the County of Houghton.

Issued in Des Plaines, Illinois on January 15, 2003.

Mark McClardy,

Manager, Planning and Programming, Airports Division, Great Lakes Region.

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inadvertently left off the October 2002 notice. Additionally, four 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 Application Approved

Public Agency: City of Worland, Wyoming.

Application Number: 02-01-C-00-WRL.

Application Type: Impose and use a PFC.

PFC Level: \$4.50.

Total PFC Revenue Approved in This Decision: \$70,500.

Earliest Charge Effective Date: January 1, 2003.

Estimated Charge Expiration Date: March 1, 2008.

Class of Air Carriers not Required To Collect PFC's: None.

Brief Description of Projects

Approved for Collection and Use: Preliminary design engineering for runway extension, road, and canal relocation.

Acquire land for runway extension and land use protection.

Relocate obstructions—Highland Hanover Canal and county road.

Brief Description of Disapproved Project; Rehabilitate and shift runway 16/34.

Determination: As proposed, the project does not meet the requirement that it will be implemented within 2 years of approval. In addition, the proposed financial plan required Airport Improvement Program discretionary funds that the FAA did not support, thus raising questions about the financial viability of the project.

Decision Date: October 10, 2002.

FOR FURTHER INFORMATION CONTACT:

Christopher Schaffer, Denver Airports District Office, (303) 342-1258.

Public Agency: Niagara Frontier Transportation Authority, Buffalo, New York.

Application Number: 02-04-C-00-BUF.

Application Type: Impose and use a PFC.

PFC Level: \$3.00

Total PFC Revenue Approved in This Decision: \$23,290,853.

Earliest Charge Effective Date: October 1, 2005.

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 December 2002, there were seven applications approved. This notice also includes information on one application, approved in October 2002,

Estimated Charge Expiration Date: January 1, 2010.

Class of Air Carriers not Required To Collect PFC's: Air taxi/commercial operators filing FAA Form 1800-31.

Determination: Approved. Based on information contained 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 Buffalo Niagara International Airport (BUF).

Brief Description of Projects Approved for Collection and Use at BUF: Relocation of security checkpoints.

Runway 14/32 safety improvement and relocation remote fuel dispensing facility.

Purchase safety equipment—aircraft rescue and firefighting/emergency response vehicles.

Passenger movement equipment.

Procurement of security equipment—vehicles.

Upgrade security badging system.

PFC planning and program administration.

Series 1999 debt service—east concourse.

Brief Description of Project Approved for Collection at BUF and Use at Niagara Falls International Airport: Purchase snow removal equipment.

Decision Date: December 11, 2002.

FOR FURTHER INFORMATION CONTACT:

Eleanor Schifflin, Eastern Region Airports Division, (718) 553-3354.

Public Agency: City of Santa Barbara, California.

Application Number: 02-03-C-00-SBA.

Application Type: Impose and use a PFC.

PFC Level: \$3.00

Total PFC Revenue Approved in This Decision: \$2,001,560.

Earliest Charge Effective Date: May 1, 2005.

Estimated Charge Expiration Date: August 1, 2006.

Class of Air Carriers Not Required To Collect PFC's: Unscheduled Part 135 air taxi operators.

Determination: Approved. Based on information contained 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 Santa Barbara Municipal Airport.

Brief Description of Projects Approved For Collection and Use: Taxi B relocation. Taxiway M runway incursion project. New taxiway Q.

Brief Description of Projects Approved for Use: Extend runway safety areas. Extend taxiway A and safety areas.

Decision Date: December 12, 2002.

FOR FURTHER INFORMATION CONTACT:

Kevin Flynn, Western Pacific Region Airports Division, (310) 725-3632.

Public Agency: Miami Dade Aviation Department, Miami, Florida.

Application Number: 02-04-C-00-MIA.

Application Type: Impose and use a PFC.

PFC Level: \$4.50.

Total PFC Revenue Approved in This Decision: \$2,420,400,341.

Earliest Charge Effective Date: March 1, 2003.

Estimated Charge Expiration Date: October 1, 2037.

Class of Air Carriers Not Required To Collect PFC's: Air taxi/commercial operators filing FAA Form 1800-31.

Determination: Approved. Based on information contained 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 Miami International Airport.

Brief Description of Projects Approved for Collection and Use: North terminal development. South terminal development.

Decision Date: December 12, 2002.

FOR FURTHER INFORMATION CONTACT:

Miguel A. Martinez, Orlando Airports District Office, (407) 812-6331.

Public Agency: County of Jefferson, Beaumont, Texas.

Application Number: 02-04-C-00-BPT.

Application Type: Impose and use a PFC.

PFC Level: \$4.50.

Total PFC Revenue Approved in This Decision: \$149,300.

Earliest Charge Effective Date: March 1, 2005.

Estimated Charge Expiration Date: April 1, 2007.

Class of Air Carriers Not Required To Collect PFC's: None.

Brief Description of Projects Approved for Collection and Use: Conduct master plan update. Airport safety improvements. Acquire forward looking infrared system. PFC application and administration fees.

Brief Description of Withdrawn Project: Runway extension benefit cost analysis.

Determination: This project was withdrawn by the public agency on October 24, 2002.

Decision Date: December 17, 2002.

FOR FURTHER INFORMATION CONTACT:

Thomas Wade, Southwest Region Airports Division, (817) 222-5613.

Public Agency: Duluth Airport Authority, Duluth, Minnesota.

Application Number: 02-06-C-00-DLH.

Application Type: Impose and use a PFC.

PFC Level: \$4.50.

Total PFC Revenue Approved in This Decision: \$901,280.

Earliest Charge Effective Date: April 1, 2003.

Estimated Charge Expiration Date: June 1, 2005.

Class of Air Carriers Not Required To Collect PFC'S: Non-scheduled Part 135 air taxi/commercial operators.

Determination: Approved. Based on information contained 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 Duluth International Airport.

Brief Description of Projects Approved for Collection and Use: Preparation of PFC application. Purchase replacement snow removal equipment. Construct snow removal equipment material storage and maintenance facility.

Decision Date: December 20, 2002.

FOR FURTHER INFORMATION CONTACT:

Gordon Nelson, Minneapolis Airports District Office, (612) 712-4358.

Public Agency: South Jersey Transportation Authority, Egg Harbor Township, New Jersey.

Application Number: 03-02-C-00-ACY.

Application Type: Impose and use a PFC.

PFC Level: \$3.00.

Total PFC Revenue Approved in This Decision: \$1,573,274.

Earliest Charge Effective Date: September 1, 2005.

Estimated Charge Expiration Date: June 1, 2006.

Class of Air Carriers Not Required To Collect PFC'S: Non-scheduled/on demand air carriers with less than 1,200 annual enplaned passengers filing FAA Form 1800-31.

Determination: Approved. Based on information contained 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 Atlantic City International Airport.

Brief Description of Projects Approved for Collection and Use: Rehabilitate taxiway B—phases I and II. Acquire snow removal equipment. Improve terminal building. Improvements to airport security systems—phase II. Terminal area study.

Brief Description of Projects Approved for Use: Construct snow

removal equipment building. ASR-9 relocation.

Brief Description of Projects Approved for Collection: Construct deicing containment facility. Environmental mitigation—design only. Decision Date: December 20, 2002.

FOR FURTHER INFORMATION CONTACT: Dan Vornea, New York Airports District Office, (516) 227-3812.

Public Agency: Brown County, Green Bay, Wisconsin.

Application Number: 02-05-C-00-GRB.

Application Type: Impose and use a PFC.

PFC Level: \$4.50.

Total PFC Revenue Approved in This Decision: \$23,319,000.

Earliest Charge Effective Date: April 1, 2003.

Estimated Charge Expiration Date: January 1, 2016.

Class of Air Carriers Not Required To Collect PFC'S: Air taxi/commercial operators.

Determination: Approved. Based on information contained 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 Austin Straubel International Airport.

Brief Description of Project Approved for Collection and Use: Air carrier terminal expansion.

Decision Date: December 20, 2002.

FOR FURTHER INFORMATION CONTACT: Daniel J. Millenacker, Minneapolis Airports District Office, (612) 713-4359.

AMENDMENTS TO PFC APPROVALS

Amendment No. city, state	Amendment approved date	Original approved net PFC revenue	Amended approved net PFC revenue	Original estimated charge exp. date	Amended estimated charge exp. date
99-03-C-01-JAN Jackson, MS	12/04/02	\$5,577,870	\$11,925,562	04/01/03	02/01/07
98-03-C-01-BUR Burbank, CA.	12/20/02	84,481,000	0	06/01/10	10/01/01
*98-02-C-02-CRP Corpus Christi, TX	12/23/02	41,083,878	43,362,585	04/01/23	01/01/27
*99-03-C-01-TYR Tyler, TX	12/24/02	1,123,700	1,123,700	10/01/09	04/01/08

NOTE: The amendments denoted by an asterisk (*) include a change to the PFC level charged from \$3.00 per enplaned passenger to \$4.50 per enplaned passenger. For Corpus Christi, TX, this change is effective on March 1, 2003. For Tyler, TX, this change is effective on February 1, 2004.

Issued in Washington, DC on January 22, 2003.

Barry Molar,

Manager, Airports Financial Assistance Division.

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-6 (Sub-No. 397X)]

The Burlington Northern and Santa Fe Railway Company—Abandonment Exemption—in Pierce County, WA

The Burlington Northern and Santa Fe Railway Company (BNSF) has filed a notice of exemption under 49 CFR part 1152 subpart F—*Exempt Abandonments* to abandon a 0.24-mile line of railroad between milepost 28.10 and milepost 28.34 near McMillan, in Pierce County, WA. The line traverses United States Postal Service Zip Code 98374.

BNSF has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic to be rerouted; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board (Board) or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the

requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed. Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on February 27, 2003, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,¹ formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),² and trail use/rail banking requests under 49 CFR 1152.29 must be filed by February 7,

¹ The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Section of Environmental Analysis (SEA) in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

² Each OFA must be accompanied by the filing fee, which currently is set at \$1,100. See 49 CFR 1002.2(f)(25).

2003.³ Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by February 18, 2003, with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to BNSF's representative: Michael Smith, Freeborn & Peters, 311 S. Wacker Dr., Suite 3000, Chicago, IL 60606-6677.

If the verified notice contains false or misleading information, the exemption is void *ab initio*.

BNSF has filed a separate environmental report which addresses the abandonment's effects, if any, on the environment and historic resources. SEA will issue an environmental assessment (EA) by January 31, 2003. Interested persons may obtain a copy of the EA by writing to SEA (Room 500, Surface Transportation Board, Washington, DC 20423-0001) or by calling SEA, at (202) 565-1552. (Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.) Comments on environmental and historic preservation matters must be filed within 15 days

³ The Pierce County Parks and Recreation Department (Pierce County) filed a request for issuance of a notice of interim trail use for the entire line pursuant to section 8(d) of the National Trails System Act, 16 U.S.C. 1247(d). The Board will address Pierce County's trail use request, and any others that may be filed, in a subsequent decision.