Secretary of Transportation, and through delegation, the FAA Administrator, to exempt a sponsor of a public use airport that has received Federal assistance from certain Federal requirements in connection with the privatization of the airport by sale or lease to a private party. Specifically, the Administrator may exempt the sponsor from all or part of the requirements to use airport revenues for airport-related purposes (upon approval of 65 percent of the air carriers serving the airport and having 65 percent of the landed weight), to pay back a portion of Federal grants Government upon transfer of the airport. Since, Niagara Falls International Airport is a general aviation airport without air carrier service; the 65 percent approval of air carriers is not required. The Administrator is also authorized to exempt the private purchaser or lessee from the requirement to use all airport revenues for airport-related purposes, to the extent necessary to permit the purchaser or lessee to earn compensation from the operations of the airport.

On September 16, 1997, the FAA issued a notice of procedures to be used in applications for exemption under Airport Privatization Pilot Program (62 FR 48693). The notice of procedures and public comments received are available for review in FAA Rules Docket No. 28895.

On June 5, 2000, NFTA filed a final application and selected Cintra Niagara Falls Airport Corporation, USA, as the airport's private operator. Cintra Niagara proposes to lease the airport under a 99-year lease agreement. It plans to market the airport to develop new services such as low cost domestic passenger flights to business and leisure centers, international charter and cargo services. Cintra Niagara will commit $10.1 million in the initial 13 years for the purposes of operating, managing and developing the airport. $1.125 million will be used for operating, marketing and capital improvements costs. The remaining $8.975 million will be used for marketing expenses and to fund the initial five year capital planning period.

Cintra Niagara will receive an operating subsidy of $2.475 million from the NFTA for the first three years ($900,000, year 1; $900,000, year 2; $675,000, year 3). The operating subsidy will end after year 3. Cintra Niagara will pay a rental to the NFTA equivalent to $2.00 per passenger for each eligible passenger in excess of 450,000 total annual passengers at the Airport. Cintra Niagara forecasts that rental payments will begin in calendar year 2007.

On August 11, 2000, in an effort to clarify certain parts of the application, FAA staff requested responses to 21 questions from the NFTA and Cintra Niagara, the private operator. Copies of the 21 questions, the answers submitted by the NFTA, and the draft lease are available for public view and comment included as an attachment to the sponsor's application for public review.

The FAA has determined that the application is substantially complete. As part of its review of the IAG final application, the FAA will consider all comments and information submitted by interested parties during the 60-day comment period for this notice.

Issued in Washington, DC on February 21, 2001.

David L. Bennett,

Director, Airport Safety and Standards.

[FR Doc. 01–5268 Filed 3–2–01; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice Before Waiver With Respect to Land at Tri-State Airport, Huntington, West Virginia

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of intent of waiver with respect to land.

SUMMARY: The FAA is publishing notice of proposed release of 0.459 acres of land at the Tri-State Airport, Huntington, West Virginia to the City of Kenova for the installation of a water storage tank. There are no impacts to the Airport and the land is not needed for airport development as shown on the Airport Layout Plan. Fair Market Value of the land will be paid to the Airport sponsor, and used for Airport purposes.

DATES: Comments must be received on or before April 4, 2001.

ADDRESSES: Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Larry F. Clark, Manager, FAA Beckley Airports Field Office, 176 Airport Circle, Room 101, Beaver, WV 25813.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Larry G. Salyers, Airport Director, Tri-State Airport at the following address: Larry G. Salyers, Airport Director, Tri-State Airport, 1449 Airport Road, Huntington, WV 25704.

FOR FURTHER INFORMATION CONTACT: Larry F. Clark, Manager Beckley Airports Field Office, (304) 252–6216, fax (304) 253–8028.

SUPPLEMENTARY INFORMATION: On April 5, 2000, new authorizing legislation became effective. That bill, the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century, Public Law 106–181 (Apr. 5, 2000; 114 Stat. 61) (AIR 21) requires that a 30 day public notice must be provided before the Secretary may waive any condition imposed on an interest in surplus property.

Issued in Beckley, West Virginia on February 2, 2001.

Larry F. Clark,

Manager, Beckley Airports Field Office, Eastern Region.

[FR Doc. 01–5269 Filed 3–2–01; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 34008]

Dickinson Osceola Railroad Association—Acquisition and Operation Exemption—Union Pacific Railroad Company

Dickinson Osceola Railroad Association (DORA), a non-profit entity, newly created to become a Class III railroad, has filed a notice of exemption under 49 CFR 1150.31 to acquire (by purchase) and operate approximately 37.21 miles of rail line currently owned by Union Pacific Railroad Company (UP). The line to be acquired and operated, UP's Estherville Branch, extends between approximately milepost 79.34, at a point west of Superior, IA, and the end of the line at approximately milepost 116.55, a point west of Allendorf, IA, in Dickinson and Osceola Counties, IA. DORA certifies that its projected revenues will not exceed those that would qualify it as a Class III rail carrier and its revenues are not projected to exceed $5 million.[1]

The transaction was scheduled to be consummated on or shortly after February 16, 2001.

If the notice contains false or misleading information, the exemption is void *ab initio.* Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke does not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34008, must be filed with

[1] DORA states that it will interchange traffic with UP. DORA further states that it will provide common carrier rail freight service over the line for its own account or through a contract operator, which will obtain its own operating authority from the Board.