

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 93

[Docket No. 28770; Notice No. 96-15]

RIN 2120-AG34

Noise Limitations for Aircraft Operations in the Vicinity of Grand Canyon National Park

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Supplemental amendment to proposed rule.

SUMMARY: This supplemental amendment amends the notice of proposed rulemaking published (NPRM) on December 31, 1996 (61 FR 69334), which proposed to establish noise limitations for certain aircraft operating in the vicinity of Grand Canyon National Park (GCNP). Specifically, the FAA is removing two sections from the NPRM that proposed to establish a corridor in the Toroweap/Shinumo Flight-free Zone through the National Canyon area as an incentive route for quiet technology aircraft. The FAA, in consultation with the National Park Service (NPS), is removing these two sections from the NPRM because the agencies have determined not to proceed with an air tour route in the vicinity of National Canyon and are presently considering alternatives to this route. This supplemental amendment does not affect any other provisions contained in the NPRM. The FAA will address all substantive comments filed in response to the National Canyon proposed in this NPRM in the near future.

FOR FURTHER INFORMATION CONTACT: Thomas Connor, Manager Technology Division, AEE-100, Office of Environment and Energy, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591, telephone (202) 267-8933.

SUPPLEMENTARY INFORMATION:

Background

On December 31, 1996, the FAA published in the **Federal Register** three concurrent actions, an NPRM (61 FR 69334), a Notice of Availability of Proposed Commercial Air Tour Routes (61 FR 69356), and a Final Rule (61 FR 69302). These actions were part of an overall strategy to reduce further the impact of aircraft noise on the park environment and to assist the NPS in achieving the statutory mandate imposed by Public Law 100-91.

The NPRM proposed to establish noise limitations for certain aircraft operations within the vicinity of GCNP, including the National Canyon corridor that was to be used by quiet technology aircraft. Based on comments received during comment period for the Notice of Availability of Proposed Commercial Routes, the FAA received valuable information from commenters, as well as suggestions for alterations and refinements of the route structure from officials of the GCNP and NPS that could potentially produce noise reduction benefits. Furthermore, the comments submitted on the National Canyon corridor, as proposed in the NPRM, from the air tour operators, the environmentalists, and the Native Americans led the FAA to conclude that this proposed route was not a viable option.

As a result of the comments submitted on both notices, the FAA issued a new proposed route structure concurrent with the issuance of a second NPRM (Notice No. 97-6) (62 FR 26902; May 15, 1997). Notice 97-6 proposed to amend two Flight-free Zones by establishing two corridors; a revised National Canyon corridor through the Toroweap/Shinumo Flight-free Zone and a corridor through the Bright Angel Flight-Free Zone.

The revised National Canyon route was designed to provide a viable air tour route through the center of the canyon while at the same time providing mitigation of the effects of noise over Havasupai cultural and sacred sites. Because it was designed to be used only by the quietest technology aircraft for westbound traffic after December 31, 2001, the National Canyon route was found to provide noise mitigation. The proposed Bright Angel Corridor for use by the quietest technology aircraft was crafted as an incentive for operators to convert to quiet technology.

The FAA, in consultation with the NPS, has determined not to proceed with the proposed that would establish an air tour route through the National Canyon area at this time. The agencies are presently considering alternatives to the National Canyon area for air tour routes. The FAA recognizes its responsibility to address the comments filed in response to the proposed National Canyon corridor and will do so in the near future. However, in order to facilitate the development of the air tour route structure, the FAA is removing the sections that propose the National Canyon corridor now and will dispose of the comments in a separate document. In a companion document to this supplement amendment published elsewhere in this issue of the **Federal**

Register, the FAA has withdrawn Notice 97-6, the NPRM that proposed a revised National Canyon route and superseded the National Canyon route proposed in this NPRM. Consequently, the FAA formally removes the National Canyon corridor from this NPRM. The FAA notes that all other provisions of this NPRM was not affected by this supplement amendment. The FAA will dispose of all substantive comments with respect to the National Canyon corridor in this NPRM in the near future.

Environmental Review

The effects of the National Canyon provisions in Notice 96-15 were evaluated in the December 1996 Final Environmental Assessment/Finding of No Significant Impact (1996 Final EA/FONSI) for the Special Flight Rules in the Vicinity of Grand Canyon National Park and subsequent evaluations. The FAA determined that the conclusions in the 1996 Final EA/FONSI were still substantially valid. Once the air tour route structure is determined, the FAA will conduct the appropriate environmental review and provide for notice and public comment.

List of Subjects in 14 CFR Part 93

Air traffic control, Airports, Navigation (air), Reporting and recordkeeping requirements.

The Proposed Amendment

For the reasons set forth above, the Federal Aviation Administration proposes to amend 14 CFR part 93 as follows:

PART 93—SPECIAL AIR TRAFFIC RULES AND AIRPORT TRAFFIC PATTERNS

1. The authority citation for part 93 continues to read follows:

Authority: 49 U.S.C. 106(g), 40103, 40106, 40109, 40113, 44502, 44514, 44701, 44719, 46301.

§ 93.305 [Amended]

2. The amendments to § 93.305(c), as proposed at 61 FR 69353, are removed.

§ 93.306 [Amended]

3. Section 93.306, as proposed to be added at 61 FR 69353, is removed.

Issued in Washington, DC on July 10, 1998.

James D. Erickson,

Director, Office of Environment and Energy.

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