

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 15978; Amdt. No. 152-5 and 154-1]

PART 152—AIRPORT AID PROGRAM CONTENTS

PART 154—ACQUISITION OF U.S. LAND FOR PUBLIC AIRPORTS

Policies and Procedures for Considering Environmental Impacts

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment includes, within FAA regulations dealing with airport development and the acquisition of land, references to FAA and DOT environmental orders that contain policies and procedures for considering environmental impacts. The amendment also deletes certain obsolete terminology.

EFFECTIVE DATE: June 27, 1977.

FOR FURTHER INFORMATION CONTACT:

Lynne Sparks, Airports Planning Division (AAP-400), Office of Airports Programs, Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20591; telephone 202-426-3263.

SUPPLEMENTARY INFORMATION: Subpart B of Part 152 of the Federal Aviation Regulations (Airport Aid Program Contents) contains rules and procedures for airport development projects funded under that part. Under § 152.23 (a) (6), an eligible sponsor desiring to obtain Federal aid for eligible airport development must submit to the appropriate FAA office for its environmental impact assessment report. That section provides that the report must be prepared in accordance with Department of Transportation (DOT) Order 5610.1B, "Procedures for Considering Environmental Impacts," and FAA Order 5050.2B, "Instructions for Processing Airport Development Actions Affecting the Environment."

Part 154 sets forth rules applicable to the acquisition of U.S. land for public airports under the Airport and Airway Development Act of 1970, as amended. Under § 154.7(b) (14), a public agency applying for a conveyance must send

with its request the sponsor's proposed draft environmental impact statement. However, the reference to "proposed draft environmental impact statement" is incorrect since the terminology now used is "environmental impact assessment report." Accordingly, this amendment deletes the obsolete terminology now used.

In addition, § 154.7(b) (14) currently provides that the impact statement (assessment report) must be prepared in conformance with DOT Order 5610.1A and FAA Order 5050.2, both of which are obsolete. The applicable DOT Order is 5610.1B. Therefore, this amendment deletes the reference to DOT Order 5610.1A and inserts in place thereof a reference to DOT Order 5610.1B.

The FAA has recently issued new environmental Order 1050.1B and has cancelled Order 5050.2B. However, all of the provisions of Order 5050.2B have been included in Appendix 6 of the new order. Accordingly, this amendment deletes the references to FAA Order 5050.2B (§ 152.23 (a) (6)) and FAA Order 5050.2 (§ 154.7(b) (14)) and substitutes therefor references to Appendix 6 of new FAA Order 1050.1B.

Copies of FAA Order 1050.1B and DOT Order 5610.1B, which are incorporated by reference into Parts 152 and 154 under this amendment, may be examined in the Rules Docket, Office of the Chief Counsel, FAA, Washington, D.C., and may be obtained on request at any FAA Regional Office headquarters or any Airports District Office.

The principal authors of this document are Lynne Sparks, Office of Airports Programs, and Danvers E. Long, Office of the Chief Counsel.

Accordingly, Parts 152 and 154 of the Federal Aviation Regulations (14 CFR Parts 152 and 154) are amended, effective June 27, 1977, as follows:

1. By amending § 152.23 by revising paragraph (a) (6) to read as follows:

§ 152.23 Procedures: preapplication for aid: accompanying information.

(a) * * *

(6) The sponsor's environmental impact assessment report prepared in conformance with Department of Transportation "Procedures for Considering Environmental Impacts" (DOT Order 5610.1B, 39 FR 35234; September 30, 1974), and Appendix 6 of Federal Aviation Administration "Policies and Procedures for Considering Environmental Impacts" (FAA Order 1050.1B, Appendix 6, 42 FR 32647; June 27, 1977).

DOT Order 5610.1B and Appendix 6 of FAA Order 1050.1B are incorporated into this Part and made a part hereof as provided in 5 U.S.C. 552(a) and pursuant to 1 CFR Part 51. Copies of those orders may be examined in the Rules Docket, Office of the Chief Counsel, FAA, Washington, D.C., and may be obtained on request at any FAA Regional Office headquarters or any Airports District Office.

2. By amending § 154.7 by revising paragraph (b) (14) to read as follows:

§ 154.7 Form and content of application for conveyance.

(b) * * *

(14) The sponsor's environmental impact assessment report prepared in conformance with Department of Transportation "Procedures for Considering Environmental Impacts" (DOT Order 5610.1B, 39 FR 35234; September 30, 1974), and Appendix 6 of Federal Aviation Administration "Policies and Procedures for Considering Environmental Impacts" (FAA Order 1050.1B, Appendix 6, 42 FR 32647; June 27, 1977). DOT Order 5610.1B and Appendix 6 of FAA Order 1050.1B are incorporated into this Part and made a part hereof as provided in 5 U.S.C. 552(a) and pursuant to 1 CFR Part 51. Copies of those orders may be examined in the Rules Docket, Office of the Chief Counsel, FAA, Washington, D.C., and may be obtained on request at any FAA Regional Office headquarters or any Airports District Office.

(Secs. 16 and 23, Airport and Airway Development Act of 1970, as amended (49 U.S.C. 1716 and 1723); Sec. 552(a), Administrative Procedure Act (5 U.S.C. 552(a)); Sec. 1.47 (f) (1), Regulations of the Office of the Secretary of Transportation, (49 CFR 1.47(f) (1).))

NOTE.—The Federal Aviation Administration has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

Issued in Washington, D.C., on June 16, 1977.

QUENTIN S. TAYLOR,
Acting Administrator.

(NOTE.—Incorporation by reference provisions approved by the Director of the Federal Register on September 27, 1976, and on June 20, 1977. Referenced materials are on file at the Federal Register's library.)

[FR Doc. 77-17995 Filed 7-24-77; 8:45 am]

AAP