

purpose and need. A detailed discussion is in the FONSI/ROD Section entitled *V. Alternatives Considered and Discarded*. The selected alternative is one of four considered in the final EA. The selected alternative consists of addressing the identified needs.

The selected alternative includes the: (1) Unconditional approval of the Airport Layout Plan (ALP) for the development listed in the EA and the decision document. (2) Issue final airspace determinations for the development listed on the ALP. (3) Eligibility for Federal grants-in-aid funds for eligible items. (4) Approval for the development or revision, implementation, and use of air traffic/flight procedures to implement the proposed action. (5) FAA finding of "No Historic Properties Affected" for the Proposed Action. (6) FAA finding of "No Effect" to the endangered species gray wolves and finding of "may affect, not likely to adversely affect" the endangered species whooping cranes. (7) FAA floodplain finding that there is no prudent and practicable alternative to this impact and the propose action includes all practicable measures to minimize harm to floodplains. (8) FAA wetland finding that there is no practicable alternatives to such construction and the proposed action includes all practicable measure to minimize harm to wetlands. (9) FAA DOT Section 4(f) De Minimis Impact Findings on wetland properties. (10) Appropriate permits and mitigation will be needed before disbursing Federal funds.

These documents will be available for public review during normal business hours at:

Federal Aviation Administration  
Bismarck ADO, 2301 University Drive,  
Building 23B, Bismarck, North Dakota  
58504.

Devils Lake Regional Airport, 106  
National Guard Street, Devils Lake,  
North Dakota 58301.

Ramsey County Auditors Office, 524  
4th Avenue, NE, Unit 6, Devils Lake,  
North Dakota 58301.

Devils Lake City Hall, 423 6th Street,  
NE., Devils Lake, North Dakota 58302.

Lake Region Public Library, 423 7th  
Street, NE., Devils Lake, North Dakota,  
58301.

Issued in Bismarck, North Dakota, April 7,  
2011.

**Thomas T. Schauer,**  
*Manager, Bismarck Airport District Office*  
*FAA, Great Lakes Region.*

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**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Noise Exposure Map; Receipt of Noise Compatibility Program and Request for Review; Lambert-St. Louis International Airport, St. Louis, MO

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice

**SUMMARY:** The Federal Aviation Administration (FAA) announces its determination that the noise exposure maps submitted by the St. Louis Airport Authority for the Lambert-St. Louis International Airport under the provisions of 49 U.S.C. 47501 *et seq.* (Aviation Safety and Noise Abatement Act, hereinafter referred to as "the Act") and 14 Code of Federal Regulations (CFR) Part 150 (hereinafter referred to as "Part 150") are in compliance with applicable requirements. The FAA also announces that it is reviewing a proposed noise compatibility program that was submitted for the Lambert-St. Louis International Airport under Part 150 in conjunction with the noise exposure map, and that this program will be approved or disapproved on or before October 2, 2011.

**DATES:** The effective date of the FAA's determination on the noise exposure maps and of the start of its review of the associated noise compatibility program is April 5, 2011. The public comment period ends June 4, 2011.

**FOR FURTHER INFORMATION CONTACT:** FAA, Todd Madison, ACE-611B, 901 Locust, Kansas City, Missouri, 64106-2325, [todd.madison@faa.gov](mailto:todd.madison@faa.gov), 816-329-2640. Comments on the proposed noise compatibility program should also be submitted to the above office.

**SUPPLEMENTARY INFORMATION:** This notice announces the FAA finds that the noise exposure maps submitted for the Lambert-St. Louis International Airport are in compliance with applicable requirements of Part 150, effective April 5, 2011. Further, FAA is reviewing a proposed noise compatibility program for that airport which will be approved or disapproved on or before October 2, 2011. This notice also announces the availability of this program for public review and comment.

Under 49 U.S.C. 47503 of the Act, an airport operator may submit to the FAA noise exposure maps which meet applicable regulations and which depict non-compatible land uses as of the date of submission of such maps, a description of projected aircraft operations, and the ways in which such operations will affect such maps. The

Act requires such maps to be developed in consultation with interested and affected parties in the local community, government agencies, and persons using the airport.

An airport operator who has submitted noise exposure maps that are found by FAA to be in compliance with the requirements of Part 150, promulgated pursuant to the Act, may submit a noise compatibility program for FAA approval which sets forth the measures the operator has taken or proposes to take to reduce existing non-compatible uses and prevent the introduction of additional non-compatible uses.

The St. Louis Airport Authority submitted to the FAA on December 23, 2010, noise exposure maps, descriptions and other documentation that were produced during the "2010 Update to 14 CFR Part 150 Noise Exposure Maps and Noise Compatibility Program." It was requested that the FAA review this material as the noise exposure maps, as described in section 47503 of the Act, and that the noise mitigation measures, to be implemented jointly by the airport and surrounding communities, be approved as a noise compatibility program under section 47504 of the Act.

The FAA has completed its review of the noise exposure maps and related descriptions submitted by the St. Louis Airport Authority. The specific documentation determined to constitute the noise exposure maps includes: Current Noise Exposure Map (2010) as shown on Exhibit NEM-1, Future Noise Exposure Map/Noise Compatibility Program Map (2015) as shown on Exhibit NEM-2, and the associated supporting report, "14 CFR Part 150 Noise Exposure Map Update and Noise Compatibility Program Update," which contains all other narrative, graphic, or tabular representations of the data as required by section A150.101 of Part 150, and sections 47503 and 47506 of the Act. The FAA has determined that these maps for the Lambert-St. Louis International Airport are in compliance with applicable requirements. This determination is effective on April 5, 2011. FAA's determination on an airport operator's noise exposure maps is limited to a finding that the maps were developed in accordance with the procedures contained in appendix A of FAR Part 150. Such determination does not constitute approval of the applicant's data, information or plans, or constitute a commitment to approve a noise compatibility program or to fund the implementation of that program.

If questions arise concerning the precise relationship of specific properties to noise exposure contours

depicted on a noise exposure map submitted under section 47503 of the Act, it should be noted that the FAA is not involved in any way in determining the relative locations of specific properties with regard to the depicted noise contours, or in interpreting the noise exposure maps to resolve questions concerning, for example, which properties should be covered by the provisions of section 47506 of the Act. These functions are inseparable from the ultimate land use control and planning responsibilities of local government. These local responsibilities are not changed in any way under Part 150 or through FAA's review of noise exposure maps. Therefore, the responsibility for the detailed overlaying of noise exposure contours onto the map depicting properties on the surface rests exclusively with the airport operator that submitted those maps, or with those public agencies and planning agencies with which consultation is required under section 47503 of the Act. The FAA has relied on the certification by the airport operator, under section 150.21 of Part 150, that the statutorily required consultation has been accomplished.

The FAA has formally received the noise compatibility program for the Lambert-St. Louis International Airport, also effective on April 5, 2011. Preliminary review of the submitted material indicates that it conforms to the requirements for the submittal of noise compatibility programs, but that further review will be necessary prior to approval or disapproval of the program. The formal review period, limited by law to a maximum of 180 days, will be completed on or before October 2, 2011.

The FAA's detailed evaluation will be conducted under the provisions of section 150.33 of Part 150. The primary considerations in the evaluation process are whether the proposed measures may reduce the level of aviation safety, create an undue burden on interstate or foreign commerce, or be reasonably consistent with obtaining the goal of reducing existing non-compatible land uses and preventing the introduction of additional non-compatible land uses.

Interested persons are invited to comment on the proposed program with specific reference to these factors. All relevant comments, other than those properly addressed to local land use authorities, will be considered by the FAA to the extent practicable. Copies of the noise exposure maps, the FAA's evaluation of the maps, and the proposed noise compatibility program are available for examination at the following locations:

Federal Aviation Administration,  
Central Region Airports Division, 901  
Locust, Kansas City, Missouri 64106–  
2325, from 7:30 a.m. to 4 p.m.  
Jan Titus, St. Louis Airport Authority,  
Lambert-St. Louis International  
Airport, Airport Planning &  
Development, 11495 Navaid Road,  
Bridgeton, Missouri 63044, from  
8 a.m. to 5 p.m.

Questions may be directed to the individual named above under the heading, **FOR FURTHER INFORMATION CONTACT**.

Issued in Kansas City, Missouri, April 5, 2011.

**Jim A. Johnson,**

*Manager, Central Region Airports Division.*

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**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice of Final Federal Agency Actions on Proposed Highway in Indiana

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

**ACTION:** Notice of limitation on claims for judicial review of actions by FHWA and United States Army Corps of Engineers (USACE), DoD.

**SUMMARY:** This notice announces actions taken by the FHWA and the USACE that are final within the meaning of 23 U.S.C. 139(l)(1). The actions relate to proposed highway projects for a 28.7 mile segment of I–69 in the Counties of Gibson, Pike and Daviess, State of Indiana, and grant licenses, permits, and approvals for the project.

**DATES:** By this notice, the FHWA is advising the public of final agency actions subject to 23 U.S.C. 139(l)(1) and are final within the meaning of that law. A claim seeking judicial review of those Federal agency actions that are covered by this notice will be barred unless the claim is filed on or before October 16, 2011. If the Federal law that authorizes judicial review of a claim provides a time period of less than 180 days for filing such claim, then the shorter time period applies.

**FOR FURTHER INFORMATION CONTACT:** For the FHWA: Ms. Michelle Allen, Federal Highway Administration, Indiana Division, 575 North Pennsylvania Street, Room 254, Indianapolis, IN 46204–1576; telephone: (317) 226–7344; e-mail: [Michelle.Allen@dot.gov](mailto:Michelle.Allen@dot.gov). The FHWA Indiana Division Office's normal business hours are 7:30 a.m. to 4 p.m., e.t. For the USACE: Mr. Greg McKay, Chief, North Section Regulatory Branch,

Louisville District, United States Army Corps of Engineers, P.O. Box 59, Louisville, KY 40201–0059; telephone: (502) 315–6685; e-mail: [gregory.a.mckay@usace.army.mil](mailto:gregory.a.mckay@usace.army.mil). Normal business hours are 8 a.m. to 5 p.m., e.t. You may also contact Mr. Thomas Seeman, Project Manager, Indiana Department of Transportation (INDOT), 100 North Senate Avenue, Indianapolis, IN 46204; telephone: (317) 232–5336; e-mail: [TSeeman@indot.IN.gov](mailto:TSeeman@indot.IN.gov). Normal business hours for the Indiana Department of Transportation are: 8 a.m. to 4:30 p.m., e.t.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the FHWA and other Federal agencies have taken final agency actions by issuing licenses, permits, and approvals for the highway projects in the State of Indiana that are listed below. The actions by the Federal agencies on a project, and the laws under which such actions were taken, are described in the Record of Decision (ROD), Reevaluation Documents to the final environmental impact statements (FEIS) issued in connection with the projects, Section 404 Discharge of Dredged or Fill Material Permit and Regional General Permit letters, and in other documents in the FHWA administrative record for the project. The ROD and other documents from the FHWA administrative record files for the listed projects are available by contacting the FHWA or the Indiana Department of Transportation (INDOT) at the addresses provided above. Project information may also be available through the INDOT I–69 Project Web site at <http://www.i69indyevn.org/>. People unable to access the Web site may contact FHWA or INDOT at the addresses listed above. This notice applies to all Federal agency decisions on the listed project as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to: 1. National Environmental Policy Act (NEPA) [42 U.S.C. 4321–4351]. 2. Endangered Species Act [16 U.S.C. 1531–1544]. 3. Federal-Aid Highway Act [23 U.S.C. 109 and 23 U.S.C. 128]. 4. Clean Air Act, 42 U.S.C. 7401–7671(q). 5. Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303]. 6. Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470(f) *et seq.*]. 7. Bald and Golden Eagle Protection Act [16 U.S.C. 688–688d]. 8. Clean Water Act, 33 U.S.C. 1251–1377 (Section 404, Section 402, Section 401, Section 319). Previous actions taken by the USFWS for the Tier 1, I–69 project, pursuant to the Endangered Species Act,