

DATES: Comments must be received by January 5, 2003. Comments that are received after that date will be considered only to the extent possible.

ADDRESSES: The proposed policy amendment is available for public review in the Dockets Office, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590-0001. The documents have been filed under FAA Docket Number FAA-2003-16227. The Dockets Office is open between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Dockets Office is on the plaza level of the Nassif Building at the Department of Transportation at the above address. Also, you, may review public dockets on the Internet at <http://www.dms.dot.gov>. Comments on the proposed policy must be delivered or mailed, in duplicate, to: the Docket Management System, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590-0001. You must identify the docket number "FAA Docket No FAA-2003-16227" at the beginning of your comments. Commenters wishing FAA to acknowledge receipt of their comments must include a preaddressed, stamped postcard on which the following statement is made: "Comments to FAA Docket No. FAA-2003-16227." The postcard will be date stamped and mailed to the commenter. You may also submit comments through the Internet to <http://www.dms.dot.gov>.

FOR FURTHER INFORMATION CONTACT: David Cushing, Airports Compliance Division, Office of Airport Safety and Standards, AAS-400, Federal Aviation Administration, 800 Independence Ave. SW., Washington, DC 20591, telephone (202) 267-8348.

SUPPLEMENTARY INFORMATION: The Revenue Use Policy (64 FR 7696); February 16, 1999), was adopted pursuant to the Federal Aviation Administration Authorization Act of 1994, and incorporates provisions of the Federal Aviation Administration Reauthorization Act of 1996. The Revenue Use Policy describes the scope of airport revenue that is subject to the Federal requirements on airport revenue use and lists those requirements. The Revenue Use Policy also describes prohibited and permitted uses of airport revenue and outlines the FAA's enforcement policies and procedures.

Governing Statutes and Policy

Title 49 U.S.C. 47107(b)(1) requires that grant agreements for airport development grants include an assurance that "the revenues generated

by a public airport will be expended for the capital or operating costs of—(A) the airport; (B) the local airport system; or (C) other local facilities owned or operated by the airport owner or operator and directly and substantially related to the air transportation of passengers or property." The same requirement is included in 49 U.S.C. 47133, which applies directly to any airport that has received Federal assistance.

Sections V and VI of the Revenue Use Policy, at 64 FR 7718-20, respectively list uses of airport revenue considered to be permitted or prohibited under the above statutes. The list of prohibited uses of airport revenue in section VI B. includes the following:

"12. Direct subsidy of air carrier operations. Direct subsidies are considered to be payments of airport funds to carriers for air service. Prohibited direct subsidies do not include waivers of fees or discounted landing or other fees during a promotional period. Any fee waiver or discount must be offered to all users of the airport, and provided to all users that are willing to provide the same type and level of new services consistent with the promotional offering. Likewise prohibited direct subsidies do not include support for air carrier advertising or marketing of new services to the extent permitted by section V of this Policy Statement."

The petitioner requests that the FAA amend the above policy statement to permit the limited use of airport revenue for direct subsidies to air carriers, as stated below. The FAA invites comment on the petition and the justification for the requested change in the Revenue Use Policy.

Petitioner's Requested Policy Amendment To Allow Use of Airport Revenue for Direct Subsidy of Air Carrier Operations

The petitioner requests an amendment to the Revenue Use Policy that would "permit airports that have less than 0.25 percent of the total U.S. passenger boardings to use airport revenues at their discretion for subsidies to air carriers willing to provide service to those airports." The petitioner suggests that the following conditions apply to an airport's use of the subsidy:

1. The community must have a minimum population of 200,000 residents in the airport's local county(s).
2. Airport revenues considered for use are not subject to the air carrier agreement in place and do not affect the rate-making methodology of the agreement.

3. Subsidy is limited to new service. New service defined as follows:

- Air carrier not presently at the airport.
- City pair presently served by an air carrier at the applicant airport.

4. Subsidy cannot exceed 12 consecutive months to any air carrier.

5. Air carrier receiving the subsidy must be willing to provide the following:

- Daily scheduled service with a minimum seating capacity of 50 seats.
- Must commit to a minimum of twelve consecutive months of service.

6. Air carrier cannot utilize program more than once at the same airport.

Issued in Washington, DC on October 24, 2003.

David L. Bennett,

Director, Airport Safety and Standards.

[FR Doc. 03-27753 Filed 11-4-03; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Intent To Prepare an Environmental Impact Statement and Hold Scoping Meetings for Mammoth Yosemite Airport, Mammoth Lakes, CA

AGENCY: Federal Aviation Administration.

ACTION: Notice to hold one (1) public scoping meeting and one (1) governmental and public agency scoping meeting.

SUMMARY: The Federal Aviation Administration (FAA) is issuing this notice to advise the public that an Environmental Impact Statement (EIS) will be prepared for the proposed expansion of Mammoth Yosemite Airport, Mammoth Lakes, California. To ensure that all significant issues related to the proposed action are identified, one (1) public scoping meeting and one (1) governmental and public agency scoping meeting will be held.

FOR FURTHER INFORMATION CONTACT: Camille Garibaldi, Environmental Protection Specialist, San Francisco Airports District Office, Federal Aviation Administration, Western-Pacific Region, 831 Mitten Road, Room 210, Burlingame, California 94010-1303. Telephone: 650/876-2927. Comments on the scope of the EIS should be submitted to the address above and must be received no later than 5 p.m. Pacific Standard Time, on Monday, December 29, 2003.

SUPPLEMENTARY INFORMATION: The FAA will prepare an EIS for the proposed future expansion of Mammoth Yosemite

Airport. Proposed expansion of Mammoth Yosemite Airport has been the subject of a series of environmental analyses pursuant to the National Environmental Policy Act of 1969 (NEPA) and the California Environmental Quality Act of 1970 (CEQA). A Draft Environmental Assessment (EA) was prepared and issued on the current Proposed Airport Expansion Project in October 2000. A Final EA for the Mammoth Yosemite Airport Expansion Project was published in December 2000. The FAA approved the Final EA as a Federal document and issued a Finding of No Significant Impact (FONSI) on December 21, 2000. The Town of Mammoth Lakes issued a Draft Supplement to Subsequent Environmental Impact Report of the 1997 Environmental Impact Report in October 2001. The Final Supplement to Subsequent Environmental Impact Report was certified by the Town of Mammoth Lakes on March 6, 2002. Following FAA's approval of the FONSI in December 2000, additional and supplemental information regarding the proposed project became available. On July 29, 2002, the FAA issued its Record of Decision that re-examined the December 21, 2000, FONSI, and approved the Town of Mammoth Lakes' proposed expansion plan for the airport. Subsequent to the publication of FAA's Record of Decision, litigation was filed against the FAA in two civil cases numbered C02-04621 BZ and C02-04623 BZ in the United States District Court for the Northern District of California. On April 28, 2003, an opinion was issued that requires the FAA to prepare an EIS to further evaluate the Town of Mammoth Lakes' proposed expansion project for Mammoth Yosemite Airport.

Mammoth Yosemite Airport is a limited certificate airport (title 14, Code of Federal Regulations (CFR) § 39.209(a)). The airport is located approximately five miles east of the Town of Mammoth Lakes and north of U.S. Route 395 in Mono County. The airport has one east-west oriented runway (9/27) with a parallel and connecting taxiway system. Runway 9/27 is paved with asphalt and is 7,000 feet long by 100 feet wide. The airport has a field elevation of 7,128-feet above mean sea level. The airport accommodates general aviation aircraft operations including aircraft hangars and outdoor tiedowns. The airport provides facilities that can accommodate commercial airlines, commuter airlines, and airline support/maintenance. The airport has

approximately 40-based aircraft and accommodates approximately 6,000 annual aircraft operations.

The FAA is the lead agency responsible for the preparation of the EIS. proposed to be evaluated in the EIS, additional reasonable alternatives may be evaluated in the EIS as a result of the scoping process.

No Action Alternative: This alternative consists of not implementing any of the Expansion Project's elements. No new development items identified in the Expansion Project would be constructed or implemented.

Proposed Airport Expansion Project Alternative: This alternative consists of implementing the Town of Mammoth Lakes' Proposed Airport Expansion Project including demolition, construction and replacement of various facilities of the airport, primarily in the vicinity of the passenger terminal area and the runway. The primary feature of this alternative is the construction of a 1,200-foot runway extension to the west and widening of the runway 50-feet for a total runway length of 8,200-feet and width of 150-feet. This would require the Town of Mammoth Lakes to purchase the property or obtain a special use permit from the United States Forest Service (USFS) for the additional 25-feet of land to the south and 25-feet of land to the west of Airport property for the runway safety area. A new passenger terminal building and associated facilities would also be constructed. This alternative was identified in the Final EA as the Proposed Action.

A 9,000-Foot Runway Alternative: This alternative extends Runway 9/27 to the west by 2,000 feet to achieve a total runway length of 9,000 feet. Similar to the Proposed Airport Expansion Project this alternative also widens the existing runway from 100-feet to 150-feet, and includes construction of a new passenger terminal building and associated facilities. This would require the Town of Mammoth Lakes to purchase the property or obtain a special use permit from the USFS for the additional 25-feet of land to the south and 825-feet or land to the west of Airport property for the runway safety area.

Develop Another Airport in the Region: This alternative consists of developing the next nearest airport to the Town of Mammoth Lakes in Bishop, CA.

Use Alternative Modes of Transportation: This alternative would utilize other types of transportation modes such as rail, inter-city bus and

automobiles to transport skier visitors to the area.

Develop a New Airport in the Region at a Different Site: This alternative consists of construction of a new airport facility instead of further developing the existing facility at Mammoth Yosemite Airport.

Comments and suggestions are invited from Federal, State and local agencies, and other interested parties to ensure that the full range of issues related to the proposed project and the alternatives are addressed and all significant issues are identified. Written comments and suggestions concerning the scope of the EIS may be mailed to the FAA informational contact listed above and must be received no later than 5 p.m., Pacific Standard Time, on Monday, December 29, 2003.

Public Scoping Meetings: The FAA will hold one (1) public and one (1) governmental and public agency scoping meeting to solicit input from the public and various Federal, State and local agencies which have jurisdiction by law or have specific expertise with respect to any environmental impacts associated with the proposed projects. A scoping meeting specifically for governmental and public agencies will be held on Wednesday, December 10, 2003, from 1 p.m. to 4 p.m., Pacific Standard Time, at the Mammoth Lakes Community Center, 1000 Forest Trail, Mammoth Lakes, California. The public scoping meeting will be held at the same location on Wednesday, December 10, 2003, from 6 p.m. to 9 p.m., Pacific Standard Time.

Issued in Hawthorne, California, on October 28, 2003.

Ellsworth L. Chan,

Acting Manager, Airports Division, Western-Pacific Region, AWP-600.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent To Prepare an Environmental Assessment and Conduct Scoping for Proposed Air Traffic Procedural Changes Associated with the Omaha Airspace Redesign

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of Intent to Prepare an Environmental Assessment (EA).

SUMMARY: The Federal Aviation Administration (FAA), Central Region, is issuing this notice to advise the