

Presidential permit would be in the U.S. national interest.

**DATES:** Interested members of the public are invited to submit written comments regarding this application on or before April 22, 2009 to Mr. Daniel Darrach, U.S.-Mexico Border Affairs Coordinator, via e-mail at [WHA-BorderAffairs@state.gov](mailto:WHA-BorderAffairs@state.gov), or by mail at WHA/MEX—Room 3909, Department of State, 2201 C St., NW., Washington, DC 20520.

**FOR FURTHER INFORMATION CONTACT:** Mr. Daniel Darrach, U.S.-Mexico Border Affairs Coordinator, via e-mail at [WHA-BorderAffairs@state.gov](mailto:WHA-BorderAffairs@state.gov); by phone at 202-647-9894; or by mail at WHA/MEX—Room 3909, Department of State, 2201 C St., NW., Washington, DC 20520. General information about Presidential Permits is available on the Internet at <http://www.state.gov/p/wha/rt/permit/>.

Dated: March 16, 2009.

**Alex Lee,**

*Director, Office of Mexican Affairs,  
Department of State.*

[FR Doc. E9-6324 Filed 3-20-09; 8:45 am]

**BILLING CODE 4710-29-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Waterbury-Oxford Airport, Oxford, CT; FAA Approval of Noise Compatibility Program

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

**ACTION:** Notice.

**SUMMARY:** The Federal Aviation Administration (FAA) announces its findings on the noise compatibility program submitted by the Connecticut Department of Transportation under the provisions of Title I of the Aviation Safety and Noise Abatement Act of 1979 (Pub. L. 96-193) and 14 CFR Part 150. These findings are made in recognition of the description of Federal and non-federal responsibilities in Senate Report No. 96-52 (1980). On November 6, 2008, the FAA determined that the noise exposure maps submitted by the Connecticut Department of Transportation under Part 150 were in compliance with applicable requirements. On January 14, 2009, the Manager, Airports Division, New England Region, approved the Waterbury-Oxford Airport noise compatibility program. All 12 of the proposed program elements were approved.

**DATES:** *Effective Date:* The effective date of the FAA's approval of the Waterbury-

Oxford Airport noise compatibility program is January 14, 2009.

**FOR FURTHER INFORMATION CONTACT:** Mr. Bryon Rakoff, Federal Aviation Administration, New England Region, Airports Division, 12 New England Executive Park, Burlington, Massachusetts 01803, Telephone (781) 238-7610.

Documents reflecting this FAA action may be obtained from the same individual.

**SUPPLEMENTARY INFORMATION:** This notice announces that the FAA has given its overall approval to the Waterbury-Oxford Airport noise compatibility program, effective January 14, 2009.

Under Section 104(a) of the Aviation Safety and Noise Abatement Act of 1979 (hereinafter the Act), an airport operator who has previously submitted a noise exposure map may submit to the FAA a noise compatibility program which sets forth the measures taken or proposed by the airport operator for the reduction of existing non-compatible land uses and prevention of additional non-compatible land uses within the area covered by the noise exposure maps.

The Act requires such programs to be developed in consultation with interested and affected parties including local communities, government agencies, airport users, and FAA personnel.

Each airport noise compatibility program developed in accordance with Federal Aviation Regulation (FAR), Part 150 is a local program, not a federal program. The FAA does not substitute its judgment for that of the airport proprietor with respect to which measures should be recommended for action. The FAA's approval or disapproval of FAR Part 150 program recommendations is measured according to the standards expressed in Part 150 and the Act, and is limited to the following determinations:

(a) The noise compatibility program was developed in accordance with the provisions and procedures of FAR Part 150;

(b) Program measures are reasonably consistent with achieving the goals of reducing existing non-compatible land uses around the airport and preventing the introduction of additional non-compatible land uses;

(c) Program measures would not create an undue burden on interstate or foreign commerce, unjustly discriminate against types or classes of aeronautical uses, violate the terms of airport grant agreements, or intrude into areas

preempted by the federal government; and

(d) Program measures relating to the use of flight procedures can be implemented within the period covered by the program without derogating safety, adversely affecting the efficient use and management of the navigable airspace and air traffic control systems, or adversely affecting other powers and responsibilities of the Administrator as prescribed by law.

Specific limitations with respect to FAA's approval of an airport noise compatibility program are delineated in FAR Part 150, Section 150.5. Approval is not a determination concerning the acceptability of land uses under Federal, state, or local law. Approval does not by itself constitute a FAA implementing action. A request for Federal action or approval to implement specific noise compatibility measures may be required, and an FAA decision on the request may require an environmental assessment of the proposed action.

Approval does not constitute a commitment by the FAA to financially assist in the implementation of the program nor a determination that all measures covered by the program are eligible for grant-in-aid funding from the FAA under the Airport and Airway Improvement Act of 1982. Where Federal funding is sought, requests for project grants must be submitted to the FAA Regional Office in Burlington, Massachusetts.

The Connecticut Department of Transportation submitted to the FAA, on October 9, 2008, noise exposure maps, descriptions, and other documentation produced during the noise compatibility planning study conducted from September 2004 to October 2008. The Waterbury-Oxford Airport noise exposure maps were determined by FAA to be in compliance with applicable requirements on November 6, 2008. Notice of this determination was published in the **Federal Register** on December 1, 2008.

The Waterbury-Oxford Airport study contains a proposed noise compatibility program comprised of actions designed for implementation by airport management and adjacent jurisdictions from the date of study completion to beyond the year 2012. The Connecticut Department of Transportation requested that the FAA evaluate and approve this material as a noise compatibility program as described in Section 104(b) of the Act.

The FAA began its review of the program on November 6, 2008, and was required by a provision of the Act to approve or disapprove the program within 180 days (other than the use of

new flight procedures for noise control). Failure to approve or disapprove such a program within the 180-day period shall be deemed to be an approval of such a program.

The submitted program contained 12 proposed actions for noise mitigation on and off the airport. The FAA completed its review and determined that the procedural and substantive requirements of the Act and FAR Part 150 have been satisfied. The overall program, therefore, was approved by the Manager, Airports Division, New England Region effective January 14, 2009.

All 12 of the proposed program elements were approved. The 12 program elements include noise abatement departure flight tracks, noise abatement departure profile, preferential runway use, coordination of proposed zoning changes, fair disclosure of real estate transactions, noise related subdivision regulatory review, voluntary residential property acquisition, voluntary sound insulation, establishment of a Noise Abatement Committee, development of a Web site for public outreach, publication of operational noise abatement measures in pilot guides, and provision for updates to the noise compatibility program measures and noise contours.

FAA's determinations are set forth in detail in a Record of Approval signed by the Manager, Airports Division, New England Region on January 14, 2009. The Record of Approval, as well as other evaluation materials and the documents comprising the submittal, are available for review at the FAA office listed above and at the administrative offices of Waterbury-Oxford Airport, Oxford, CT.

Issued in Burlington, Massachusetts, on January 14, 2009.

**LaVerne F. Reid,**

*Manager, Airports Division, New England Region.*

[FR Doc. E9-6171 Filed 3-20-09; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice of Final Federal Agency Actions on United States Highway 290 in Texas

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

**ACTION:** Notice of limitation on claims for judicial review of actions by FHWA and other Federal agencies.

**SUMMARY:** This notice announces actions taken by the FHWA and other Federal

agencies that are final within the meaning of 23 U.S.C. 139(l)(1). The actions relate to a proposed highway project, United States Highway 290 (US 290), east of Austin, beginning at U.S. 183 and heading east to SH 130 in Travis County in the State of Texas. Those actions 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). A claim seeking judicial review of the Federal agency actions on the highway project will be barred unless the claim is filed on or before September 21, 2009. 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 that shorter time period still applies.

**FOR FURTHER INFORMATION CONTACT:** Mr. Salvador Deocampo, District Engineer, Federal Highway Administration, 300 E. 8th Street, Rm. 826, Austin, Texas 78701; telephone: (512) 536-5950; e-mail: [salvador.deocampo@fhwa.dot.gov](mailto:salvador.deocampo@fhwa.dot.gov). The FHWA Texas Division Office's normal business hours are 7:45 a.m. to 4:15 p.m. You may also contact Ms. Dianna Noble, Texas Department of Transportation, 125 E. 11th Street, Austin, Texas 78701; telephone: (512) 416-2734.

**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 following highway project in the State of Texas: United States Highway 290 (US 290), east of Austin, beginning at U.S. 183 and heading east to SH 130 in Travis County in the State of Texas. The project will be an approximately 5.0 mile long, six-lane tollway with grade separations at all intersecting roadways (*i.e.*, a fully access-controlled facility) with full length frontage roads. The proposed highway will follow the existing U.S. 290 alignment. The actions by the Federal agencies, and the laws under which such actions were taken, are described in the Environmental Assessment (EA) for the project, dated February 2008, in the FHWA Finding of No Significant Impact (FONSI) issued on March 9, 2009, and in other documents in the FHWA project records. The EA, FONSI, and other documents in the FHWA project records file are available by contacting the FHWA or the Texas Department of Transportation at the addresses provided above. This notice applies to all Federal agency decisions as of the issuance date of this notice and all laws

under which such actions were taken, including but not limited to:

1. *General:* National Environmental Policy Act (NEPA) [42 U.S.C. 4321-4351]; Federal-Aid Highway Act [23 U.S.C. 109].

2. *Air:* Clean Air Act, 42 U.S.C. 7401-7671(q).

3. *Land:* Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303].

4. *Wildlife:* Endangered Species Act [16 U.S.C. 1531-1544 and Section 1536], Migratory Bird Treaty Act [16 U.S.C. 703-712].

5. *Historic and Cultural Resources:* Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470(f) *et seq.*]; Archeological Resources Protection Act of 1977 [16 U.S.C. 470(aa)-111]; Archeological and Historic Preservation Act [16 U.S.C. 469-469(c)].

6. *Social and Economic:* Civil Rights Act of 1964 [42 U.S.C. 2000(d)-2000(d)(1)]; Farmland Protection Policy Act (FPPA) [7 U.S.C. 4201-4209].

7. *Wetlands and Water Resources:* Clean Water Act, 33 U.S.C. 1251-1377 (Section 404, Section 401, Section 319).

8. *Executive Orders:* E.O. 11990 Protection of Wetlands; E.O. 11988 Floodplain Management; E.O. 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations; E.O. 11593 Protection and Enhancement of Cultural Resources; E.O. 13175 Consultation and Coordination with Indian Tribal Governments; E.O. 11514 Protection and Enhancement of Environmental Quality; E.O. 13112 Invasive Species.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

**Authority:** 23 U.S.C. 139(l)(1).

Issued on: March 10, 2009.

**Salvador Deocampo,**

*District Engineer, Austin, Texas.*

[FR Doc. E9-6157 Filed 3-20-09; 8:45 am]

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## DEPARTMENT OF THE TREASURY

### Submission for OMB Review; Comment Request

March 17, 2009.

The Department of the Treasury will submit the following public information collection requirement(s) to OMB for review and clearance under the