

anticipate a measurable reduction in force or changes in compensation levels or benefits.

AAC also claims that neither competition nor the public interest would be adversely affected, as the proposed transaction involves merely a transfer of one holding company to another holding company. AAC states that, because it does not currently have any ownership interest in any passenger motor carrier, there would be no net gain in market power with respect to the Acquisition Carriers under the proposed transaction. Furthermore, AAC states that the bus operations of the Acquisition Carriers are geographically dispersed and there is little or no overlap in service areas or in customer base. Thus, AAC states that the impact of the proposed transaction on the regulated motor carrier industry would be minimal and that neither competition nor the public interest would be adversely affected.

On the basis of the application, the Board finds that the proposed acquisition is consistent with the public interest and should be tentatively approved and authorized. If any opposing comments are timely filed, these findings will be deemed vacated, and, unless a final decision can be made on the record as developed, a procedural schedule will be adopted to reconsider the application. See 49 CFR 1182.6(c). If no opposing comments are filed by the expiration of the comment period, this notice will take effect automatically and will be the final Board action.

This action is categorically excluded from environmental review under 49 CFR 1105.6(c).

Board decisions and notices are available on our Web site at "WWW.STB.GOV."

*It is ordered:*

1. The proposed transaction is approved and authorized, subject to the filing of opposing comments.
2. If opposing comments are timely filed, the findings made in this notice will be deemed as having been vacated.
3. This notice will be effective December 13, 2016, unless opposing comments are filed by December 12, 2016.
4. A copy of this notice will be served on: (1) The U.S. Department of Transportation, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE., Washington, DC 20590; (2) the U.S. Department of Justice, Antitrust Division, 10th Street & Pennsylvania Avenue NW., Washington, DC 20530; and (3) the U.S. Department of Transportation, Office of the General

Counsel, 1200 New Jersey Avenue SE., Washington, DC 20590.

Decided: October 25, 2016.

By the Board, Chairman Elliott, Vice Chairman Miller, and Commissioner Begeman.

**Marline Simeon,**

*Clearance Clerk.*

[FR Doc. 2016-26103 Filed 10-27-16; 8:45 am]

**BILLING CODE 4915-01-P**

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

## DEPARTMENT OF INTERIOR

### National Park Service

#### List of Units of the National Park System Exempt From the Provisions of the National Parks Air Tour Management Act

**AGENCY:** Federal Aviation Administration, Transportation; National Park Service, Interior.

**ACTION:** List of exempt parks.

**SUMMARY:** The National Parks Air Tour Management Act (NPATMA) requires the Federal Aviation Administration (FAA) and National Park Service (NPS) to develop an air tour management plan for units of the national park system where an operator has applied for authority to conduct commercial air tours. The FAA Modernization and Reform Act of 2012 amended various provisions of NPATMA. One provision exempted national park units with 50 or fewer annual flights from the requirement to prepare an air tour management plan or voluntary agreement and requires FAA and NPS to jointly publish a list of exempt parks. By **Federal Register** notice (See 77 FR 75254, December 19, 2012), FAA and NPS published an initial list of exempt parks in 2012 and another list in 2014 (See 79 FR 14569-14570, March 14, 2014). This notice provides the annual updated list of parks that are exempt for calendar years 2014 and 2015.

**FOR FURTHER INFORMATION CONTACT:**

Keith Lusk—Mailing address: Federal Aviation Administration, P.O. Box 92007, Los Angeles, California 90009-2007. Telephone: (310) 725-3808. Email address: [Keith.Lusk@faa.gov](mailto:Keith.Lusk@faa.gov). Vicki Ward—Mailing address: Natural Sounds and Night Skies Division, National Park Service, 1201 Oakridge Drive, Suite 100-31, Fort Collins, CO 80525. Telephone: (970) 267-2117. Email address: [Vicki\\_Ward@nps.gov](mailto:Vicki_Ward@nps.gov).

**SUPPLEMENTARY INFORMATION:**

## I. Authority

1. NPATMA (Pub. L. 106-181, codified at 49 U.S.C. 40128) requires the FAA and NPS to develop an air tour management plan for units of the national park system where an operator has requested authority to provide commercial air tours. The FAA Modernization and Reform Act of 2012 (2012 Act) amended various provisions of NPATMA.

2. This **Federal Register** Notice addresses the following 2012 Act amendment provisions (which are codified at 49 U.S.C. 40128(a)(5)):

a. Exempt national park units that have 50 or fewer commercial air tour operations each year from the requirement to prepare an air tour management plan or voluntary agreement.

b. Authorize NPS to withdraw the exemption if the Director determines that an air tour management plan or voluntary agreement is necessary to protect resources and values or visitor use and enjoyment.

c. Require FAA and NPS to publish a list each year of national parks covered by the exemption.

## II. List of Exempt Parks 2014

1. This list is based on the number of commercial air tour operations reported to the FAA and NPS by air tour operators conducting air tours under interim operating authority at national park units in calendar year 2014 for which the total operations was 50 or fewer. Parks on the exempt list are those that have at least one operator who has been granted operating authority to conduct commercial air tours over that park. Exempt parks are as follows:

Acadia National Park, ME  
Big Bend National Park, TX  
Black Canyon of the Gunnison National Park, CO  
Capitol Reef National Park, UT  
Capulin Volcano National Monument, NM  
Carlsbad Caverns National Park, NM  
Casa Grande Ruins National Monument, AZ  
Cedar Breaks National Monument, UT  
Colonial National Historical Park, VA  
Colorado National Monument, CO  
Coronado National Memorial, AZ  
Devils Tower National Monument, WY  
Dinosaur National Monument, UT/CO  
Dry Tortugas National Park, FL  
El Malpais National Monument, NM  
El Morro National Monument, NM  
Fort Bowie National Historic Site, AZ  
Fort Davis National Historic Site, TX  
Fort Union National Monument, NM  
Gila Cliff Dwellings National Monument, NM

Golden Spike National Historic Site, UT  
 Grand Teton National Park, WY  
 Great Sand Dunes National Park and Preserve, CO  
 Guadalupe Mountains National Park, NM  
 Hohokam Pima National Monument, AZ  
 Hovenweep National Monument, CO/UT  
 Hubbell Trading Post National Historic Site, AZ  
 Kings Canyon National Park, CA  
 Lake Chelan National Recreation Area, WA  
 Lassen Volcanic National Park, CA  
 Mesa Verde National Park, CO  
 Mojave National Preserve, CA  
 Montezuma Castle National Monument, AZ  
 Navajo National Monument, AZ  
 North Cascades National Park, WA  
 Olympic National Park, WA  
 Organ Pipe Cactus National Monument, AZ  
 Pecos National Historical Park, NM  
 Petrified Forest National Park, AZ  
 Petroglyph National Monument, NM  
 Pipe Spring National Monument, AZ  
 Rio Grande Wild and Scenic River, TX  
 Saguaro National Park, AZ  
 Salinas Pueblo Missions National Monument, NM  
 San Juan Island National Historical Park, WA  
 Sequoia National Park, CA  
 Sunset Crater Volcano National Monument, AZ  
 Timpanogos Cave National Monument, UT  
 Tumacacori National Historic Park, AZ  
 Tuzigoot National Monument, AZ  
 Voyageurs National Park, MN  
 Walnut Canyon National Monument, AZ  
 Wupatki National Monument, AZ  
 Yellowstone National Park, ID/MT/WY  
 Yosemite National Park, CA  
 Yucca House National Monument, CO  
 Zion National Park, UT

2. NPS is authorized to withdraw a park from the exempt list if NPS determines that an air tour management plan or voluntary agreement is necessary to protect park resources and values or park visitor use and enjoyment. Under this statutory authority, the NPS Director informed the FAA Administrator in writing on September 15, 2015, that NPS withdrew the exemption for Death Valley National Park and Mount Rainier National Park. These two parks have been removed from the 2014 exempt list.

### III. List of Exempt Parks 2015

1. This list is based on the number of commercial air tour operations reported to the FAA and NPS by air tour operators conducting air tours under

interim operating authority at national park units in calendar year 2015 for which the total operations was 50 or fewer. Parks on the exempt list are those that have at least one operator who has been granted operating authority to conduct commercial air tours over that park. Exempt parks are as follows:

Acadia National Park, ME  
 Big Bend National Park, TX  
 Black Canyon of the Gunnison National Park, CO  
 Cape Hatteras National Seashore, NC  
 Capitol Reef National Park, UT  
 Capulin Volcano National Monument, NM  
 Carlsbad Caverns National Park, NM  
 Casa Grande Ruins National Monument, AZ  
 Cedar Breaks National Monument, UT  
 Colorado National Monument, CO  
 Coronado National Memorial, AZ  
 Devils Tower National Monument, WY  
 Dinosaur National Monument, UT/CO  
 Dry Tortugas National Park, FL  
 El Malpais National Monument, NM  
 El Morro National Monument, NM  
 Fort Bowie National Historic Site, AZ  
 Fort Davis National Historic Site, TX  
 Fort Union National Monument, NM  
 Gila Cliff Dwellings National Monument, NM  
 Golden Spike National Historic Site, UT  
 Grand Teton National Park, WY  
 Great Sand Dunes National Park and Preserve, CO  
 Guadalupe Mountains National Park, NM  
 Hohokam Pima National Monument, AZ  
 Hovenweep National Monument, CO/UT  
 Hubbell Trading Post National Historic Site, AZ  
 Kings Canyon National Park, CA  
 Mojave National Preserve, CA  
 Montezuma Castle National Monument, AZ  
 Navajo National Monument, AZ  
 North Cascades National Park, WA  
 Olympic National Park, WA  
 Organ Pipe Cactus National Monument, AZ  
 Pecos National Historical Park, NM  
 Petrified Forest National Park, AZ  
 Petroglyph National Monument, NM  
 Pipe Spring National Monument, AZ  
 Rio Grande Wild and Scenic River, TX  
 Saguaro National Park, AZ  
 Salinas Pueblo Missions National Monument, NM  
 San Juan Island National Historical Park, WA  
 Sequoia National Park, CA  
 Sunset Crater Volcano National Monument, AZ  
 Timpanogos Cave National Monument, UT  
 Tumacacori National Historic Park, AZ

Tuzigoot National Monument, AZ  
 Voyageurs National Park, MN  
 Walnut Canyon National Monument, AZ  
 Wupatki National Monument, AZ  
 Yellowstone National Park, ID/MT/WY  
 Yosemite National Park, CA  
 Yucca House National Monument, CO  
 Zion National Park, UT

2. Mesa Verde National Park, CO, is on the 2014 exempt list but not on the 2015 exempt list because the combined number of commercial air tours reported by all air tour operators was 50 tours or fewer in 2014, but exceeded 50 tours in 2015.

3. Cape Hatteras National Seashore, NC, is not on the 2014 exempt list but is on the 2015 exempt list because the combined number of commercial air tours reported by all air tour operators exceeded 50 tours in 2014, but was 50 tours or fewer in 2015.

4. Colonial National Historical Park, VA; Lake Chelan National Recreation Area, WA; and Lassen Volcanic National Park, CA are on the 2014 exempt list but not on the 2015 exempt list because there is no longer any operator(s) who has applied for operating authority to conduct commercial air tours over those parks. At all the other parks on the 2015 list, there is at least one operator who has applied for operating authority to conduct tours over that park.

### IV. List of Exempt Parks for Future Years

The FAA and NPS will publish a list of exempt parks annually. The list could change from year to year since parks may be added to or removed from the exempt list based on the previous year's number of annual operations. In order to continue to be exempt, a park must have 50 or fewer annual commercial air tour operations in any given calendar year. The list could also change if NPS withdraws an exempted park. NPS is authorized to withdraw a park from the exempt list if NPS determines that an air tour management plan or a voluntary agreement is necessary to protect park resources and values or park visitor use and enjoyment. Pursuant to the 2012 Act, the NPS shall inform the FAA in writing of each determination to withdraw an exemption. At parks that lose exempt status, operators will return to interim operating authority requirements until an air tour management plan or a voluntary agreement has been established.

Issued in Hawthorne, CA, on August 11, 2016.

**Glen A. Martin,**

*Regional Administrator, Western-Pacific Region, Federal Aviation Administration.*

Issued in Washington, DC, on August 17, 2016.

**Raymond M. Sauvajot,**

*Associate Director, Natural Resource Stewardship and Science, National Park Service.*

[FR Doc. 2016-26092 Filed 10-27-16; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Public Notice for Waiver of Aeronautical Land-Use Assurance

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of intent of waiver with respect to land; Cherry Capital Airport, Traverse City, Michigan.

**SUMMARY:** The FAA is considering a proposal to change 1.25 acres of airport land from aeronautical use to non-aeronautical use and to authorize the sale of airport property located at Cherry Capital Airport, Traverse City, Michigan. The aforementioned land is not needed for aeronautical use.

The proposed property is located east of the airport terminal area adjacent to the current South Airport Road right-of-way at the Cherry Capital Airport. The property is currently a wooded area maintained for compatible land use surrounding the airfield. The proposed non-aeronautical land use would be for roadway improvements to support the new commercial/industrial development.

**DATES:** Comments must be received on or before November 28, 2016.

**ADDRESSES:** Documents are available for review by appointment at the FAA Detroit Airports District Office, Irene R. Porter, Program Manager, 11677 South Wayne Road, Suite 107, Romulus, Michigan 48174. Telephone: (734) 229-2915/Fax: (734) 229-2950 and Cherry Capital Administrative Offices, 727 Fly Don't Drive, Traverse City, Michigan. Telephone: (231) 947-2250.

*Written comments on the Sponsor's request must be delivered or mailed to:* Irene R. Porter, Program Manager, Federal Aviation Administration, Airports Detroit District Office, 11677 South Wayne Road, Suite 107, Romulus, Michigan 48174, Telephone Number: (734) 229-2915/FAX Number: (734) 229-2950.

#### FOR FURTHER INFORMATION CONTACT:

Irene R. Porter, Program Manager, Federal Aviation Administration, Airports Detroit District Office, 11677 South Wayne Road, Suite 107, Romulus, Michigan 48174, Telephone Number: (734) 229-2915/FAX Number: (734) 229-2950.

**SUPPLEMENTARY INFORMATION:** In accordance with section 47107(h) of Title 49, United States Code, this notice is required to be published in the **Federal Register** 30 days before modifying the land-use assurance that requires the property to be used for an aeronautical purpose.

The property is currently a wooded area maintained for compatible land use surrounding the airfield. The proposed non-aeronautical land use would be for roadway improvements to support the new commercial/industrial development. The property was originally owned by the City of Traverse City, Michigan and was subject to an AP-4 Instrument of conveyance from the City to the United States Government dated May 17, 1943. At the end of the war the U.S. Government transferred the property back to the City of Traverse City, Michigan. In 1966 the National Emergency Use Provision was released from this property. The airport will receive Fair Market Value for the land to be transferred to the County to support the road improvements. The disposition of proceeds from the sale of the airport property will be in accordance with FAA's Policy and Procedures Concerning the Use of Airport Revenue, published in the **Federal Register** on February 16, 1999 (64 FR 7696).

This notice announces that the FAA is considering the release of the subject airport property at the Cherry Capital Airport, Traverse City, Michigan, from federal land covenants, subject to a reservation for continuing right of flight as well as restrictions on the released property as required in FAA Order 5190.6B section 22.16. Approval does not constitute a commitment by the FAA to financially assist in the disposal of the subject airport property nor a determination of eligibility for grant-in-aid funding from the FAA.

#### Property Description

Part of Section 18, T27N, R10W, City of Traverse City, Grand Traverse County, Michigan, described as: Commencing at the West ¼ corner of said Section; Thence S00°45'58" W. 1244.58 feet along the West line of said Section to the Point of Beginning of this description; Thence N87°42'41" E. 2098.16 feet along a line that is 75 feet north of and parallel with the South line

of the North ½ of the Southwest ¼ of said Section; Thence Northeasterly 127.77 feet along a 1834.86 foot radius curve to the left, the long chord of which bears N85°43'00" E. 127.74 feet to the North and South ¼ line of said Section as monumented; Thence S00°18'36" E. 22.12 feet along said North and South ¼ line to the Northerly line of the Right of Way as described in Document number 2007R-1 0240, Grand Traverse County Register of Deeds; Thence Southwesterly 127.00 feet along a 1856.86 foot radius curve to the right, the long chord of which bears S85°45'07" W. 126.97 feet; Thence S87°42'41" W. 2099.33 feet (previously recorded as 2101.33 feet) along a line which is 53 feet north of, and parallel with the South line of the North ½ of the Southwest ¼ of said Section to the West line of said Section; Thence N00°45'58" E. 22.03 feet to the point of Beginning of this description. Containing 1.25 Acres.

Issued in Romulus, Michigan, on October 12, 2016.

**John L. Mayfield, Jr.,**

*Manager, Detroit Airports District Office, FAA, Great Lakes Region.*

[FR Doc. 2016-26087 Filed 10-27-16; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Public Notice for Waiver of Aeronautical Land-Use Assurance

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of intent of waiver with respect to land; Cherry Capital Airport, Traverse City, Michigan.

**SUMMARY:** The FAA is considering a proposal to change 63.04 acres of airport land from aeronautical use to non-aeronautical use and to authorize the lease of airport property located at Cherry Capital Airport, Traverse City, Michigan. The aforementioned land is not needed for aeronautical use.

The proposed property is located east of the airport terminal area along South Airport Road at the Cherry Capital Airport. The property is currently a wooded area maintained for compatible land use surrounding the airfield. The proposed non-aeronautical land use would be for compatible commercial/industrial development, allowing the airport to become more self-sustaining.

**DATES:** Comments must be received on or before November 28, 2016.

**ADDRESSES:** Documents are available for review by appointment at the FAA