

its assigned responsibilities under 23 U.S.C. 327 has taken final agency actions subject to 23 U.S.C. 139(j)(1) by approving the following highway project in the State of California: The project proposes to widen a segment of Grand Avenue between First Street and Fourth Street in the City of Santa Ana from two to three lanes of through travel and to provide left-turn and right-turn lanes at major intersections, and install a raised landscaped center median. The actions by Caltrans, and the laws under which such actions were taken, are described in the Final Environmental Assessment (FEA) and Finding of No Significant Impact (FONSI) for the project, both approved on September 1, 2011, and in other documents in Caltrans' project records. The FEA and other project records are available by contacting the California Department of Transportation at the address provided above. This notice applies to all 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 (FAHA) [23 U.S.C. 109 and 23 U.S.C. 128].
2. *Air*: Clean Air Act (CAA) [42 U.S.C. 7401–7671(q)].
3. *Land*: Section 4(f) of the Department of Transportation Act of 1966 (4f) [49 U.S.C. 303].
4. *Wildlife*: Endangered Species Act (ESA) [16 U.S.C. 1531–1544 and Section 1536]; Migratory Bird Treaty Act (MBTA) [16 U.S.C. 703–712].
5. *Historic and Cultural Resources*: Section 106 of the National Historic Preservation Act of 1966, as amended (106) [16 U.S.C. 470(f) *et seq.*]; Archeological Resources Protection Act of 1977 (ARPA) [16 U.S.C. 470(aa)–470(ll)]; Archeological and Historic Preservation Act (AHPA) [16 U.S.C. 469–469(c)].
6. *Social and Economic*: Civil Rights Act of 1964 (Civil Rights) [42 U.S.C. 2000(d)–2000(d)(1)].
7. *Wetlands and Water Resources*: Clean Water Act (Section 404, Section 401, Section 319) [33 U.S.C. 1251–1377]; Rivers and Harbors Act of 1899 (RHA) [33 U.S.C. 401–406]; Wetlands Mitigation (Sections 103 and 133) [23 U.S.C. 103(b)(6)(M) and 133(b)(11)].
8. *Executive Orders*: E.O. 11990 Protection of Wetlands; E.O. 11988 Floodplain Management; E.O. 11514 Protection and Enhancement of Environmental Quality; E.O. 12898, Federal Actions to Address Environmental Justice in Minority

Populations and Low Income Populations.

(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(j)(1).

Issued on: October 3, 2011.

**Jacob Waclaw,**

*Senior Transportation Engineer, Local Agency Programs, Federal Highway Administration, Los Angeles, CA.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

**[Docket No. FMCSA–2006–26367]**

#### Motor Carrier Safety Advisory Committee Series of Public Subcommittee Meetings

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.

**ACTION:** Notice of meeting.

**SUMMARY:** The FMCSA's Motor Carrier Safety Advisory Committee (MCSAC) will hold working group and subcommittee meetings on Monday–Thursday, October 24–27, 2011. The meetings will be open to the public for their duration. During the first two days, Monday–Tuesday, October 24–25, 2011, a working group of the subcommittee will discuss with FMCSA technical specifications related to wireless communications protocols that may be needed to ensure successful and secure transmission of data from electronic on-board recorders (EOBRs) to enforcement officials. The next two days, Wednesday–Thursday, October 26–27, 2011, will be devoted to a meeting of the full MCSAC EOBR subcommittee. The working group and subcommittee will discuss technical issues the full MCSAC should consider in providing input to the Agency as it develops functional specifications for EOBRs used in lieu of handwritten records of duty status (RODS).

**Time and Dates:** The meetings will be held Monday–Thursday, October 24–27, 2011, from 8:30 am to 5 pm, E.T. at the Sheraton Crystal City, 1800 Jefferson Davis Highway, Arlington, VA, 22202, in meeting rooms Crystal V and VI.

**Matters To Be Considered:** The subcommittee will continue its review of the functional specifications for EOBRs published by FMCSA as part of

its final rule concerning EOBRs on April 5, 2010 (75 FR 17208), but subsequently vacated by the United States Court of Appeals for the Seventh Circuit (Seventh Circuit), and will provide suggestions to address stakeholder concerns about new specifications.

**FOR FURTHER INFORMATION CONTACT:** Ms. Shannon L. Watson, Senior Adviser to the Associate Administrator for Policy, Federal Motor Carrier Safety Administration, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Washington, DC 20590, (202) 385–2395, [mcsac@dot.gov](mailto:mcsac@dot.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

##### MCSAC

Section 4144 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA–LU) (Pub. L. 109–59, 119 Stat. 1144, August 10, 2005) required the Secretary of Transportation to establish a Motor Carrier Safety Advisory Committee. The committee provides advice and recommendations to the FMCSA Administrator on motor carrier safety programs and regulations and operates in accordance with the Federal Advisory Committee Act (5 U.S.C. App 2).

##### EOBRs

On April 5, 2010, FMCSA issued a final rule that required the use of EOBRs by motor carriers with significant hours-of-service violations, as determined through an on-site enforcement intervention (75 FR 17208). The rule also set forth new technical requirements or functional specifications for EOBRs used in lieu of handwritten RODS. The compliance date for the rule was June 4, 2012.

The Owner-Operator Independent Drivers Association (OOIDA) filed a petition for judicial review of the EOBR final rule with the Seventh Circuit. On August 26, 2011, the Seventh Circuit vacated the final rule because the Agency failed to consider a statutory mandate to “ensure that [EOBRs] are not used to harass vehicle operators” (49 U.S.C. 31137(a)). [*Owner-Operator Indep. Drivers Ass'n., et al. v. Fed. Motor Carrier Safety Admin.*, No. 10–2340 (7th Cir. 2011).]

The Agency will not appeal the court's decision and will issue a final rule at a later date to remove all regulatory text from the Code of Federal Regulations related to the vacated April 5, 2010, final rule. However, the MCSAC subcommittee will continue its review of the technical specifications

pertaining to EOBRs published on April 5, 2010 (75 FR 17208).

*MCSAC Subcommittee (EOBR Technical Issues)*

During the MCSAC's June 20–22, 2011, public meeting, FMCSA tasked the group to review the functional specifications included in the April 5, 2010, final rule and provide suggestions to address stakeholder concerns about the technical requirements for EOBRs. A copy of the task statement and all MCSAC materials related to the assignment are posted at <http://mcsac.fmcsa.dot.gov>. The Agency assigned this task to the MCSAC after making a preliminary determination that additional information would be needed to ensure that roadside inspection officials are able to obtain and/or retrieve EOBR data in order to assess drivers' compliance with the HOS regulations. After the 2010 final rule was published, stakeholders in the CMV safety enforcement and EOBR supplier communities urged that certain requirements of the rule be revisited. Some communications methods that were presumed to be viable when the rule was developed appear less appropriate now as technology and government information technology security standards have evolved.

The MCSAC established a subcommittee to explore these complex issues. The subcommittee's meetings were announced in the **Federal Register** and open to all interested parties [(76 FR 38268), June 29, 2011]. Following its October 27, 2011 session, the subcommittee will submit its report to the full MCSAC. The MCSAC will review and discuss the subcommittee's report at MCSAC's December 2011 public meeting and submit to the Agency its recommendations concerning functional specifications. The Agency will consider the MCSAC report in any future rulemaking to re-establish functional specifications for EOBRs.

## II. Meeting Participation

The meetings will be open to the public for their duration. Public comments may be heard beginning at 4:30 pm on each meeting day.

You may submit written comments identified by Docket ID Number FMCSA–2006–26367 by Friday, October 14, 2011, for the October 24–27 meeting using any of the following methods:

*Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the online instructions for submitting comments.

*Mail:* Docket Management Facility: U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building,

Ground Floor, Room W12–140, Washington, DC 20590–0001.

*Hand Delivery or Courier:* West Building, Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., between 9 a.m. and 5 p.m. ET, Monday through Friday except Federal holidays.

*Fax:* 202–493–2251.

Do not submit the same comment by more than one method. To allow effective public participation before the comment period deadline, FMCSA encourages use of the Web site listed above (*Federal eRulemaking Portal*: <http://www.regulations.gov>).

## III. Services for Individuals With Disabilities

For assistance with services for individuals with disabilities or to request special assistance, please send your request to the address listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice, or e-mail your request to [shannon.watson@dot.gov](mailto:shannon.watson@dot.gov) by Friday, October 14.

Issued on: September 30, 2011.

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2011–25916 Filed 10–6–11; 8:45 am]

**BILLING CODE 4910–EX–P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. AB 1087X]

#### **Grenada Railway LLC—Abandonment Exemption—in Grenada, Montgomery, Carroll, Holmes, Yazoo and Madison Counties, MS**

On September 20, 2011, Grenada Railway LLC (GRYR) filed with the Surface Transportation Board (Board) a petition under 49 U.S.C. 10502 for exemption from the provisions of 49 U.S.C. 10903 to abandon the southern segment of its line of railroad between milepost 622.5 near Grenada, Miss., and milepost 703.8 near Canton, Miss., a distance of 81.3 miles, in Grenada, Montgomery, Carroll, Holmes, Yazoo and Madison Counties, Miss.<sup>1</sup> The line traverses United States Postal Service Zip Codes 38960, 38926, 38925, 38967, 39176, 39192, 39063, 39079, 39146, and 39179, and includes the stations of Tie Plant, Elliott, Duck Hill, Eskridge, Winona, Vaiden, West, Durant, Goodman, Pickens, and Vaughan.

<sup>1</sup> GRYR acquired this line from the Illinois Central Railroad Company in *Grenada Railway, LLC—Acquisition and Operation Exemption—Illinois Central Railroad Company and Waterloo Railway Company*, Docket No. FD 35247 (STB served May 29, 2009).

According to GRYR, it believes that the line does not contain Federally granted rights-of-way. Any documentation in GRYR's possession regarding the line will be made available promptly to those requesting it.

The interest of railroad employees will be protected by the conditions set forth in *Oregon Short Line Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, In Bingham & Bonneville Counties, Idaho*, 360 I.C.C. 91 (1979).

By issuance of this notice, the Board is instituting an exemption proceeding pursuant to 49 U.S.C. 10502(b). A final decision will be issued by January 6, 2012.

Any offer of financial assistance (OFA) under 49 CFR 1152.27(b)(2) will be due no later than 10 days after service of a decision granting the petition for exemption. Each OFA must be accompanied by a \$1,500 filing fee. See 49 CFR 1002.2(f)(25).

All interested persons should be aware that, following abandonment of rail service and salvage of the line, the line may be suitable for other public use, including interim trail use. Any request for a public use condition under 49 CFR 1152.28 or for trail use/rail banking under 49 CFR 1152.29 will be due no later than October 27, 2011. Each trail request must be accompanied by a \$250 filing fee. See 49 CFR 1002.2(f)(27).

All filings in response to this notice must refer to Docket No. AB 1087X, and must be sent to: (1) Surface Transportation Board, 395 E Street, SW., Washington, DC 20423–0001; and (2) Fritz R. Kahn, Fritz R. Kahn, P.C., 1920 N Street, NW. (8th Floor), Washington, DC 20036. Replies to the petition are due on or before October 27, 2011.

Persons seeking further information concerning abandonment procedures may contact the Board's Office of Public Assistance, Governmental Affairs and Compliance at (202) 245–0238 or refer to the full abandonment or discontinuance regulations at 49 CFR 1152. Questions concerning environmental issues may be directed to the Board's Office of Environmental Analysis (OEA) at (202) 245–0305. Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1–800–877–8339.

An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by OEA will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Other interested persons may contact