

Fisheries Conservation and Management Act 1976 as amended [16 U.S.C. 1801 *et seq.*].

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.*].

6. **Social and Economic:** Civil Rights Act of 1964 [42 U.S.C. 2000(d)–2000(d)(1)].

7. **Wetlands and Water Resources:** Land and Water Conservation Fund (LWCF) [16 U.S.C. 4601–4604]; Wild and Scenic Rivers Act [16 U.S.C. 1271–1287].

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. 13186 Migratory Birds.

(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: April 18, 2006.

**David C. Miller,**

*Division Administrator, Juneau, Alaska.*

[FR Doc. 06–3989 Filed 4–26–06; 8:45am]

**BILLING CODE 4910–22–M**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

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

**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, U.S. Route 24, from east of the IR469 bypass in New Haven, Indiana, Allen County, Indiana to SR424 west of Defiance, Ohio. 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 October 24, 2006.

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. Mark Vonder Embse, Senior Transportation Engineer, Federal Highway Administration, 200 North High Street, Columbus, Ohio 43215; telephone: (614) 280–6854; e-mail: [Mark.Vonderembse@fhwa.dot.gov](mailto:Mark.Vonderembse@fhwa.dot.gov). FHWA Ohio Division Office's normal business hours are 8 a.m. to 4:30 p.m. (eastern time). You may also contact Mr. Tim Hill, Ohio Department of Transportation, 1980 West Broad Street, Columbus, Ohio 43223; telephone: (614) 644–0377.

**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 Ohio: U.S. Route 24, from east of the IR469 bypass in New Haven, Indiana, Allen County, Indiana to SR424 west of Defiance, Ohio. The project will be a 40 mile long, four-lane divided expressway in Ohio and freeway in Indiana. The proposed highway will be on new alignment. The alignment is south of and parallel to the Maumee River and existing US24. West of the City of Defiance, the proposed highway overlaps with the existing US24 alignment prior to crossing the Maumee River. The actions by the Federal agencies, and the laws under which such actions were taken, are described in the Final Environmental Impact Statement (FEIS) for the project, approved on October 26, 2005, in the FHWA Record of Decision (ROD) issued on December 9, 2005, and in other documents in the FHWA administrative record. The FEIS, ROD, and other documents in the FHWA administrative record file are available by contacting the FHWA or the Ohio Department of Transportation at the addresses provided above. The FHWA FEIS and ROD can be viewed at the Paulding County Carnegie Library–Antwerp and Payne Branches, Defiance Public Library, Defiance County Engineer's Office, Allen County (IN) Engineer's Office. For additional locations to view the FEIS and/or ROD, please call the aforementioned contacts.

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]; Landscaping and Scenic Enhancement (Wildflowers), 23 U.S.C. 319; Land and Water Conservation Fund (LWCF), 16 U.S.C. 4601–4604.

4. **Wildlife:** Endangered Species Act [16 U.S.C. 1531–1544 and Section 1536], Marine Mammal Protection Act [16 U.S.C. 1361], Fish and Wildlife Coordination Act [16 U.S.C. 661–667(d)], 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)–11]; Archeological and Historic Preservation Act [16 U.S.C. 469–469(c)]; Native American Grave Protection and Repatriation Act (NAGPRA) [25 U.S.C. 3001–3013].

6. **Social and Economic:** Civil Rights Act of 1964 [42 U.S.C. 2000(d)–2000(d)(1)]; American Indian Religious Freedom Act [42 U.S.C. 1996]; 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); Safe Drinking Water Act (SDWA), 42 U.S.C. 300(f)–300(j)(6); Rivers and Harbors Act of 1899, 33 U.S.C. 401–406; Wild and Scenic Rivers Act, 16 U.S.C. 1271–1287; Emergency Wetlands Resources Act, 16 U.S.C. 3921, 3931; TEA–21 Wetlands Mitigation, 23 U.S.C. 103(b)(6)(m), 133(b)(11); Flood Disaster Protection Act, 42 U.S.C. 4001–4128.

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. 13007 Indian Sacred Sites; E.O. 13287 Preserve America; 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: April 19, 2006.

**Dennis Decker,**

*Division Administrator, Columbus, Ohio.*

[FR Doc. E6-6305 Filed 4-26-06; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2006-24195]

#### Notice of Request for Comments on Extension of Currently Approved Information Collections: OMB Control Numbers 2126-0032 and 2126-0033 (Financial and Operating Statistics for Motor Carriers of Property)

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

**ACTION:** Notice and request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 FMCSA announces its intent to submit two currently-approved Information Collection Requests (ICRs) described to the Office of Management and Budget (OMB) for review and approval. The ICRs describes two information collection activities and their expected costs and burdens. The **Federal Register** notice allowing for a 60-day comment period on the ICRs was published on January 18, 2006 (71 FR 2985). The agency received five comments in support of the continuation of these ICRs.

**DATES:** Please send your comments by May 30, 2006. OMB must receive your comments by this date in order to act quickly on the ICR.

**ADDRESSES:** Send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 Seventeenth Street, NW., Washington, DC 20503, Attention: DOT/FMCSA Desk Officer.

**FOR FURTHER INFORMATION CONTACT:** Ms. Toni Proctor, phone: (202) 366-2998; Fax: (202) 366-3518; email: [toni.proctor@fmcsa.dot.gov](mailto:toni.proctor@fmcsa.dot.gov); Federal Motor Carrier Safety Administration, U.S. Department of Transportation, Office of Research and Analysis, 400 Seventh Street SW., Suite 8214, Washington, DC 20590. Office hours are from 8 a.m. to 4 p.m., Monday through Friday, except Federal Holidays.

#### SUPPLEMENTARY INFORMATION:

(1) *Title:* Annual Report of Class I and Class II Motor Carriers of Property (Including Household Goods and Dual Property Motor Carriers) (formerly OMB Control Number 2139-0004). This

information collection (IC) was transferred from the former Bureau of Transportation Statistics (BTS) to FMCSA on September 29, 2004 (69 FR 51009).

*FMCSA IC:* OMB Control No: 2126-0032.

*Form No.:* Form M.

*Type of Review:* Extension of a currently-approved information collection.

*Respondents:* Class I and Class II Motor Carriers of Property.

*Number of Respondents:* 3,000 (per year).

*Estimated Time Per Response:* 9 hours.

*Expiration Date:* April 30, 2006.

*Frequency:* Annually.

*Total Annual Burden:* 27,000 hours [3,000 respondents  $\times$  9 hours per response = 27,000].

(2) *Title:* Quarterly Financial Report of Class I Motor Carriers of Property and Household Goods (formerly OMB Control Number 2139-0002). This information collection was transferred from BTS to FMCSA on September 29, 2004 (69 FR 51009).

*FMCSA IC:* OMB Control No: 2126-0033.

*Form No.:* Form QFR.

*Type of Review:* Extension of a currently approved information collection.

*Respondents:* Class I Motor Carriers of Property.

*Number of Respondents:* 1,000 (per quarter).

*Estimated Time Per Response:* 1.8 hours (27 minutes per quarter).

*Expiration Date:* April 30, 2006.

*Frequency:* Quarterly.

*Total Annual Burden:* 1,800 hours [1,000 respondents  $\times$  1.8 hours per response = 1,800].

#### Background

The Annual Report of Class I and Class II Motor Carriers of Property and Household Goods (Form M) and Quarterly Financial Report of Class I Motor Carriers of Property (Including Household Goods and Dual Property Motor Carriers) (Form QFR) are mandated reporting requirements applicable for for-hire motor carriers. Motor carriers (including interstate and intrastate)<sup>1</sup> subject to the Federal Motor

<sup>1</sup> For purposes of the Financial and Operating Statistics (F&OS) program, carriers are classified into the following three groups; (1) Class I carriers are those having annual carrier operating revenues (including interstate and intrastate) of \$10 million or more after applying the revenue deflator formula in Note A of part 1420; (2) Class II carriers are those having annual carrier operating revenues (including interstate and intrastate) of at least \$3 million but less than \$10 million after applying the revenue deflator formula in Note A of part 1420; and (3)

Carrier Safety Regulations (FMCSRs) are classified on the basis of their gross carrier operating revenues. Under the financial and operating statistics program, FMCSA collects balance sheet and income statement data, along with information on safety needs, tonnage, mileage, employees, transportation equipment and other related data. FMCSA may also ask carriers to respond to surveys concerning their operations. The data and information collected will be made publicly available and used by FMCSA to determine a motor carrier's compliance with the F&OS program requirements set forth in subchapter B of 49 CFR part 1420.

The regulations were formerly administered by the Interstate Commerce Commission and later transferred to the U.S. Department of Transportation on January 1, 1996, by section 103 of the Interstate Commerce Commission Termination Act of 1995 (ICCTA) (Pub. L. 104-88, 109 Stat. 803, December 29, 1995), now codified at 49 U.S.C. 14123. The Secretary of Transportation (Secretary) transferred the authority to administer the F&OS program to the Bureau of Transportation Statistics on September 30, 1998 (63FR 52192). Pursuant to this authority, the BTS, now part of the Research and Innovative Technology Administration (RITA), became the DOT modal administration responsible for implementing the F&OS program and requirements in 49 CFR part 1420. On September 29, 2004, the Secretary transferred the responsibility for the F&OS program from BTS to FMCSA (69 FR 51009). FMCSA plans to publish a final rule in the future to transfer and re-designate the F&OS program reporting requirements at 49 CFR part 1420 from BTS (now RITA) to FMCSA.

We particularly request comments on:

(1) Whether the collection of information is necessary for FMCSA to meet its goal of reducing truck crashes and its usefulness to this goal; (2) the accuracy of the estimate of the burden of the information collection; (3) ways to enhance the quality, utility and clarity of the information collected; and (4) ways to minimize the burden of the collection of information on respondents, including using automated collection techniques or other forms of information technology. The agency will summarize and/or include your comments in the request for OMB's clearance of these information collections.

Class III carriers are those having annual carrier operating revenues (including interstate and intrastate) of less than \$3 million after applying the revenue deflator formula in Note A of part 1420.