

Highway (SH) 121 (also known as Chisholm Trail) from Farm to Market (FM) 1187 to United States (US) 67 within the cities of Fort Worth, Crowley, Burleson, Joshua and Cleburne in Tarrant and Johnson Counties. Project Reference Number: TxDOT CSJ: 0504-04-001 and 0504-05-001. The project is the construction of an approximate 14-mile new location toll road (SH 121), that will connect FM 1187 to US 67. The project will consist of an ultimate facility of two travel lanes in each direction with shoulders. The project will be constructed in phases. The actions by the Federal agencies on the project, and the laws under which such actions were taken, are described in the documented Environmental Assessment (EA), with a Findings of No Significant Impact (FONSI) issued May 20, 2004 and reaffirmed May 10, 2011 and in other document project records. The EA, FONSI, and other project records for the listed project are available by contacting the FHWA or the Texas Department of Transportation at the addresses provided above. The FHWA EA and FONSI can also be viewed at the project Web site: [http://www.txdot.gov/project\\_information/projects/fort\\_worth\\_southwest\\_parkway/environmental\\_assessment.htm](http://www.txdot.gov/project_information/projects/fort_worth_southwest_parkway/environmental_assessment.htm). The USACE decision (USACE Nationwide Permit 14 with pre-construction notification; Project Number SWF-2005-00058) is available by contacting TxDOT at the address provided above or can be viewed at the project Web site. The Decision Document for Nationwide Permit 14 along with the Supplemental Decision Document for Nationwide Permit 14 for regional conditions are also available by contacting TxDOT at the address provided above or can be viewed at the project Web site. The USACE involvement with this project is limited to approving the Section 404 permit for the project.

This notice applies to all Federal agency decisions on the listed project 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 [42 U.S.C. 4321 *et seq.*]; Federal-Aid Highway Act [23 U.S.C. 109 and 23 U.S.C. 128].

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 [23 U.S.C. 138 and 49 U.S.C. 303].

4. *Wildlife*: Endangered Species Act of 1973 [16 U.S.C. 1531-1544 and Section 1536]; Fish and Wildlife Coordination Act [16 U.S.C. 661-667(d)]; and 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]; Archeological Resources Protection Act of 1977 [16 U.S.C. 470]; Archeological and Historic Preservation Act [16 U.S.C. 469].

6. *Social and Economic*: Title VI of the Civil Rights Act of 1964 [42 U.S.C. 2000(d) *et seq.*]; Farmland Protection Policy Act [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 402, Section 319); Rivers and Harbors Act of 1899 [33 U.S.C. 401-406]; and Land and Water Conservation Fund [16 U.S.C. 4601-4604].

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 Government; E.O. 11514 Protection and Enhancement of Environmental Quality. (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: July 20, 2011.

**Salvador Deocampo,**  
District Engineer, Austin, Texas.

[FR Doc. 2011-18821 Filed 7-25-11; 8:45 am]

**BILLING CODE 4910-RY-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2006-26367]

#### Motor Carrier Safety Advisory Committee Public Subcommittee Meeting; Amendment

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

**ACTION:** Notice; amendment.

**SUMMARY:** This notice amends FMCSA's June 29, 2011, notice announcing July and August, 2011, subcommittee meetings of the Agency's Motor Carrier Safety Advisory Committee (MCSAC). Because a final decision on the location for the August 1-2, 2011, MCSAC subcommittee meeting had not been made at the time the June 29, 2011,

notice was published, the Agency amends the previous notice to provide that information. Also, in consideration of the complexity of the technical issues discussed by the subcommittee during the July 11-12, 2011, meeting, the meeting time is being extended on the first day of the August 1-2, 2011, meeting.

**FOR FURTHER INFORMATION CONTACT:** Ms. Shannon L. Watson, (202) 385-2395, [mcsac@dot.gov](mailto:mcsac@dot.gov).

**TIMES AND DATES:** The meeting will be held on Monday and Tuesday, August 1 and 2, 2011, from 8 a.m. to 5 p.m. (E.T.) at the Sheraton Crystal City, 1800 Jefferson Davis Highway, Arlington, VA 22202, in meeting rooms Crystal V and VI.

**SUPPLEMENTARY INFORMATION:** The FMCSA's June 29, 2011, notice (76 FR 38268) indicated that the Agency's MCSAC would hold two subcommittee meetings with the first meeting to be held on July 11-12, 2011, at the Hilton Alexandria Old Town. The notice indicated the second meeting would be held on August 1 and 2, 2011, from noon to 5 p.m. on August 1 and 8 a.m. to 5 p.m. on August 2. The notice did not provide a location for the August 1-2, 2011, meeting.

FMCSA announces the location of the August 1-2, 2011, meeting and extends the meeting time. The meeting will be held at the Sheraton Crystal City in Arlington, VA. The meeting will begin at 8 a.m. and end at 5 p.m. on both days.

Issued on: July 20, 2011.

**Larry W. Minor,**  
Associate Administrator for Policy.

[FR Doc. 2011-18891 Filed 7-25-11; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[FMCSA Docket No. FMCSA-2011-0143]

#### Qualification of Drivers; Exemption Applications; Diabetes Mellitus

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

**ACTION:** Notice of final disposition.

**SUMMARY:** FMCSA announces its decision to exempt nineteen individuals from its rule prohibiting persons with insulin-treated diabetes mellitus (ITDM) from operating commercial motor vehicles (CMVs) in interstate commerce. The exemptions will enable these individuals to operate CMVs in interstate commerce.

**DATES:** The exemptions are effective July 26, 2011. The exemptions expire on *July 26, 2013*.

**FOR FURTHER INFORMATION CONTACT:**

Elaine M. Papp, Chief, Medical Programs, (202) 366-4001, [fmcsamedical@dot.gov](mailto:fmcsamedical@dot.gov), FMCSA, Room W64-224, Department of Transportation, 1200 New Jersey Avenue, SE., Washington, DC 20590-0001. Office hours are from 8:30 a.m. to 5 p.m., Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:**

**Electronic Access**

You may see all the comments online through the Federal Document Management System (FDMS) at: <http://www.regulations.gov>.

**Docket:** For access to the docket to read background documents or comments, go to <http://www.regulations.gov> and/or Room W12-140 on the ground level of the West Building, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**Privacy Act:** Anyone may search the electronic form of all comments received into any of DOT's dockets by the name of the individual submitting the comment (or of the person signing the comment, if submitted on behalf of an association, business, labor union, or other entity). You may review DOT's Privacy Act Statement for the Federal Docket Management System (FDMS) published in the **Federal Register** on January 17, 2008 (73 FR 3316), or you may visit <http://edocket.access.gpo.gov/2008/pdf/E8-785.pdf>.

**Background**

On June 2, 2011, FMCSA published a notice of receipt of Federal diabetes exemption applications from nineteen individuals and requested comments from the public (76 FR 32012). The public comment period closed on July 5, 2011, and one comment was received.

FMCSA has evaluated the eligibility of the nineteen applicants and determined that granting the exemptions to these individuals would achieve a level of safety equivalent to or greater than the level that would be achieved by complying with the current regulation 49 CFR 391.41(b)(3).

**Diabetes Mellitus and Driving Experience of the Applicants**

The Agency established the current standard for diabetes in 1970 because several risk studies indicated that drivers with diabetes had a higher rate of crash involvement than the general population. The diabetes rule provides

that "A person is physically qualified to drive a commercial motor vehicle if that person has no established medical history or clinical diagnosis of diabetes mellitus currently requiring insulin for control" [(49 CFR 391.41(b)(3))].

FMCSA established its diabetes exemption program, based on the Agency's July 2000 study entitled "A Report to Congress on the Feasibility of a Program to Qualify Individuals with Insulin-Treated Diabetes Mellitus to Operate in Interstate Commerce as Directed by the Transportation Act for the 21st Century." The report concluded that a safe and practicable protocol to allow some drivers with ITDM to operate CMVs is feasible. The September 3, 2003 (68 FR 52441), **Federal Register** notice in conjunction with the November 8, 2005 (70 FR 67777), **Federal Register** notice provides the current protocol for allowing such drivers to operate CMVs in interstate commerce.

These nineteen applicants have had ITDM over a range of 1 to 30 years. These applicants report no severe hypoglycemic reactions resulting in loss of consciousness or seizure, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning symptoms, in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the past 5 years. In each case, an endocrinologist verified that the driver has demonstrated a willingness to properly monitor and manage his/her diabetes mellitus, received education related to diabetes management, and is on a stable insulin regimen. These drivers report no other disqualifying conditions, including diabetes-related complications. Each meets the vision standard at 49 CFR 391.41(b)(10).

The qualifications and medical condition of each applicant were stated and discussed in detail in the June 2, 2011, **Federal Register** notice. They will not be repeated in this notice.

**Discussion of Comment**

FMCSA received one comment in this proceeding. The comment was considered and discussed below.

The Pennsylvania Department of Transportation stated that it had reviewed the driving records for Brion T. Maguire and Harry L. Claycomb and is in favor of granting them a Federal diabetes exemption.

**Basis for Exemption Determination**

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption from the diabetes standard in 49 CFR 391.41(b)(3) if the exemption is likely to

achieve an equivalent or greater level of safety than would be achieved without the exemption. The exemption allows the applicants to operate CMVs in interstate commerce.

To evaluate the effect of these exemptions on safety, FMCSA considered medical reports about the applicants' ITDM and vision, and reviewed the treating endocrinologists' medical opinion related to the ability of the driver to safely operate a CMV while using insulin.

Consequently, FMCSA finds that in each case exempting these applicants from the diabetes standard in 49 CFR 391.41(b)(3) is likely to achieve a level of safety equal to that existing without the exemption.

**Conditions and Requirements**

The terms and conditions of the exemption will be provided to the applicants in the exemption document and they include the following: (1) That each individual submit a quarterly monitoring checklist completed by the treating endocrinologist as well as an annual checklist with a comprehensive medical evaluation; (2) that each individual reports within 2 business days of occurrence, all episodes of severe hypoglycemia, significant complications, or inability to manage diabetes; also, any involvement in an accident or any other adverse event in a CMV or personal vehicle, whether or not it is related to an episode of hypoglycemia; (3) that each individual provide a copy of the ophthalmologist's or optometrist's report to the medical examiner at the time of the annual medical examination; and (4) that each individual provide a copy of the annual medical certification to the employer for retention in the driver's qualification file, or keep a copy in his/her driver's qualification file if he/she is self-employed. The driver must also have a copy of the certification when driving, for presentation to a duly authorized Federal, State, or local enforcement official.

**Conclusion**

Based upon its evaluation of the nineteen exemption applications, FMCSA exempts Russell L. Bassett, Teddy L. Beach, Franklin L. Bell, Jeffery F. Borelli, Dale E. Burke, James S. Campbell, Harry L. Claycomb, Boyd L. Croshaw, Gail R. Gehrke, Derek R. Haagensen, Martin J. Johnson, Shelley Kneeland, Jr., Brion T. Maguire, Mark D. McKee, Todd J. Smith, John J. Steigauf, Andrew C. Winsberg, Nathan E. Woodin and Vicky A. Yernesek from the ITDM standard in 49 CFR 391.41(b)(3), subject

to the conditions listed under "Conditions and Requirements" above.

In accordance with 49 U.S.C. 31136(e) and 31315 each exemption will be valid for two years unless revoked earlier by FMCSA. The exemption will be revoked if: (1) The person fails to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was maintained before it was granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315. If the exemption is still effective at the end of the 2-year period, the person may apply to FMCSA for a renewal under procedures in effect at that time.

Issued on: July 20, 2011.

**Larry W. Minor,**

*Associate Administrator Office of Policy.*

[FR Doc. 2011-18892 Filed 7-25-11; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-1998-4334; FMCSA-2000-7918; FMCSA-2001-9561; FMCSA-2003-14504; FMCSA-2005-20027; FMCSA-2007-2663; FMCSA-2007-25246; FMCSA-2007-27515; FMCSA-2007-27897; FMCSA-2009-0054; FMCSA-2009-0086; FMCSA-2009-0121]

### Qualification of Drivers; Exemption Applications; Vision

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

**ACTION:** Notice of renewal of exemptions; request for comments.

**SUMMARY:** FMCSA announces its decision to renew the exemptions from the vision requirement in the Federal Motor Carrier Safety Regulations for 26 individuals. FMCSA has statutory authority to exempt individuals from the vision requirement if the exemptions granted will not compromise safety. The Agency has concluded that granting these exemption renewals will provide a level of safety that is equivalent to or greater than the level of safety maintained without the exemptions for these commercial motor vehicle (CMV) drivers.

**DATES:** This decision is effective August 8, 2011. Comments must be received on or before August 25, 2011.

**ADDRESSES:** You may submit comments bearing the Federal Docket Management System (FDMS) numbers: FMCSA-

1998-4334; FMCSA-2000-7918; FMCSA-2001-9561; FMCSA-2003-14504; FMCSA-2005-20027; FMCSA-2007-2663; FMCSA-2007-25246; FMCSA-2007-27515; FMCSA-2007-27897; FMCSA-2009-0054; FMCSA-2009-0086; FMCSA-2009-0121, using any of the following methods:

- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov>. Follow the on-line 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., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

- **Fax:** 1-202-493-2251.

**Instructions:** Each submission must include the Agency name and the docket number for this notice. Note that DOT posts all comments received without change to <http://www.regulations.gov>, including any personal information included in a comment. Please see the Privacy Act heading below.

**Docket:** For access to the docket to read background documents or comments, go to <http://www.regulations.gov> at any time or Room W12-140 on the ground level of the West Building, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Federal Docket Management System (FDMS) is available 24 hours each day, 365 days each year. If you want acknowledgment that we received your comments, please include a self-addressed, stamped envelope or postcard or print the acknowledgement page that appears after submitting comments on-line.

**Privacy Act:** Anyone may search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or of the person signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's Privacy Act Statement for the FDMS published in the **Federal Register** on January 17, 2008 (73 FR 3316), or you may visit <http://edocket.access.gpo.gov/2008/pdf/E8-785.pdf>.

### FOR FURTHER INFORMATION CONTACT:

Elaine M. Papp, Chief, Medical Programs, (202) 366-4001, [fmcamedical@dot.gov](mailto:fmcamedical@dot.gov), FMCSA,

Department of Transportation, 1200 New Jersey Avenue, SE., Room W64-224, Washington, DC 20590-0001. Office hours are from 8:30 a.m. to 5 p.m. Monday through Friday, except Federal holidays.

### SUPPLEMENTARY INFORMATION:

#### Background

Under 49 U.S.C. 31136(e) and 31315, FMCSA may renew an exemption from the vision requirements in 49 CFR 391.41(b)(10), which applies to drivers of CMVs in interstate commerce, for a two-year period if it finds "such exemption would likely achieve a level of safety that is equivalent to or greater than the level that would be achieved absent such exemption." The procedures for requesting an exemption (including renewals) are set out in 49 CFR part 381.

#### Exemption Decision

This notice addresses 26 individuals who have requested renewal of their exemptions in accordance with FMCSA procedures. FMCSA has evaluated these 26 applications for renewal on their merits and decided to extend each exemption for a renewable two-year period. They are:

Jean-Pierre G. Brefort  
James T. Butler, Jr.  
Paul W. Dawson  
Jay E. Finney  
Steven A. Garrity  
Waylon E. Hall  
Gary D. Hallman  
William P. Holloman  
John R. Hughes  
Edward J. Kasper  
Jeffrey M. Kimsey  
Richard L. Leonard  
Jorge Lopez  
Craig R. Martin  
Michael A. Mitchell  
William F. Nickel, V  
Robert D. Porter  
Thomas G. Raymond  
Robert A. Reyna  
Tim M. Seavy  
Lawrence E. Staben  
Randy D. Stanley  
Lee T. Taylor  
Scott A. Taylor  
James M. Tayman, Sr.  
Steven L. Thomas

The exemptions are extended subject to the following conditions: (1) That each individual has a physical examination every year (a) by an ophthalmologist or optometrist who attests that the vision in the better eye continues to meet the standard in 49 CFR 391.41(b)(10), and (b) by a medical examiner who attests that the individual is otherwise physically qualified under