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**Patricia Lawton,**

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## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Supplemental Final Environmental Impact Statement: Clark County, Indiana, and Jefferson County, KY

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

**ACTION:** Notice of intent.

**SUMMARY:** The FHWA is issuing this notice to advise the public that a supplemental environmental impact statement (SEIS) will be prepared for the Louisville-Southern Indiana Ohio River Bridges (Project) in Clark County, Indiana and Jefferson County, Kentucky.

**FOR FURTHER INFORMATION CONTACT:** Mr. Duane Thomas, Project Manager, Federal Highway Administration, John C. Watts Federal Building 330 West Broadway Frankfort, KY 40601, Telephone: (502) 223-6720, e-mail: [Duane.Thomas@dot.gov](mailto:Duane.Thomas@dot.gov) or Mr. Gary Valentine, Project Manager, Kentucky Transportation Cabinet, 8310 Westport Road, Louisville, KY 40242, Telephone: (502) 210-5453, e-mail: [Gary.Valentine@ky.gov](mailto:Gary.Valentine@ky.gov) or Mr. Paul Boone, Project Manager, Indiana Department of Transportation, 5701 Highway U.S. 31, Clarksville, IN 47129, Telephone: (812) 282-7493 ext.224, e-mail: [PBoone@indot.in.gov](mailto:PBoone@indot.in.gov).

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that FHWA, in cooperation with the Project Sponsors, the Indiana Department of Transportation and the Kentucky Transportation Cabinet, will prepare an SEIS to examine the impacts of a proposal by the Project Sponsors to modify the Selected Alternative. The SEIS will be prepared in accordance with all applicable requirements of Section 6002 of SAFETEA-LU, codified at 23 U.S.C. 139. The proposed modification includes revising several design elements and using innovative financing sources, including collecting tolls.

A Final Environmental Impact Statement (FEIS) and Section 4(f) Evaluation was issued for the Project on April 8, 2003. The FEIS/Section 4(f) Evaluation examined four major project alternatives and a number of sub-alternatives in detail. On September 6,

2003, FHWA issued a Record of Decision (ROD) identifying the Selected Alternative and the reasons for its selection. The Selected Alternative consists of a new northbound I-65 bridge just east of the existing Kennedy Bridge (I-65); an East End bridge approximately eight miles from downtown Louisville connecting the Gene Snyder Freeway (KY 841) to the Lee Hamilton Highway (IN 265); and an adjacent rebuild of the Kennedy Interchange where I-64, I-65 and I-71 converge in downtown Louisville. The FEIS/Section 4(f) Evaluation and ROD are available for review by contacting the FHWA or any of the Project Sponsors at the addresses provided above. In addition, the ROD can be viewed electronically and/or downloaded from the Project Web site at <http://www.kyinbridges.com/project/history.aspx>.

Since the issuance of the ROD, the Project Sponsors have taken several major steps to advance the Project towards construction: a general engineering consultant was retained; a bridge type selection process was conducted; engineering design and right-of-way acquisition activities began; the Louisville and Southern Indiana Bridges Authority was created for the development, design, financing, construction, operation and oversight of the Project, and an update to the major project finance plan was completed. The Project Sponsors now propose to evaluate the environmental impacts of revising several elements of the Selected Alternative. Although the modifications are expected to reduce the environmental impacts of the Project, an SEIS is being prepared because the changes have the potential to result in significant environmental impacts that were not evaluated in the FEIS. In addition to updating the FEIS/Section 4(f) Evaluation, FHWA expects the SEIS to examine design changes and their potential impacts such as:

(1) Rebuilding the Kennedy Interchange within the existing location rather than reconstructing it adjacent to the existing location;

(2) Reducing the East End bridge, roadway and tunnel from six lanes to four lanes, with a possible option to add two lanes later if future traffic demand warrants;

(3) Removing the proposed pedestrian and bike path from the design for the new northbound I-65 bridge, as a result of a separate proposal to meet the same need by constructing a pedestrian walkway and bike path on the Big Four Bridge;

(4) Collecting tolls linked to the Project's improvements in cross-river

mobility from the reconfigured Kennedy Bridge and the new northbound I-65 bridge in downtown and from the new East End bridge, pursuant to 23 U.S.C. 129 or other applicable law.

The SEIS will build upon and incorporate the work already completed as part of the project development process. Specifically, the SEIS will consider whether the Modified Selected Alternative would increase or decrease the expected direct, secondary, cumulative and temporary impacts to the environment within the Project Area, including social and economic concerns, agricultural impacts, historic and archaeological resource impacts, air quality impacts, noise impacts, vibration impacts, natural resources impacts, water resources impacts, floodplain impacts, wetland impacts, visual and aesthetic impacts, and hazardous substances concerns. The SEIS will address the requirements of all environmental laws, regulations and Executive Orders that would be applicable to the FHWA's approval of a Modified Selected Alternative.

The SEIS study process will include an invitation letter sent to potential Cooperating Agencies, Participating Agencies, and Section 106 Consulting Parties inviting the agencies to officially take part in the SEIS study, encouraging agency comments and suggestions concerning the SEIS, and further defining the roles of agencies in the study. One or more public workshops will be held to solicit public input into the development of the Modified Selected Alternative. In addition, a formal comment period for the public and agencies will be provided following the publication of the draft SEIS. The comments received will be responded to in the final SEIS. Notices of availability for the draft and final SEISs will be provided through direct mail, the **Federal Register** and other media. Notification also will be sent to Federal, State, local agencies, persons, and organizations that submit comments or questions. Precise schedules and locations for the public workshops will be announced in the local news media and on the Project Web site, <http://www.kyinbridges.com/>. Interested individuals and organizations may request to be included on the mailing list for the distribution of announcements and associated information.

#### *Other Approvals for Federal Permits:*

The following approvals for Federal permits are anticipated to be required: The Navigational Permit Application from the U.S. Coast Guard and the Section 404 Permit from the Army Corps of Engineers. Additionally,

Section 401 Permits may be required from the Kentucky Energy and Environment Cabinet and the Indiana Department of Environmental Management. Other State and local permits may also be required.

Comments or questions concerning this Notice should be directed to the FHWA and to the Project Sponsors at the addresses provided above.

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

Issued on: February 9, 2011.

**Jose Sepulveda,**

*Division Administrator, Federal Highway Administration, Frankfort, Kentucky.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2000-7006; FMCSA-2001-10578; FMCSA-2002-12423; FMCSA-2002-12844; FMCSA-2004-17984; FMCSA-2004-19477; FMCSA-2006-26066; FMCSA-2008-0106; FMCSA-2008-0231; FMCSA-2008-0340; FMCSA-2008-0266]

### 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 14 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 February 25, 2011. Comments must be received on or before March 17, 2011.

**ADDRESSES:** You may submit comments bearing the Federal Docket Management System (FDMS) numbers: FMCSA-2000-7006; FMCSA-2001-10578; FMCSA-2002-12423; FMCSA-2002-12844; FMCSA-2004-17984; FMCSA-

2004-19477; FMCSA-2006-26066; FMCSA-2008-0106; FMCSA-2008-0231; FMCSA-2008-0340; FMCSA-2008-0266] 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:** Dr. Mary D. Gunnels, Director, 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 14 individuals who have requested renewal of their exemptions in accordance with FMCSA procedures. FMCSA has evaluated these 14 applications for renewal on their merits and decided to extend each exemption for a renewable two-year period. They are:

Jose S. Azuara  
Benny J. Burke  
Timothy A. DeFrange  
Brian F. Denning  
Wilfred J. Gagnon  
Grady P. Gilliland  
Lester G. Kelley, II.  
Dennis R. O'Dell, Jr.  
Jerry W. Parker  
Robert L. Person  
Virgil A. Potts  
Henry A. Shelton  
William R. Thomas  
Stephen D. Vice

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 49 CFR 391.41; (2) that each individual provides a copy of the ophthalmologist's or optometrist's report to the medical examiner at the time of the annual medical examination; and (3) that each individual provide a copy of the annual medical certification to the employer for retention in the driver's qualification file and retains a copy of the certification on his/her person while driving for presentation to a duly authorized Federal, State, or local enforcement official. Each exemption will be valid for two years unless rescinded earlier by FMCSA. The exemption will be rescinded if: (1) The