

OST Order 2000-4-11 to the Department of Transportation (the Department) and have a written request on file with the FAA Slot Administration Office when seeking available slot exemptions. These carriers will be added to the bottom of the established ranking and will be notified by the FAA, as appropriate, when slot exemptions are available. The adoption of this policy does not necessitate a specific change to the post-lottery allocation procedures.

1. The cap on AIR-21 slot exemptions (7 a.m. through 9:59 p.m.) will remain in effect through December 31, 2006.

2. The FAA may approve the transfer of slot exemption times between carriers only on a temporary one-for-one basis for the purpose of conducting the operation in a different time period. Carriers must certify to the FAA that no other consideration is involved in the transfer.

3. If any subsequent slot exemptions become available for reallocation and there is an eligible carrier seeking slot exemptions, then the available slot exemptions would be offered to that carrier first, provided that the total number of slot exemptions allocated to carriers providing small hub/non-hub service is not below 76. An eligible carrier is one that has certified such eligibility in accordance with OST Order 2000-4-10 to the Department and has a written request on file with the Slot Administration Office and is not conducting service at the airport. Carriers seeking slot exemptions for small hub/nonhub service must certify eligibility to the Department in accordance with OST Order 2000-4-11 and have a written request on file with the Slot Administration Office.

If a new, eligible carrier does not select the slot exemptions, then the exemption will be offered to the category of carriers that is below parity, up to the level of re-establishing parity (using respective rank Order).<sup>2</sup> If the slot exemptions are not selected or there are available slot exemptions remaining, then they will be offered to carriers in the same category from which the slot exemptions came. Any remaining slot exemptions not selected will be offered to the other category of carriers, using its respective rank order.

4. A carrier will have three business days after an offer from the Slot Administration Office to accept the offered slot exemption time. Acceptance must be in writing to the Slot Administration Office. If the Slot Administration Office does not receive

an acceptance to an offer within three business days, the carrier will be recorded as rejecting the offer and the next carrier on the list will be offered the available slot exemption times.

5. Carriers that are offered slot exemption times by the Slot Administration Office must re-certify to the Department in accordance with the procedures articulated in OST Orders 2000-4-10 and 2000-4-11 prior to operations, and provide the Department and the FAA's Slot Administration Office with the markets they will service, the number of slot exemptions, the frequency, and the time of operation, before the slot exemption times will be allocated by the FAA to the carrier.

6. All operations allocated under the post-lottery procedures must commence within 120 days of a carrier's acceptance of an available slot exemption.

7. The Chief Counsel will be the final decision maker concerning eligibility of carriers to participate in the allocation process.

Issued on June 23, 2005, in Washington, DC.

**Andrew B. Steinberg,**  
*Chief Counsel.*

[FR Doc. 05-12716 Filed 6-23-05; 12:57 pm]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Environmental Impact Statement; Lee and Collier Counties, FL

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

**ACTION:** Notice of intent.

**SUMMARY:** The FHWA is issuing this notice to advise the public that an Environmental Impact Statement (EIS) will be prepared for a proposed highway project in Lee and Collier Counties, Florida.

**FOR FURTHER INFORMATION CONTACT:** Manu Chacko, District Transportation Engineer, Federal Highway Administration, 545 John Knox Road, Suite 200, Tallahassee, Florida 32303, Telephone (850) 942-9650.

**SUPPLEMENTARY INFORMATION:** The FHWA, in cooperation with the Florida Department of Transportation will prepare an EIS for a proposed improvement to CR 951 in Lee and Collier Counties, Florida. The proposed improvement would involve the construction of a multi-lane facility on new alignment from Immokalee Road in Collier County to Alico Road in Lee County, a distance of approximately 15

miles. Construction of the new corridor is considered necessary to provide for the existing and projected traffic demand.

Alternatives under consideration include (1) taking no action; (2) upgrading existing facilities; and (3) alternate corridors on new alignment location. The proposed build alternatives to be considered consist of a four-lane roadway with either a rural or sub-urban design. Access management alternatives are being evaluated and include either a controlled access arterial or limited access toll facility.

Coordination with appropriate Federal, State, and local agencies, as well as private organizations and citizens who have expressed interest in this proposal has been undertaken and will continue. A series of public meetings have been held in Lee County, Florida from February 2003 to present, and additional meetings are planned for the future in Lee County. In addition, a public hearing will be held. Public notice will be given of the time and place of the meetings and hearing. The DEIS will be made available for public and agency comment. An interagency coordination meeting was held on February 23, 2004. No formal scoping meeting is planned at this time.

To ensure that the full range of issues related to the proposed action is addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address 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.)

Dated: May 18, 2005

**Don Davis,**

*Program Operations Engineer, Tallahassee, Florida.*

[FR Doc. 05-12624 Filed 6-24-05; 8:45 am]

**BILLING CODE 4910-22-M**

<sup>2</sup> See 67 FR 45170; July 8, 2002 and 67 FR 65826; October 28, 2002.