

highway in a wetland contaminated by hazardous waste from a coal gasification plant. A draft Supplemental EIS was approved by FHWA on December 6, 1984, and circulated for public and agency review and comment. Resolution of issues could not be reached and therefore a final Supplemental EIS has not been issued.

A Supplemental EIS (FHWA-VT-EIS-77-02-FS) was approved on February 18, 1997, that provided for the construction of a temporary detour around the Superfund Site along a combination of existing streets and new roadway. The detour was intended to allow interim operation of the Southern Connector/Champlain Parkway pending the resolution of issues related to the Superfund Site and completion of the 1984 Supplemental EIS. The temporary detour has not been constructed.

A new Supplemental EIS is being initiated because FHWA, VTrans, and the City of Burlington are now restudying the portion of the Southern Connector/Champlain Parkway between Lakeside Avenue and the intersection of Battery and King Streets to determine if permanently avoiding the Superfund Site would be appropriate. As a result, it is unnecessary to complete the Supplemental EIS initiated in 1984. In addition to impacts associated with avoiding the Superfund Site, the new Supplemental EIS will also evaluate the impacts of reducing the proposed highway to a two-lane facility.

Alternatives under consideration include (1) taking no action; (2) constructing through the Superfund Site on the approved location; and (3) a range of alternatives for permanently avoiding the Superfund Site using a combination of existing streets and new location roadways.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State and local agencies, and to private organizations and citizens who have previously expressed or are known to have interest in this proposal. A public hearing will be held in Burlington. Public notice will be given of the time and place of the hearing. The draft Supplemental EIS will be available for public and agency review and comment prior to the public hearing. No formal scoping meeting is planned at this time.

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

(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.)

Issued on: December 23, 2003.

**Kenneth R. Sikora, Jr.,**

*Environmental Program Manager, Montpelier, Vermont.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Federal Transit Administration

#### **Environmental Impact Statement: Denver, Boulder, Broomfield, Adams, Larimer and Weld Counties, Colorado**

**AGENCY:** Federal Highway Administration (FHWA) and Federal Transit Administration (FTA), Department of Transportation (DOT).

**ACTION:** Notice of intent to prepare an environmental impact statement.

**SUMMARY:** FHWA and FTA are issuing this notice to advise the public that an environmental impact statement/Section 4(f) Evaluation will be prepared for transportation improvements in the Counties of Denver, Boulder, Broomfield, Adams, Larimer and Weld.

**ADDRESSES:** Written comments on the project scope should be sent to David Martinez, Resident Engineer, Colorado Department of Transportation, Region 4, 2207 East Highway 402, Loveland, CO 80537, Telephone: (907) 667-4670, extension 5119.

**FOR FURTHER INFORMATION CONTACT:** Jean Wallace, Operations/Pavement Engineer, FHWA, Colorado Division, 555 Zang Street, Room 250, Lakewood, CO 80228, Telephone: (303) 969-6730, extension 382. John Dow, Community Planner, FTA, 216 16th Street Mall, Suite 650, Denver, CO 80202, Telephone: (303) 844-3243. David Martinez, Resident Engineer, Colorado Department of Transportation, Region 4, 2207 East Highway 402, Loveland, CO 80537, Telephone: (907) 667-4670, extension 5119.

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Description of Corridor and Transportation Needs**

The FHWA and FTA, in cooperation with the Colorado Department of Transportation (CDOT), will prepare an environmental impact statement (EIS/Section 4(f) Evaluation in accordance

with the National Environmental Policy Act (NEPA) for transportation improvements between Denver and Fort Collins, Colorado. Improvements between Denver and Fort Collins are considered necessary to provide for existing and projected travel demand, improve safety, replace aging infrastructure and accommodate multiple modes of transportation. These problems were identified in past studies and long-range transportation plans, including the North Front Range Transportation Alternatives Feasibility Study.

##### **II. Alternatives**

Alternatives under consideration include (1) Taking no action; (2) improvements to the existing highway network, particularly interstate 25, but perhaps also US 85 and US 287; (3) transit options including bus and rail technologies; and (4) constructing a highway on a new location. Incorporated into and studied with the various build alternatives will be design variations of grade and alignment, interchange improvements or new interchanges, and transit station and maintenance facility locations.

##### **III. Issues To Be Studied**

FHWA and FTA will evaluate social, economic and environmental impacts of the various alternatives. Factors to be evaluated include transportation service including future corridor capacity, transit ridership and costs, community impacts such as land use, right of way needs, noise, neighborhood compatibility and aesthetics and resource impacts including impacts to historic and archaeological resources, air quality, wetlands, water quality and threatened or endangered species.

##### **IV. Scoping**

Project scoping will be accomplished through coordination with affected parties, stakeholders, organizations, Federal, State and local agencies; agency scoping meetings; and through public meetings in the project corridor. Meetings will be held as follows(:

Greeley—February 3, 2004, 4 p.m. to 7 p.m., Greeley Recreation Center, 651 10th Avenue, Greeley, CO.

Tri-Towns Area—February 5, 2004, 4 p.m. to 7 p.m., Southwest Weld County Services Building, 4209 Weld County Rd 24, 1/2 (one-half mile north of the intersection of I-25 and Colorado Highway 119).

Fort Collins—February 10, 2004, 4 p.m. to 7 p.m., Fort Collins Lincoln Center, 417 W. Magnolia, Fort Collins, CO.

A scoping information packet will be available at these meetings or by contacting CDOT at the address above.

Information on the time and place of the public scoping meetings will also be provided in local newspapers.

To ensure that the full range of issues related to this proposed action are 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, FTA or Colorado Department of Transportation at the addresses provided above. Interested individuals, organizations, or agencies may propose the consideration of an additional, specific alternative or the study of a specific environmental effect associated with an alternative.

(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.)

Issued on: December 22, 2003.

**William C. Jones,**

*Division Administrator, Colorado Division, Federal Highway Administration, Lakewood, Colorado.*

**Lee O. Waddleton,**

*Regional Administrator, Federal Transit Administration, Denver, Colorado.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[FMCSA Docket No. FMCSA-2003-16241]

### Qualification of Drivers; Exemption Applications; Vision

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

**ACTION:** Notice of final disposition.

**SUMMARY:** The FMCSA announces its decision to exempt 24 individuals from the vision requirement in the Federal Motor Carrier Safety Regulations (FMCSRs). The exemptions will enable these individuals to qualify as drivers of commercial motor vehicles (CMVs) in interstate commerce without meeting the vision standard prescribed in 49 CFR 391.41(b)(10).

**DATES:** December 31, 2003.

**FOR FURTHER INFORMATION CONTACT:** Ms. Sandra Zywockarte, Office of Bus and Truck Standards and Operations, (202) 366-2987, FMCSA, Department of Transportation, 400 Seventh Street,

SW., Washington, DC 20590-0001. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

### SUPPLEMENTARY INFORMATION:

#### Electronic Access

You may see all the comments online through the Document Management System (DMS) at: <http://dmses.dot.gov>.

#### Background

On October 30, 2003, the FMCSA published a Notice of its receipt of applications from 24 individuals, and requested comments from the public (68 FR 61857). The 24 individuals petitioned the FMCSA for exemptions from the vision requirement in 49 CFR 391.41(b)(10), which applies to drivers of CMVs in interstate commerce. They are: Ronald G. Austin, William E. Barrett, Eric D. Bennett, Zack Bradford, Sr., Rickey C. Dalton, Dustin G. Davis, John K. DeGolier, Martiano L. Espinosa, Roy M. Field, Derek T. Ford, James G. LaBair, Dennis A. Leschke, Lonnie Lomax, Jr., Ernesto R. Martinez, Bennet G. Maruska, James T. McGinnis, Gary L. Miller, Jack D. Miller, Ezequiel M. Ramirez, Carl W. Skinner, Jr., Doyce J. Soriez, Peter D. Wehner, Howard W. Williams, and Jack E. Wilson.

Under 49 U.S.C. 31315 and 31136(e), the FMCSA may grant an exemption for a 2-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 statute also allows the agency to renew exemptions at the end of the 2-year period. Accordingly, the FMCSA has evaluated the 24 applications on their merits and made a determination to grant the exemptions to all of them. The comment period closed on December 1, 2003. One comment was received, and its contents were carefully considered by the FMCSA in reaching the final decision to grant the exemptions.

#### Vision and Driving Experience of the Applicants

The vision requirement in the FMCSRs provides:

A person is physically qualified to drive a commercial motor vehicle if that person has distant visual acuity of at least 20/40 (Snellen) in each eye without corrective lenses or visual acuity separately corrected to 20/40 (Snellen) or better with corrective lenses, distant binocular acuity of at least 20/40 (Snellen) in both eyes with or without corrective lenses, field of vision of at least 70° in the horizontal meridian in each eye, and the ability to recognize the colors of traffic signals

and devices showing standard red, green, and amber (49 CFR 391.41(b)(10)).

Since 1992, the agency has undertaken studies to determine if this vision standard should be amended. The final report from our medical panel recommends changing the field of vision standard from 70° to 120°, while leaving the visual acuity standard unchanged. (See Frank C. Berson, M.D., Mark C. Kuperwaser, M.D., Lloyd Paul Aiello, M.D., and James W. Rosenberg, M.D., "Visual Requirements and Commercial Drivers," October 16, 1998, filed in the docket, FHWA-98-4334.) The panel's conclusion supports the agency's view that the present visual acuity standard is reasonable and necessary as a general standard to ensure highway safety. The FMCSA also recognizes that some drivers do not meet the vision standard, but have adapted their driving to accommodate their vision limitation and demonstrated their ability to drive safely.

The 24 applicants fall into this category. They are unable to meet the vision standard in one eye for various reasons, including amblyopia, corneal and retinal scars, and loss of an eye due to trauma. In most cases, their eye conditions were not recently developed. All but 11 of the applicants were either born with their vision impairments or have had them since childhood. The 11 individuals who sustained their vision conditions as adults have had them for periods ranging from 4 to 35 years.

Although each applicant has one eye which does not meet the vision standard in 49 CFR 391.41(b)(10), each has at least 20/40 corrected vision in the other eye, and in a doctor's opinion has sufficient vision to perform all the tasks necessary to operate a CMV. The doctors' opinions are supported by the applicants' possession of valid commercial driver's licenses (CDLs) or non-CDLs to operate CMVs. Before issuing CDLs, States subject drivers to knowledge and performance tests designed to evaluate their qualifications to operate a CMV. All these applicants satisfied the testing standards for their State of residence. By meeting State licensing requirements, the applicants demonstrated their ability to operate a commercial vehicle, with their limited vision, to the satisfaction of the State.

While possessing a valid CDL or non-CDL, these 24 drivers have been authorized to drive a CMV in intrastate commerce, even though their vision disqualifies them from driving in interstate commerce. They have driven CMVs with their limited vision for careers ranging from 4 to 49 years. In the past 3 years, four of the drivers have had