

evaluate the initial appraisal of a senior executive's performance by the supervisor, along with any recommendations to the appointing authority relative to the performance of the senior executive.

The following have been selected as acting members of the Performance Review Board of the U.S. Trade and Development Agency: Leocadia Zak, Deputy Director, U.S. Trade and Development Agency; Geoffrey Jackson, Director for Policy and Program, U.S. Trade and Development Agency; Thomas Hardy, Chief of Staff, U.S. Trade and Development Agency; James Wilderotter, General Counsel, U.S. Trade and Development Agency; Stephen McLaughlin, Chief Information Officer, International Trade Commission; and Jeri Jensen, Managing Director for Private Sector Initiatives, Millennium Challenge Corporation.

Dated: May 13, 2008.

**Carolyn Hum,**

*Administrative Officer.*

[FR Doc. E8-11181 Filed 5-16-08; 8:45 am]

BILLING CODE 8040-01-P

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### **Guidance on Disclosure of Policies and Charges Associated With Checked Baggage; Notice**

This notice is intended to give guidance to air carriers and foreign air carriers on disclosure of carrier baggage policies and associated fees in connection with checked baggage. The general industry practice until recently has been to allow passengers two free checked bags, generally of up to 50 or 70 pounds each. Several air carriers have recently adopted policies of charging passengers an amount, in addition to the fare already paid, for any checked baggage or for more than one checked bag. Some of these policies imposing charges for checking a second bag add \$25 to the cost of a passenger's trip while others may add far greater amounts for checking a single bag, either because it is overweight or because the carrier has different fares based on whether a passenger checks bags and the number he or she checks. A number of others have announced plans to implement similar policies.

The Department's long-standing policy has been to require carriers to clearly disclose significant conditions applicable to air fares. Failure to disclose such conditions has been considered an unfair and deceptive practice and unfair method of

competition in violation of 49 U.S.C. 41712 and where warranted the Aviation Enforcement Office has taken enforcement action against carriers who engage in such practices. The Aviation Enforcement Office considers such significant conditions to include limiting passengers to fewer than two free checked bags of the size and weight that have generally been free on the carrier in the past and to assessing passengers a charge in addition to the air fare for such checked baggage. Therefore, it is important that carriers provide prominent and timely notice of these baggage policies and such charges.

To meet the requirements implicit in 49 U.S.C. 41712 with respect to Internet advertisements, air carriers and foreign air carriers should place a notice regarding the above-described additional baggage charges on the first screen in which the carrier offers a fare quotation of a specific itinerary selected by a consumer. This notice should appear if the carrier imposes an additional baggage charge for one or two checked bags. The notice may consist of either (1) an asterisk or similar character in close proximity to the fare quotation referring to a statement on the same screen that "additional baggage charge may apply," or (2) a more detailed summary of the baggage charges on the same screen as the fare quotation. In either case, the text should contain a hyperlink to a full description of the carrier's baggage policies.

In print advertisements, an asterisk or similar character in close proximity to the fare quotation should refer the reader to a succinct statement of the baggage policies and charges. This statement may appear in typeface smaller than the rest of the advertisement and be placed, for example, along with the summary of other significant conditions and all fees and taxes which currently may be separated out from the base fare. Furthermore, in order to ensure compliance with 49 U.S.C. 41712, airline reservations agents should disclose these baggage charges and limitations during telephone or counter sales prior to completing a sale.

Internet displays and airline agents should also make clear when the added charges or revised policies are to take effect. In no case should more restrictive baggage policies or additional charges be applied retroactively to a consumer who purchased his or her ticket at a time when the charges did not apply, or when a lower charge applied. Whatever the contract of carriage provides regarding free baggage as of the date of each ticket sale is binding on the carrier. The Aviation Enforcement Office

considers any carrier practice that violates its contract of carriage provisions to constitute an unfair and deceptive trade practice in violation of 49 U.S.C. 41712.

With respect to fares that are purchased at the time of an advertisement for future travel after new baggage policies and charges are planned to take effect, carriers should place a notice on their home Web site screen highlighting the new policies and charges. Similar notices should appear in print advertisements relating to fare offerings applicable to future travel that is subject to new baggage policies and charges.

This disclosure guidance's applicability, it should be noted, extends to ticket agents. Questions regarding this notice may be addressed to the Office of Aviation Enforcement and Proceedings (C-70), U.S. Department of Transportation, 1200 New Jersey Ave., SE., Washington, DC 20590.

An electronic version of this document is available at <http://www.regulations.gov>.

Dated: May 13, 2008.

**Samuel Podberesky,**

*Assistant General Counsel for Aviation Enforcement and Proceedings.*

[FR Doc. E8-11103 Filed 5-16-08; 8:45 am]

BILLING CODE 4910-9X-P

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### **Environmental Impact Statement: Fresno County, California**

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

**ACTION:** Notice of Intent.

**SUMMARY:** The FHWA, on behalf of the California Department of Transportation (Caltrans), is issuing this notice to advise the public that a Tier I Environmental Impact Statement (EIS) will be prepared for the State Route 180 Westside Expressway Route Adoption Study, located in Fresno County, California.

**FOR FURTHER INFORMATION CONTACT:** Trais Norris, Senior Environmental Planner, Sierra Pacific Environmental Analysis Branch, Caltrans, 2015 E. Shields Avenue, Suite 100, Fresno, California 93726, or call (559) 243-8178.

**SUPPLEMENTARY INFORMATION:** Effective July 1, 2007, the FHWA assigned, and Caltrans assumed, environmental responsibilities for this project pursuant to 23 U.S.C. 327. Caltrans will prepare a Tier I EIS on a proposal to establish

a route for improving and extending State Route 180 (SR 180) from Interstate 5 (I-5) to State Route 99 (SR 99), in Fresno County, California.

In late 2005, at the behest of local and regional government representatives, Caltrans began work on a Route Adoption Study with a multi-staged alternative screening process and a broad range of environmental studies. All of this work was aimed at preparing and processing an Environmental Impact Report (EIR) under the California Environmental Quality Act of 1970 (CEQA) and subsequently recommending a route for adoption by the California Transportation Commission (CTC). The goal of this proposal has now extended to include preparation of a Tier I EIS under the National Environmental Policy Act (NEPA). SR 180 is a west-to-east, rural, two-lane highway extending approximately 25 miles between State Route 33 (SR 33) in the community of Kerman and SR 99 in the city of Fresno. A 20-mile gap exists between the current westerly terminus of SR 180 and I-5, farther to the west. The proposed action consists of selecting the most appropriate location for an ultimate four-lane expressway between I-5 and SR 99, over a distance of approximately 45 miles. Two generally 1,000-foot-wide alternative corridor alignments, the Northern Route and the Southern Route, will be considered in the EIS along with several alignment variations that avoid impacts to site-specific resources. The Northern Route Alternative extends an estimated 48.3 miles beginning at an existing interchange on I-5 at Shields Avenue. The Southern Route Alternative extends an estimated 47.4 miles beginning at a point where the Belmont Avenue alignment would intersect I-5 about 2 miles south of the Shields Avenue interchange. Both routes proceed east, bypassing the City of Mendota to the north and the south and merge on a single alignment between Shields and Belmont Avenues just east of the City of Mendota. Continuing east for approximately 10 miles, the routes split again. The Northern Route continues on an alignment just south of Belmont, terminating at Valentine Avenue in the City of Fresno. The Southern Route runs generally on an alignment just north of Whitesbridge and ends at a connection with the future westerly extension of SR 180 at Brawley Avenue. In addition, a No Build Alternative will be considered, which would leave existing SR 180 unchanged. Upon completion of the NEPA and CEQA environmental

processes, the CTC will make the route adoption decision.

In 2005, letters describing the proposed action and soliciting comments were sent to the appropriate federal, state and local agencies and to private organizations and citizens who have expressed or are known to have interest in this proposal. Public information meetings were also held in February 2006 and October 2006. Although the proposal and the alternatives it describes are unchanged, following publication of the NOI, a public scoping meeting will be held on June 11, 2008 from 5 p.m. to 7 p.m. at the Kerman Community Center in Kerman, California. A newsletter describing the new direction and opportunity provided by the Tier I document will also be sent to agencies and local residents.

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. If you have any information regarding historic resources, endangered species, or other sensitive issues, which could be affected by this route adoption, please notify this office. Comments or questions concerning this proposed action and the EIS should be directed to Caltrans' contact at the address provided previously.

(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: May 12, 2008.

**Nancy Bobb,**

*Director, State Programs, Federal Highway Administration, Sacramento, California.*

[FR Doc. E8-11074 Filed 5-16-08; 8:45 am]

**BILLING CODE 4910-22-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Environmental Impact Statement: Milwaukee County, WI

**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 will be prepared for a proposed interchange project in Milwaukee County, Wisconsin by the Wisconsin Department of Transportation (WisDOT).

**FOR FURTHER INFORMATION CONTACT:** David Scott, FHWA, Suite 8000, 525 Junction Road, Madison, WI 53717; Telephone: (608) 829-7522.

**SUPPLEMENTARY INFORMATION:** The Federal Highway Administration (FHWA), in cooperation with the Wisconsin Department of Transportation (WisDOT), will prepare an Environmental Impact Statement on a proposal to improve the Zoo Interchange (I-94 and I-894/U.S. 45 interchange) and adjacent interchanges in Milwaukee County, WI. This freeway interchange has emerging pavement and structural needs, safety issues and design deficiencies. The proposed project may require full reconstruction and redesign of the Zoo Interchange study area in the vicinity of: U.S. 45 at Burleigh Street on the north and I-894/U.S. 45 at Lincoln Avenue on the south (5.5 miles), I-94 at 124th Street on the west, and I-94 at 70th Street on the east (3.5 miles). The Environmental Impact Statement will evaluate the Zoo Interchange, I-94 and U.S. 45 freeway mainline for the entire corridor as well as the service interchanges in Milwaukee County. Those service interchanges within these limits include U.S. 45 and North Avenue, U.S. 45 and Swan Boulevard/Watertown Plank Road, U.S. 45 and Wisconsin Avenue/Bluemound Road, U.S. 45/I-894 and Greenfield Avenue, I-94 and STH 100/108th Street, and I-94 and 84th Street interchanges.

The proposed Zoo Interchange project is intended to make necessary safety improvements and to accommodate existing and projected future traffic volumes through the interchange.

Public involvement will be solicited throughout this process including involvement from minority and low-income populations in the project study area to ensure that the construction of the corridor does not create disproportionately high and adverse environmental and health impacts to these communities. A series of public information meetings will be held during the project study. Public notice will be given as to the time and place of all workshops and public information meetings. In addition, a public hearing will be held after the Draft Environmental Impact Statement has been prepared. A Zoo Interchange project study e-mail address, [dotdtsdezoo@dot.state.wi.us](mailto:dotdtsdezoo@dot.state.wi.us), and a public Web site will be maintained throughout the study for public comment and information at <http://www.sefreeways.org>. To ensure that the full range of issues related to this proposed action are addressed and all