

In the fall of 2005, a preliminary Draft Environment Impact Statement (DEIS) was completed and circulated to the Federal cooperating agencies for review and comment. As a result of this coordination effort, the CBP requested that another alternative be considered for evaluation and inclusion in the DEIS.

In an effort to continue to move independent and critical road and bridge portions of the project forward, MDOT and FHWA have separated the Blue Water Bridge Plaza Study into two projects: (a) An EIS for the Blue Water Bridge Plaza that will focus specifically on plaza expansion and improvements, and (b) An Environmental Assessment that will address transportation improvements along I-69/I-94 and the creation of a new off-site welcome center. The improvements covered in the EA are independent of any of the alternatives under consideration for the plaza improvements. The FHWA has reviewed and concluded that the improvements that will be studied in the EA have independent utility and logical termini.

The purposes of the I-69/I-94 EA Corridor improvements are:

- Accommodate projected 2030 traffic growth,
- Improve the safety on the Black River Bridge and reduce weaving movements at the Water Street Interchange,
- Replace the aging Black River Bridge spans,
- Improve vehicle access to the Port Huron Area, and
- Create a more visible and accessible Welcome Center.

The need for improvements to the I-69/I-94 Corridor is supported by several key issues:

- Traffic growth,
- Traffic backups,
- Traffic conflicts and crash history,
- The current condition of existing roadways in the corridor, and
- The current condition of the Black River Bridge.

The study boundaries for the I-69/I-94 Environmental Assessment are located along I-69/I-94 and the M-25 connector. The northern terminus for the EA is the M-25 connector intersection with Hancock Street and the southern terminus is the I-69/I-94 bridge over Lapeer Road. The EA study area includes the I-69/I-94 ramps to and from the existing plaza, the Black River Bridge, the Water Street interchange and the Lapeer connector interchange.

The purpose and need and study boundaries for the plaza Environmental Impact Statement remain the same as

described earlier. The study area includes a potential location for a relocated plaza in Port Huron Township.

A range of plaza and transportation improvement alternatives for the plaza EIS, will be analyzed. Reasonable alternatives under consideration include: taking no action, expanding the existing plaza location in the City of Port Huron (two alternatives), and relocating the major plaza functions to an off-site plaza location in Port Huron Township. The EIS study area for the off-site plaza, along with subsequent improvements to I-94/I-69 and the EA improvements to I-94/I-69, overlap for this alternative, but only for this alternative.

Agencies and citizen involvement will continue to be solicited throughout this process. A public meeting and a public hearing will be held on the Draft Environment Impact Statement (DEIS). Public notice will be given of the time and place of the hearing. The DEIS will be available for public and agency review and comment prior to the public hearing.

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 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 of Federal programs and activities apply to this program.)

Issued on: October 31, 2006.

**James A. Kirschensteiner,**  
*Assistant Division Administrator, Lansing, Michigan.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

#### Sunshine Act Meetings; Unified Carrier Registration Plan Board of Directors

**AGENCY:** Federal Motor Carrier Safety Administration, DOT.

**TIME AND DATE:** November 7, 2006, 1 p.m. to 5 p.m. and November 8, 2006 8 a.m. to 12 p.m.

**PLACE:** Hilton Chicago O'Hare Airport, O'Hare International Airport, Chicago, IL 60666.

**STATUS:** Open to the public.

**MATTERS TO BE CONSIDERED:** An overview of the Unified Carrier Registration Plan and Agreement requirements set forth under section 4305 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, and the administrative functioning of the Board. In addition, the Board will continue its work in developing the Unified Carrier Registration Agreement procedures and toward recommending UCRA fees to the Secretary.

**FOR FURTHER INFORMATION CONTACT:** Mr. William Quade, (202)366-2172, Director, Office of Safety Programs, Federal Motor Carrier Safety Administration, or Mr. Bryan Price, (412) 395-4816, FMCSA Pennsylvania Division Office.

Dated: November 2, 2006.

**Rose A. McMurray,**  
*Associate Administrator, Policy and Program Development.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Creation of an Electronic Docket for a Pending Environmental Impact Review on the Dakota, Minnesota and Eastern Railroad's Powder River Basin Expansion Project Railroad Rehabilitation and Improvement Financing Program Loan Application

**AGENCY:** Federal Railroad Administration (FRA), Department of Transportation (DOT).

**ACTION:** Notice of the Creation of an Electronic Docket for the Comments Received on the FRA's Adoption of the Environmental Impact Statements Issued by the Surface Transportation Board and FRA's Draft Section 4(f)/303 Statement and Participation as a Concurring Party to a Section 106 Programmatic Agreement.

**SUMMARY:** FRA is announcing the creation of an electronic docket containing comments submitted to the agency in connection with the agency's environmental and historic preservation review of the Dakota, Minnesota and Eastern Railroad's application for loan to carry out its Powder River Basin Expansion Project.

**FOR FURTHER INFORMATION CONTACT:** David Valenstein, Environmental Program Manager, 1120 Vermont Avenue, NW., Mail Stop 20, Washington, DC 20590; Phone (202) 493-6368.

**SUPPLEMENTARY INFORMATION:** In an August 18, 2006 **Federal Register** notice, FRA announced that it had received an application from the Dakota, Minnesota & Eastern Railroad Corporation (DM&E) for a \$2.3 billion loan under the Railroad Rehabilitation and Improvement Financing (RRIF) program to fund the railroad's Powder River Basin Expansion Project (Project) to construct approximately 280 miles of new rail line to reach the coal mines of Wyoming's Powder River Basin and to reconstruct another approximately 600 miles of DM&E's existing rail line to allow operation of unit coal trains along the reconstructed route to and from the new line. DM&E had received permission to undertake the Project from the Surface Transportation Board (STB) in a February 15, 2006 decision (see Finance Docket 33407). The STB had prepared a detailed environmental review of the Project pursuant to the National Environmental Policy Act. As authorized by Council on Environmental Quality (CEC) Regulations, FRA decided to adopt the Environmental Impact Statement (EIS) and Supplemental Environmental Impact Statement (SEIS) issued by the STB for Project. Consistent with the CEQ regulations, FRA recirculated the STB's EIS and SEIS. EPA's publication in the **Federal Register** of the notice of availability also occurred on August 18, 2006. FRA also announced the availability of a draft section 4(f)/303 Statement prepared for the Project by the FRA pursuant to section 4(f) of the Department of Transportation Act (49 U.S.C. 303(c)) and that the FRA was seeking to participate as a concurring party in the existing section 106 Programmatic Agreement. FRA further indicated in the **Federal Register** notice that it would accept public comment on its announced actions through October 10, 2006.

FRA is now announcing that in light of the substantial volume of comments received it is creating an electronic docket containing the comments that were submitted. The electronic docket is available through the DOT Docket Management System (DMS) and is found at <http://dms.dot.gov/>. The docket number for this environmental review is FRA 2006-26099. For access to the docket to read background documents or comments received, go to <http://dms.dot.gov> at any time or to PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC between 9 a.m. and 5 p.m. Monday through Friday, except Federal holidays. The electronic docket will facilitate public access to the comments and

enhance FRA's ability to evaluate and address the comments. While creation of an electronic docket is not the agency's normal practice for environmental reviews, the special circumstances present in this proceeding made this an attractive option for the agency. The DMS staff will add the submitted comments as expeditiously as possible and comments will be available as they are added to the system.

Note that comments received will be posted without change to <http://dms.dot.gov> including any personal information. All commenters should be aware that anyone is potentially able to search the electronic form of comments received into any agency docket depending on how the comments are entered into the docket system. You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; pages 19477-78) or you may visit <http://dms.dot.gov>. If anyone does not want their submitted comment to be included in the Docket because they would not have submitted the comment had they been aware that it would be included in an electronic docket, please contact the DMS office at: <http://dms.dot.gov/Support/> or 1-800-647-5527.

Issued in Washington, DC on October 31, 2006.

**Joseph H. Boardman,**

*Federal Railroad Administrator.*

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2006-23701; Notice 2]

#### Decision That Nonconforming 2005 Toyota RAV4 Multipurpose Passenger Vehicles Are Eligible for Importation

**AGENCY:** National Highway Traffic Safety Administration, DOT.

**ACTION:** Notice of decision by the National Highway Traffic Safety Administration that nonconforming 2005 Toyota RAV4 multipurpose passenger vehicles are eligible for importation.

**SUMMARY:** This document announces a decision by the National Highway Traffic Safety Administration (NHTSA) that certain 2005 Toyota RAV4 multipurpose passenger vehicles (MPVs) that were not originally manufactured to comply with all applicable Federal motor vehicle safety

standards (FMVSS) are eligible for importation into the United States because they are substantially similar to vehicles originally manufactured for importation into and sale in the United States and that were certified by their manufacturer as complying with the safety standards (the U.S. certified version of the 2005 Toyota RAV4 MPV), and they are capable of being readily altered to conform to the standards.

**DATES:** This decision was effective April 17, 2006. The agency notified the petitioner at that time that the subject vehicles are eligible for importation. This document provides public notice of the eligibility decision.

**FOR FURTHER INFORMATION CONTACT:** Coleman Sachs, Office of Vehicle Safety Compliance, NHTSA (202-366-3151).

#### SUPPLEMENTARY INFORMATION:

##### Background

Under 49 U.S.C. 30141(a)(1)(A), a motor vehicle that was not originally manufactured to conform to all applicable FMVSS shall be refused admission into the United States unless NHTSA has decided that the motor vehicle is substantially similar to a motor vehicle originally manufactured for importation into and sale in the United States, certified as required under 49 U.S.C. 30115, and of the same model year as the model of the motor vehicle to be compared, and is capable of being readily altered to conform to all applicable FMVSS.

Petitions for eligibility decisions may be submitted by either manufacturers or importers who have registered with NHTSA pursuant to 49 CFR part 592. As specified in 49 CFR 593.7, NHTSA publishes notice in the **Federal Register** of each petition that it receives, and affords interested persons an opportunity to comment on the petition. At the close of the comment period, NHTSA decides, on the basis of the petition and any comments that it has received, whether the vehicle is eligible for importation. The agency then publishes this decision in the **Federal Register**.

J.K. Technologies, LLC (JK) of Baltimore, Maryland (Registered Importer 90-006), petitioned NHTSA to decide whether 2005 Toyota RAV4 MPVs are eligible for importation into the United States. NHTSA published notice of the petition on January 31, 2006 (71 FR 5115) to afford an opportunity for public comment. The reader is referred to that notice for a thorough description of the petition.

One comment was received in response to the notice of petition, from Toyota Motor North America, Inc.