

Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in a **Federal Register** published on April 11, 2000 (70 FR 19477), or you may visit <http://dms.dot.gov>.

Please note that even after the comment closing date, we will continue to file relevant information in the Docket as it becomes available. Further, some people may submit late comments and we recommend that you periodically check the Docket for new material.

### Background

On August 10, 2005, the President signed into law the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) (Pub. L. 109-59, 119 Stat. 1144). Section 1914 of SAFETEA-LU mandates the establishment of a Motorcyclist Advisory Council.

The Secretary, acting through the Administrator of the Federal Highway Administration, in consultation with the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate, shall appoint a Motorcyclist Advisory Council to coordinate with and advise the Administrator on infrastructure issues of concern to motorcyclists.

### A. Notice of Intent To Establish an Advisory Committee and Request for Comment

In accordance with the requirements of the Federal Advisory Committee Act (5 U.S.C. App. II), an agency of the Federal government cannot establish or utilize a group of people in the interest of obtaining consensus advice or recommendations unless that group is chartered as a Federal advisory committee. The purpose of this notice is to indicate the FHWA's intent to create a Federal advisory committee, to identify highway infrastructure issues of concern to motorcyclists and to identify potential organizations and participants who will adequately represent interests regarding these infrastructure issues.

### B. Name of Committee

Motorcyclist Advisory Council to the Federal Highway Administration.

### C. Purpose and Objective

Motorcyclist Advisory Council to the Federal Highway Administration

(MAC-FHWA), coordinates and advises the Secretary of the Department of Transportation, acting through the Administrator of the Federal Highway Administration, on infrastructure issues of concern to motorcyclists, including:

- (1) Barrier design;
- (2) Road design, construction, and maintenance practices; and
- (3) The architecture and implementation of intelligent transportation system technologies.

The MAC-FHWA does not exercise program management or regulatory development responsibilities, and makes no decisions directly affecting the programs on which it provides advice. The MAC-FHWA provides a forum for the development, consideration, and communication of information from a knowledgeable and independent perspective.

### D. Balanced Membership Plans

According to section 1914 of SAFETEA-LU, the Council shall consist of not more than 10 members of the motorcycling community with professional expertise in national motorcyclist safety advocacy, including:

- (1) At least:
  - (A) One member recommended by a national motorcyclist association;
  - (B) One member recommended by a national motorcycle riders foundation;
  - (C) One representative of the National Association of State Motorcycle Safety Administrators;
  - (D) Two members of State motorcyclists' organizations;
  - (E) One member recommended by a national organization that represents the builders of highway infrastructure;
  - (F) One member recommended by a national association that represents the traffic safety systems industry; and
  - (G) One member of a national safety organization; and
- (2) At least one, and not more than two, motorcyclists who are traffic system design engineers or State transportation department officials.

This document gives notice of this process to potential participants and affords them the opportunity to request representation on the MAC-FHWA. The procedure for requesting such representation is set out below. In addition, we invite comments and suggestions for potential participants.

The FHWA is aware that there are many more potential organizations and participants than there are membership slots on the council. Organizations and participants should be prepared to support their participation on the council.

It is very important to recognize that interested parties who are not selected

to membership on the Council can make valuable contributions to the work of the MAC-FHWA in any of several ways. For example, the person or organization could request to be placed on the council mailing list, submitting written comments, as appropriate.

Any member of the public is welcome to attend the Council meetings, and, as provided in FACA, speak to the council. Time will be set aside during each meeting for this purpose, consistent with the council's need for sufficient time to complete its deliberations.

### E. Applications for Membership

Each application for membership or nomination to the Council should include:

- (1) The name of the applicant or nominee and the interest(s) identified in section 1914 of SAFETEA-LU such person would represent;
- (2) Evidence that the applicant or nominee is authorized to represent parties related to the interest(s) the person proposes to represent; and
- (3) A written commitment that the applicant or nominee would participate in good faith.

Every effort is made to select Council members who are objective. A balance is needed and weight is given to a variety of factors including but not limited to geographical distribution, gender, minority status, organization, and expertise.

### F. Duration

Continuing.

### G. Notice of Establishment

After evaluating comments received as a result of this Notice, the Department will issue a notice announcing the establishment and composition of the Council.

(Authority: Section 1914 of Pub. L. 109-59)

Issued on: December 16, 2005.

**J. Richard Capka,**

*Acting Federal Highway Administrator.*

[FR Doc. E5-7795 Filed 12-22-05; 8:45 am]

**BILLING CODE 4910-22-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

### Notice of Intent To Prepare an Environmental Impact Statement: Milwaukee, Racine and Kenosha Counties, WI, and Lake County, IL

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

**ACTION:** Notice of intent to prepare an Environmental Impact Statement.

**SUMMARY:** The FHWA is issuing this notice to advise the public that an Environmental Impact Statement (EIS) will be prepared for a proposed roadway corridor project in Milwaukee, Racine and Kenosha Counties, Wisconsin extending into Lake County, Illinois by the Wisconsin Department of Transportation (WisDOT) in Conformance with 40 CFR part 1500 and the FHWA regulations.

**FOR FURTHER INFORMATION CONTACT:** David Scott, FHWA, 567 D'Onofrio Drive, Suite 100, Madison, WI 53719-2844; 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 (EIS) on a proposal to improve the I-94 corridor in Milwaukee, Racine and Kenosha Counties, WI, and Lake County, IL; approximately 34 miles in length. This freeway corridor has emerging pavement needs, safety issues and design deficiencies. The proposed project may require full reconstruction and redesign of I-94 as well as potential new interchanges within the project limits of Howard Avenue on the north, 35th street on the west (I-894) and south to the I-94/USH 41 interchange in Lake County, IL. The study will also include the Mitchell Airport Spur/STH 119 from I-94 to STH 38 (Howell Avenue) on the east. The Environmental Impact Statement (EIS) will evaluate the I-94 freeway mainline for the entire corridor as well as the Mitchell Interchange (I-94 and I-894) and service interchanges in Milwaukee County. Those interchanges include Howard Avenue, 27th Street (interchange with I-894), Layton Avenue/CTH Y, Mitchell Airport Spur/STH 119, College Avenue/CTH ZZ, Rawson Avenue/CTH BB, and Ryan Road/STH 100 Interchanges.

The service interchanges with I-94 in Racine and Kenosha Counties were previously evaluated in a 1996 Environmental Assessment (EA); FHWA approve the EA with a Finding of No Significant Impact (FONSI) on December 18, 1996. Those interchanges are: STH 165, CTH C, STH 50, STH 158, STH 142, and CTH E in Kenosha County; CTH KR at the Kenosha-Racine County line; and STH 11, STH 20, CTH K, CTH G, 7 Mile Road, and 27th Street/STH 241 in Racine County. The 1996 EA/FONSI will be reevaluated, in a separate document from the EIS, to reflect any changes that have occurred at those interchanges since it was written.

The proposed I-94 North-South Corridor project is intended to make necessary safety improvements and to accommodate projected future traffic volumes. Alternatives to be considered include: (1) No build; (2) limited safety improvements; (3) full design and safety improvements; and (4) full design, safety improvements and capacity expansion.

Public involvement will be solicited throughout this process including involvement from minority and low-income populations in the corridor to ensure that the construction of the corridor does not create disproportionately high and adverse environmental and health impacts to these communities. Several public workshops are scheduled in January 2006, and the first of a series of public information meetings in May 2006. WisDOT and FHWA will coordinate with appropriate state and federal contacts during the 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 EIS has been prepared. 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 and questions concerning the 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 on Federal programs and activities apply to this program.)

**Authority:** 23 U.S.C. 315; 49 CFR 1.48.

Issued on: December 15, 2005.

**Tracey McKenney,**

*Program Operations Engineer, Federal Highway Administration, Madison, Wisconsin.*

[FR Doc. 05-24342 Filed 12-12-05; 8:45 am]

**BILLING CODE 4910-22-M**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

**[STB Ex Parte No. 290 (Sub-No. 5) (2006-1)]**

### Quarterly Rail Cost Adjustment Factor

**AGENCY:** Surface Transportation Board, DOT.

**ACTION:** Approval of rail cost adjustment factor.

**SUMMARY:** The Board has approved the first quarter 2006 rail cost adjustment factor (RCAF) and cost index filed by the Association of American Railroads. The first quarter 2006 RCAF (Unadjusted) is 1.177. The first quarter 2006 RCAF (Adjusted) is 0.564. The first quarter 2006 RCAF-5 is 0.541.

**EFFECTIVE DATE:** January 1, 2006.

**FOR FURTHER INFORMATION CONTACT:** Mac Frampton, (202) 565-1541. [Federal Information Relay Service (FIRS) for the hearing impaired: 1-800-877-8339.]

### SUPPLEMENTARY INFORMATION:

Additional information is contained in the Board's decision, which is available on our Web site <http://www.stb.dot.gov>. To purchase a copy of the full decision, write to, e-mail or call the Board's contractor, ASAP Document Solutions; 9332 Annapolis Rd., Suite 103, Lanham, MD 20706; e-mail [asapdc@verizon.net](mailto:asapdc@verizon.net); phone (202) 306-4004. [Assistance for the hearing impaired is available through FIRS: 1-800-877-8339.]

This action will not significantly affect either the quality of the human environment or energy conservation.

Pursuant to 5 U.S.C. 605(b), we conclude that our action will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act.

Decided: December 19, 2005.

By the Board, Chairman Nober, Vice Chairman Buttrey, and Commissioner Mulvey.

**Vernon A. Williams,**

*Secretary.*

[FR Doc. E5-7770 Filed 12-22-05; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

**[STB Finance Docket No. 34800]**

### Indiana & Ohio Railway Company— Trackage Rights Exemption—Fulton Railway Co., Ltd.

Fulton Railroad Co., Ltd. (Fulton) has agreed to grant local and overhead trackage rights to Indiana & Ohio Railway Company (IORY), a Class III rail carrier, over Fulton's line of railroad from milepost 0.0 and continuing for 4,800 feet to the end of the track in the city of Cincinnati, Millcreek Township, Hamilton County, OH, a distance of 4,800 feet.

The transaction was scheduled to be consummated on or shortly after December 14, 2005. The purpose of the trackage rights is to enable IORY to enhance service.