

officials, an environmental study area for the U.S. 64 and U.S. 601 corridor improvements was developed. This study area was presented to the public at a July 2001 Citizens Informational Workshop, at which time public input on this study area was received. In September 2001, NCDOT assembled an interagency project team to obtain input on the purpose and need and preliminary study alternatives. In July 2003, another Citizens Informational Workshop was held by NCDOT, showing the preliminary study alternatives to the public and seeking public input. In January 2004, the interagency project team considered the public input in selecting the detailed study alternatives for the project. A newsletter was mailed to the area residents and project stake holders in March 2004, showing the location of the U.S. 64 and U.S. 601 detailed study alternatives being considered. Due to extensive coordination with the resource agencies, local officials, and the public during the EIS process, no additional scoping meetings will be conducted for the DEIS.

To ensure that the full range of issues related to the proposed action is addressed and all significant issues are identified, comments and suggestions are invited from all interested parties. Comments and questions concerning the proposed action 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.)

Issued on: June 26, 2007.

**Clarence W. Coleman,**

*Operations Engineer Raleigh, North Carolina.*

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## **DEPARTMENT OF TRANSPORTATION**

### **Federal Highway Administration**

#### **Supplemental Draft Environmental Impact Statement (SDEIS): Arkansas River Valley Intermodal Facilities, Russellville, Arkansas (Pope County)**

**AGENCY:** Federal Highway Administration, DOT.

**ACTION:** Notice of Intent to Prepare a SDEIS.

**SUMMARY:** The Federal Highway Administration (FHWA) in a joint venture with the Arkansas State

Highway and Transportation Department (AHTD) and the River Valley Regional Intermodal Facilities Authority (RVRIFA), is issuing this notice to advise the public of its intent to prepare a SDEIS for developing a regional intermodal facility in the Arkansas River Valley. The U.S. Army Corps of Engineers (USACE) is functioning as a Cooperating Agency for this project and plans to adopt the River Valley Regional Intermodal Facilities Environmental Impact Statement upon completion. This project is intended to improve regional and national transportation, to serve existing industry, and to provide

**FOR FURTHER INFORMATION CONTACT:** Mr. Randal Looney, Environmental Specialist, Federal Highway Administration—Arkansas Division Office 700 West Capitol Avenue, Room 3130, Little Rock, AR 72201-3298.

**SUPPLEMENTARY INFORMATION:** The U.S. Department of Transportation Federal Highway Administration (FHWA), in cooperation with the Arkansas State Highway and Transportation Department (AHTD) and the River Valley Regional Intermodal Facilities Authority (RVRIFA), intends to prepare a Supplemental Draft Environmental Impact Statement (SDEIS) for the Arkansas River Valley Intermodal Facilities projects. The U.S. Army Corps of Engineers (USACE) will serve as a Cooperating Agency for this project. An SDEIS will be prepared to further refine the Purpose and Need and Alternatives Analysis sections that were presented in the original Draft Environmental Impact Statement (DEIS) approved and released for public review in March 2006. This additional information will be used to ensure that the Purpose and Need for the project is described completely and that the methods and screening criteria used during the alternatives development process to identify all reasonable alternatives for the project are fully explained and disclosed.

The Arkansas River Valley Intermodal Facilities (ARVIF) project is proposed to include access to the national railway grid through the Class I Union Pacific Railroad 9UPRR), possibly through the Class III short line Dardanelle Russellville Railroad (DRRR), and local roadway access to Interstate 40 (I-40) using existing highway connections via State Highway 7 and/or the proposed improved State Highway 247. A slackwater harbor would be constructed along the McClellan-Kerr Arkansas River Navigation System (MKARNS) to connect the intermodal facilities to the U.S. Inland Waterway System. Additional services at the intermodal

facility would include on-site rail/truck transfers, truck/water transfers, rail/water transfers, freight tracking, a foreign trade sub-zone, warehousing, distribution, consolidation, just-in-time inventory services, and material storage capabilities.

There are currently three public ports/terminals along the Arkansas segment of the MKARNS located in Pine bluff, Little Rock, and Fort Smith. There are no public use facilities within 30 miles of the study area, however there are three private docks within 30 miles of the study area including the following: Pine Bluff Sand & Gravel, the Port of Dardanelle; and Oakley Port.

The NEPA process to support this intermodal facility was initiated by the development of an Environmental Assessment (EA) with a defined purpose and need and supporting alternatives. The EA was approved for public dissemination by FHWA in November 2002, however it was determined that further study would be required and a Finding of No Significant Impact (FONSI) would not be issued by FHWA for the project. Further study in the subsequent DEIS released for review in March 2006 included a revised purpose and need for the project and a description of proposed reasonable alternatives identified using screening criteria based on social, environmental, and economic impacts of the proposed project. The reasonable alternatives were developed, screened, and carried forward for detailed analysis in the DEIS based on their ability to address the project purpose and need while avoiding adverse impacts to known and sensitive resources. The USACE-Little Rock District plans to adopt the FHWA ARVIF EIS for their portion of the project involving slackwater harbor previously studied under a separate EA/FONSI issued by the USACE-Little Rock District in January 2000. FHWA is considered the Lead Agency for the ARVIF EIS.

Local, State, and Federal Agencies, Native American Tribes, private organizations, citizens, and interest groups will have an opportunity to provide input into the development of the SDEIS and identify any issues that should be addressed. Notices of public meetings or public hearings relating to the SDEIS will be given through various forums providing the time and place of the meeting along with other relevant information. The SDEIS will be available for public and agency review and comment prior to the public hearings.

To ensure that the full range of issues related to this proposed action are identified and taken into account,

comments and suggestions are invited from all interested parties. Comments and questions concerning the proposed action and SDEIS 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 proposed action.).

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

Issued on: June 20th, 2007.

**Sandra L. Otto,**

*Division Administrator, FHWA, Little Rock, Arkansas.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2007-26653]

#### Qualification of Drivers; Exemption Applications; Vision

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

**ACTION:** Notice of final disposition.

**SUMMARY:** FMCSA announces its decision to exempt 27 individuals from the vision requirement in the Federal Motor Carrier Safety Regulations (FMCSRs). The exemptions will enable these individuals to operate commercial motor vehicles (CMVs) in interstate commerce without meeting the prescribed vision standard. The Agency has concluded that granting these exemptions will provide a level of safety that is equivalent to, or greater than, the level of safety maintained without the exemptions for these CMV drivers.

**DATES:** The exemptions are effective July 2, 2007. The exemptions expire on July 2, 2009.

**FOR FURTHER INFORMATION CONTACT:** Dr. Mary D. Gunnels, Chief, Physical Qualifications Division, 202-366-4001, FMCSA, Room W64-224, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Washington, DC 20590-0001. Office hours are from 8:30 a.m. to 5 p.m. 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>.

**Docket:** For access to the docket to read background documents or comments received, go to <http://dms.dot.gov> at any time or Room W12-140 on the ground level of the West Building, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The DMS is available 24 hours each day, 365 days each year. If you want acknowledgment that we received your comments, please include a self-addressed, stamped envelope or postcard or print the acknowledgement page that appears after submitting comments on-line.

**Privacy Act:** Anyone may search the electronic form of all comments received into any of DOT's dockets by the name of the individual submitting the comment (or of the person signing the comment, if submitted on behalf of an association, business, labor union, or other entity). You may review DOT's complete Privacy Act Statement in the **Federal Register** (65 FR 19477, Apr. 11, 2000). This statement is also available at <http://dms.dot.gov>.

#### Background

On February 26, 2007, FMCSA published a notice of receipt of exemption applications from certain individuals, and requested comments from the public (72 FR 8417). That notice listed 28 applicants' case histories. The 28 individuals applied for exemptions from the vision requirement in 49 CFR 391.41(b)(10), for drivers who operate CMVs in interstate commerce.

FMCSA was provided additional medical information by Mr. Donald V. Ports' ophthalmologist indicating that an error was made in the documentation previously provided as part of his application. Based on this information, FMCSA determined that Mr. Ports meets the current guidelines for visual acuity of at least 20/40 in each eye, therefore, he does not require a vision exemption.

Under 49 U.S.C. 31136(e) and 31315, 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, FMCSA has evaluated the 28 applications on their merits and made a determination to grant exemptions to 27 of them. The comment period closed on March 28, 2007.

#### 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)).

FMCSA 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 27 exemption applicants listed in this notice are in this category. They are unable to meet the vision standard in one eye for various reasons, including amblyopia, macular scar, retinal detachment, corneal scarring, prosthesis, corneal opacity, optic nerve injury, persistent hyperplastic primary vitreous, aphakia, cataract, exotropia, maculopathy and loss of vision due to trauma. In most cases, their eye conditions were not recently developed. All but seven of the applicants were either born with their vision impairments or have had them since childhood. The seven individuals who sustained their vision conditions as adults have had them for periods ranging from 4 to 28 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. 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 skills 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 27 drivers have been authorized to drive a CMV in intrastate commerce, even though their vision disqualified them from driving in interstate commerce. They have driven CMVs with their limited vision for careers ranging from 4 to 28 years. In the past 3 years, two of the drivers have had