

Leader, FHWA Alaska Division, P.O. Box 21648, Juneau, Alaska 99802-1648; office hours 7 a.m.–4:30 p.m. (AST), phone (907) 586-7428; email John.Lohrey@dot.gov. You may also contact Brian Elliott, DOT&PF Central Region Environmental Manager, Alaska Department of Transportation and Public Facilities, 4111 Aviation Drive, P.O. Box 196900, Anchorage, Alaska 99519-6900; office hours 7:30 a.m.–5 p.m. (AST), phone (907) 269-0539, email Brian.Elliott@alaska.gov.

SUPPLEMENTARY INFORMATION: Notice is hereby given that FHWA has taken final agency actions subject to 23 U.S.C. 139(l)(1) by issuing licenses, permits, and approvals for the following highway reconstruction project in the State of Alaska: Knik-Goose Bay Road (KGB) Reconstruction: MP 0.3 to 6.8, Centaur Avenue to Vine Road. KGB Road will be improved as follows: Six-lanes (three lanes in each direction) from Palmer-Wasilla Highway (PWH) to Mack Road with a raised urban median and four-lanes (two in each direction) from Mack Road to Vine Road, with a non-traversable depressed grass median. The section from Centaur Avenue to PWH would provide space to expand from two to four lanes. The six-lane section (PWH to Mack Road) would consist of three 12-foot wide travel lanes in each direction with six-foot wide outside shoulders with curb and gutter, four-foot wide inside shoulders, and a 30-foot wide raised median. The four-lane section (Mack Road to Vine Road) would consist of two 12-foot wide lanes in each direction with eight-foot outside shoulders, four-foot inside shoulders, and a 30-foot wide depressed grass median. The section from PWH to Mack Road will have continuous illumination and a 45 mile-per-hour speed limit. Turn lanes will be included as appropriate and median breaks will be placed approximately every one-eighth to one-half mile along the corridor as necessary. The existing 10-foot wide separated multi-use pathway along the north side of the road would be reconstructed as necessary. The environmental effects of the KGB Road Reconstruction project are evaluated and described in the Environmental Assessment (EA) pursuant to the National Environmental Policy Act. Key issues identified in the EA include acquisition of right-of-way, traffic noise, access to and from KGB Road, project development is too slow, temporary construction effects, and concerns from the City of Wasilla over the design within city limits. Measures to avoid, minimize, and/or mitigate adverse environmental effects are included in

the EA and Finding of No Significant Impact (FONSI).

The actions by the Federal agencies, and the laws under which such actions were taken, are described in the EA for the project, approved on July 13, 2015, in the FONSI issued on August 31, 2015, and in other documents in the FHWA project records. The EA, FONSI, and other project records are available by contacting FHWA or the State of Alaska Department of Transportation & Public Facilities at the addresses provided above. The EA and FONSI documents can be viewed and downloaded from the project Web site at www.knikgoosebayroad.com or viewed at 4111 Aviation Avenue, Anchorage, Alaska 99519.

This notice applies to all Federal agency decisions as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. General: National Environmental Policy Act (NEPA) (42 U.S.C. 4321–4351 *et seq.*).
2. Council on Environmental Quality Regulations (40 CFR parts 1500–1508).
3. Federal-Aid Highway Act of 1970, 23 U.S.C. 109.
4. MAP-21, the Moving Ahead for Progress in the 21st Century Act (Pub. L. 112-141).
5. Migratory Bird Treaty Act (16 U.S.C. 703–712)
6. Historic and Cultural Resources: Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470(f) *et seq.*).
7. Clean Water Act (Section 401) (33 U.S.C. 1251–1377) of 1977 and 1987 (Federal Water Pollution Control Act of 1972).
8. Federal Endangered Species Act of 1973 (16 U.S.C. 1531–1543).
9. Fish and Wildlife Coordination Act of 1934, as amended.
10. Noise Control Act of 1972.
11. Safe Drinking Water Act of 1944, as amended.
12. Executive Order 11990—Protection of Wetlands
13. Executive Order 11988—Floodplain Management
14. Executive Order 13112, Invasive Species
15. Executive Order 12898, Federal Actions to Address Environmental Justice and Low Income Populations
16. Title VI of the Civil Rights Act of 1964, as amended.
17. Department of Transportation Act of 1966, Section 4(f) (49 U.S.C. 303).
18. Anadromous Fish Conservation Act [16 U.S.C. 757(a)–757(g)]

Magnuson-Stevenson Fishery Conservation and Management Act 1976 as amended [16 U.S.C. 1801 *et seq.*].

19. Historic and Cultural Resources: Archeological Resources Protection Act of 1977 [16 U.S.C. 470(aa)–11]; Archeological and Historic Preservation Act [16 U.S.C. 469–469(c)].
20. Social and Economic: Farmland Protection Policy Act (FPPA) [7 U.S.C. 4201–4209].
21. Wetlands and Water Resources: Coastal Zone Management Act [16 U.S.C. 1451–1465]; Land and Water Conservation Fund (LWCF) [16 U.S.C. 4601–4604]; Wild and Scenic Rivers Act [16 U.S.C. 1271–1287].
22. Executive Orders: E.O. 13186 Migratory Birds; E.O. 11514 Protection and Enhancement of Environmental Quality.

(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. 139(l)(1)

Dated: September 28, 2015.

Sandra A. Garcia-Aline,
Division Administrator, Juneau, Alaska.

[FR Doc. 2015-25229 Filed 10-2-15; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2012-0032]

Commercial Driver's License Standards: Application for Exemption; Daimler Trucks North America (Daimler)

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

ACTION: Notice of final disposition; grant of application for exemption.

SUMMARY: FMCSA announces its decision to grant Daimler Trucks North America's (Daimler) application for an exemption to allow a Daimler employee to drive commercial motor vehicles (CMV) in the United States without having a commercial driver's license (CDL) issued by one of the States. The driver, Christian Urban, will test-drive Daimler vehicles on U.S. roads to better understand product requirements for these vehicles in "real world" environments and verify results. He holds a valid German commercial

license but lacks the U.S. residency necessary to obtain a CDL issued by one of the States. FMCSA believes that the process for obtaining a German commercial license is comparable to or as effective as the U.S. CDL requirements and ensures that this driver will likely achieve a level of safety that is equivalent to or greater than the level of safety that would be obtained in the absence of the exemption.

DATES: This exemption is effective October 5, 2015 and expires October 5, 2017.

FOR FURTHER INFORMATION CONTACT: Mrs. Pearl Robinson, Driver and Carrier Operations Division; Office of Carrier, Driver and Vehicle Safety Standards; Telephone: 202-366-4325, Email: MCPSPD@dot.gov, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE, Washington, DC 20590-0001.

Docket: For access to the docket to read background documents or comments submitted to notice requesting public comments on the exemption application, go to www.regulations.gov at any time or visit 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., ET, Monday through Friday, except Federal holidays. The on-line Federal document management system is available 24 hours each day, 365 days each year. The docket number is listed at the beginning of this notice.

SUPPLEMENTARY INFORMATION:

Legal Basis

The Secretary of Transportation (the Secretary) has the authority to grant exemptions from any of the Federal Motor Carrier Safety Regulations (FMCSRs) issued under chapter 313 or § 31136 of title 49, United States Code, to a person(s) seeking regulatory relief (49 U.S.C. 31136(e), and 31315(b)). Prior to granting an exemption, the Secretary must request public comment and make a determination that the exemption is likely to achieve a level of safety that is equivalent to, or greater than, the level of safety that would be obtained in the absence of the exemption. Exemptions may be granted for a period of up to 2 years and may be renewed.

The FMCSA Administrator has been delegated authority under 49 CFR 1.87(e)(1) and (f) to carry out the functions vested in the Secretary by 49 U.S.C. chapter 313 and subchapters I and III of chapter 311, relating, respectively, to the CDL program and to CMV programs and safety regulation.

Background

In the May 25, 2012, **Federal Register** (77 FR 31422) FMCSA granted an exemption for two of Daimler's test drivers similar to the one requested for Mr. Urban. Each held a valid German commercial license but lacked the U.S. residency necessary to obtain a CDL. FMCSA concluded that the process for obtaining a German commercial license is comparable to or as effective as the U.S. CDL requirements and ensures that these drivers will likely achieve a level of safety equivalent to or greater than the level that would be obtained in the absence of the exemption.

Daimler Application for Exemption

Daimler applied for the same CDL exemption for Christian Urban. Notice of the application was published on June 2, 2015 (80 FR 31452). No comments were received. A copy of the Daimler request is in the docket identified at the beginning of this notice. The exemption allows Mr. Urban to operate CMVs to support Daimler field tests to meet future vehicle safety and environmental requirements and to promote the development of technology and advancements in vehicle safety systems and emissions reductions. He will typically drive for no more than 6 hours per day for 2 consecutive days, and 10 percent of the test driving will be on two-lane state highways, while 90 percent will be on interstate highways. The driving will consist of no more than 200 miles per day, for a total of 400 miles during a two-day period on a quarterly basis.

Section 383.21 requires CMV drivers in the United States to have a CDL issued by a State. Mr. Urban is a citizen and resident of Germany. Only residents of a State can apply for a CDL. Without the exemption, Mr. Urban would not be able to test-drive prototype CMVs on U.S. roads.

Mr. Urban holds a valid German commercial license and is an experienced operator of CMVs. In the application for exemption, Daimler also submitted documentation showing his safe German driving record.

Method To Ensure an Equivalent or Greater Level of Safety

According to Daimler, the requirements for a German-issued commercial license ensure that drivers meet or exceed the same level of safety as if these drivers had obtained a U.S. CDL. Mr. Urban is familiar with the operation of CMVs worldwide and will be accompanied at all times by a driver who holds a U.S. CDL and is familiar with the routes to be traveled. FMCSA

has determined that the process for obtaining a commercial license in Germany is comparable to that for obtaining a CDL issued by one of the States and adequately assesses the driver's ability to operate CMVs safely in the United States.

FMCSA Decision

Based upon the merits of this application, including Mr. Urban's extensive driving experience and safety record, and the fact that he has successfully completed the requisite training and testing to obtain a German commercial license, FMCSA concluded that the exemption would likely achieve a level of safety that is equivalent to or greater than the level that would be achieved absent such exemption, in accordance with § 381.305(a).

Terms and Conditions for the Exemption

FMCSA grants Daimler and Mr. Christian Urban an exemption from the CDL requirement in 49 CFR 383.23 to allow Mr. Urban to drive CMVs in this country without a U.S. State-issued CDL, subject to the following terms and conditions: (1) The driver and carrier must comply with all other applicable provisions of the Federal Motor Carrier Safety Regulations (FMCSRs) (49 CFR parts 350-399); (2) the driver must be in possession of the exemption document and a valid German commercial license; (3) the driver must be employed by and operate the CMV within the scope of his duties for Daimler; (4) at all times while operating a CMV under this exemption, the driver must be accompanied by a holder of a U.S. CDL who is familiar with the routes traveled; (5) Daimler must notify FMCSA in writing within 5 business days of any accident, as defined in 49 CFR 390.5, involving this driver; and (6) Daimler must notify FMCSA in writing if this driver is convicted of a disqualifying offense under § 383.51 or § 391.15 of the FMCSRs.

In accordance with 49 U.S.C. 31315 and 31136(e), the exemption will be valid for 2 years unless revoked earlier by the FMCSA. The exemption will be revoked if (1) Mr. Urban fails to comply with the terms and conditions of the exemption; (2) the exemption results in a lower level of safety than was maintained before it was granted; or (3) continuation of the exemption would be inconsistent with the goals and objectives of 49 U.S.C. 31315 and 31136.

In accordance with 49 U.S.C. 31315(d), as implemented by 49 CFR 381.600, during the period this exemption is in effect, no State shall enforce any law or regulation applicable

to interstate or intrastate commerce that conflicts with or is inconsistent with this exemption with respect to a firm or person operating under the exemption.

Issued on: September 25, 2015.

T.F. Scott Darling, III,
Acting Administrator.

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DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

Emergency Relief Program Guidance

AGENCY: Federal Transit Administration (FTA), U.S. Department of Transportation (DOT).

ACTION: Notice of availability of final guidance for FTA's Emergency Relief Program.

SUMMARY: The Federal Transit Administration (FTA) has published final guidance on FTA's Emergency Relief (ER) Program for states and transit agencies that may be affected by a declared emergency or disaster and that may seek Federal funding under FTA's ER Program. The guidance is contained in the newly revised *Reference Manual for States & Transit Agencies on Response and Recovery from Declared Disasters and FTA's Emergency Relief Program*, which replaces *Response and Recovery from Declared Emergencies and Disasters: A Reference for Transit Agencies*, last updated in June 2013. This final guidance addresses one public comment received in response to the proposed guidance published on February 4, 2015. In addition to guidance on the ER Program, this document provides information on other disaster relief resources available through FTA and from the Federal Emergency Management Agency (FEMA). This guidance is now available on FTA's Web site at www.fta.dot.gov/emergencyrelief.

FOR FURTHER INFORMATION CONTACT: For questions about the ER Program, contact Adam Schildge, Office of Program Management, 1200 New Jersey Ave. SE., Washington, DC 20590, phone: (202) 366-0778, or email, adam.schildge@dot.gov. For legal questions regarding the final program regulations, contact Bonnie Graves, Office of Chief Counsel, 1200 New Jersey Ave. SE., Washington, DC 20590, phone: (202) 366-0944, or email, Bonnie.Graves@dot.gov.

SUPPLEMENTARY INFORMATION: The FTA has published final guidance on FTA's ER Program for states and transit agencies that may be affected by a declared emergency or disaster and that

may seek Federal disaster assistance for emergency related expenses. This guidance document, *Reference Manual for States & Transit Agencies on Response and Recovery from Declared Disasters and FTA's Emergency Relief Program*, includes information on disaster relief resources available for transit systems from both FTA and FEMA, in addition to detailed program guidance and application instructions for FTA's Emergency Relief Program. This manual has been produced in coordination with FEMA, and incorporates current guidance on FEMA disaster relief programs. It also includes guidance for transit agencies on the appropriate circumstances under which to apply to FTA or FEMA for disaster relief assistance.

This reference manual includes background information on other sources of Federal disaster relief assistance, in addition to recommended practices for states and transit agencies for disaster preparation and response previously included in "Response and Recovery from Declared Emergencies and Disasters: A Reference for Transit Agencies." This information has been updated and is contained in Chapters 1, 2 and 3 of this reference manual.

Guidance specific to FTA's ER Program is contained in Chapter 4 of this reference manual.

This includes an overview of eligible recipients, eligible projects, application procedures, and other key program policies and requirements. The guidance in this manual is based on final program regulations published on October 7, 2014 at 49 C.F.R part 602 (79 FR 60349), which were developed through a public notice and comment process. The guidance document includes previously issued policy statements and information from **Federal Register** notices that FTA published subsequent to Hurricane Sandy.

The final Emergency Relief program guidance incorporates several clarifications in response to the one consolidated public comment received on the proposed guidance published February 4, 2015. Specific comments and responses are explained below:

Chapter 1: Introduction

Comment 1: The commenter suggests that FTA avoid using the term "should" in the context of recommended practices, because local circumstances may make certain disaster relief preparation recommendations inappropriate or insufficient.

FTA response: The final guidance retains the use of "should" where appropriate. The term "should" is not

intended to impose a requirement, but is used where the recommendation is clear and consistent for the majority of potentially affected transit agencies.

Chapter 2: Disaster Preparation Considerations for Transit Agencies

Comment 2: Given the wide range of governmental structures and variation across regions with regard to the mandate and/or capacity of Metropolitan Planning Organizations (MPOs), Emergency Operations Centers (EOCs), transit agencies, and local governments, the commenter suggests that the section on coordinating and pre-planning evacuations should be revised to lay out the critical activities involved in coordinating an evacuation, without assigning responsibilities.

FTA Response: This manual is directed specifically to transit agencies and related entities, and contains recommendations on the types of coordination, in which a transit agency should be involved. Such recommendations do not override local arrangements where a transit agency is a subordinate party to such a coordinated emergency plan.

In response, this section has been revised to emphasize cooperation with other responsible organizations and levels of government.

Comment 3: Regarding the manual's recommendation that transit agencies develop policies for suspending fare collection during an emergency, the commenter noted that the decision to suspend fares is likely to depend on particular circumstances of the emergency and that transit agencies should have flexibility to make this decision on a case-by-case basis.

FTA response: The section has been clarified to emphasize that this recommendation pertains not only to the development of policies on when and how such a decision might be made, but also to the development of operational plans for implementing such a policy.

Comment 4: With regard to contracting requirements, the commenter recommends that FTA add a discussion regarding the recommended use of federal provisions in emergency response and recovery contracts and to clarify the timeline and potential for waivers of Federal contracting requirements.

FTA response: The FTA has added language to clarify that although contracting provisions and requirements may be waived, recipients should not assume that FTA will waive requirements; therefore it is advisable to follow Federal procurement requirements for any emergency relief