The list of qualifying TE activities provided in 23 U.S.C. 101(a)(35) of the TEA–21 is intended to be exclusive, not illustrative. That is, *only* those activities listed therein are eligible as TE activities. They are listed below (*Items listed in italics are those added by TEA–21*):

TE Activities Defined—

1. Provision of facilities for pedestrians and bicycles.
2. *Provision of safety and educational activities for pedestrians and bicyclists.*
3. Acquisition of scenic easements and scenic or historic sites.
4. Scenic or historic highway programs (*including the provision of tourist and welcome center facilities*).
5. Landscaping and other scenic beautification.
6. Historic preservation.
7. Rehabilitation and operation of historic transportation buildings, structures, or facilities (including historic railroad facilities and canals).
8. Preservation of abandoned railway corridors (including the conversion and use thereof for pedestrian or bicycle trails).
9. Control and removal of outdoor advertising.
10. Archaeological planning and research.
11. *Environmental* mitigation to address water pollution due to highway runoff *or reduce vehicle-caused wildlife mortality while maintaining habitat connectivity.*
12. *Establishment of transportation museums.*

Many projects are a mix of elements, some on the list and some not. Only those project elements which are on the list may be counted as TE activities. For example, a rest area might include a historic site purchased and developed as an interpretive site illustrating local history. The historic site purchase and development could qualify as a transportation enhancement activity.

Activities which are not explicitly on the list may qualify if they are an integral part of a larger qualifying activity. For example, if the rehabilitation of a historic railroad station required the construction of new drainage facilities, the entire project could be considered for TE funding. Similarly, environmental analysis, project planning, design, land acquisition, and construction enhancement activities are eligible for funding.

The funded activities must be accessible to the general public or targeted to a broad segment of the general public.

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

Issued on: December 22, 1999.

Kenneth R. Wykle,

Federal Highway Administrator.

[FR Doc. 99–33807 Filed 12–28–99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Programmatic Environmental Impact Statement for the Maglev Deployment Program

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

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

SUMMARY: FRA is issuing this notice to advise the public that FRA will prepare a programmatic environmental impact statement (PEIS) for the Maglev Deployment Program, to solicit public and agency input into the development of the scope of that PEIS, and to advise the public that outreach activities conducted by the program participants will be considered in the preparation of the PEIS.

FOR FURTHER INFORMATION CONTACT: For further information regarding the programmatic environmental review, please contact: David Valenstein, Environmental Program Manager, Office of Passenger Programs, Federal Railroad Administration (RDV 10), 400 Seventh Street, SW (Mail Stop 20), Washington, D.C. 20590, (telephone 202 493–6368). For information regarding the Maglev Deployment Program, please contact: Arnold Kupferman, Maglev Program Manager, Office of Railroad Development, Federal Railroad Administration (RDV–2), 400 Seventh Street, SW (Mail Stop 20), Washington, D.C. 20590, (telephone 202 493–6370). For further information regarding any of the individual projects, please contact the applicant representatives identified below under the Alternative Sites heading.

SUPPLEMENTARY INFORMATION:

Background

Section 1218 of the Transportation Equity Act for the 21st Century (TEA 21) added section 322 to title 23 of the United States Code. Section 322 provides a total of $55 million for Fiscal Years 1999 through 2001 for transportation systems employing magnetic levitation (''Maglev'') and an authorization of appropriations for an additional $950 million over Fiscal Years 2000 through 2003. Responsibility for implementing the program has been delegated by the Secretary of Transportation to the Federal Railroad Administrator. Section 322 requires FRA to establish project selection criteria, to solicit applications for funding, to select one or more projects to receive financial assistance for preconstruction planning activities, and, after completion of such activities, to provide financial assistance for final design, engineering, and construction activities leading to the implementation of a maglev deployment project.

FRA has determined that implementing the maglev deployment program is a major Federal action with the potential to significantly impact the human environment. As a consequence, FRA is initiating the preparation of an EIS as required under the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321 *et seq.*) and the regulations of the President's Council on Environmental Quality implementing NEPA (40 CFR 1500 *et seq.*). FRA intends to prepare a programmatic EIS (PEIS) to address the selection process and the potential for significant environmental impact from the maglev deployment program. The agency will prepare additional site specific environmental reviews, as appropriate, as the program progresses.

The Environmental Review Process

As provided for in 23 U.S.C. 322, FRA has initiated a competition to select a project for the purpose of demonstrating the use of maglev technology to the American public. Using criteria specified in section 322, FRA has selected seven projects, sponsored by States or their designated agencies, to receive preconstruction planning grants. As a part of the preconstruction planning effort, FRA has required the seven applicants to prepare environmental assessments and conduct public involvement and scoping activities for their respective project proposals. FRA will use these individual project environmental assessments and records of agency and public comment and participation in preparing the PEIS, which will be made available to the public for comment. FRA anticipates issuing a draft EIS in the summer of 2000. After reviewing comments on the draft PEIS, FRA will prepare a final PEIS that addresses these comments and incorporates any additional analyses and material deemed necessary. The final PEIS will be made available for public review for not less than 30 days before FRA takes any final action on the program.

Alternatives Sites

The following applicants and projects (with identified applicant representatives) were selected by the Secretary to receive preconstruction planning assistance and represent the range of potential program alternatives:

• Port Authority of Allegheny County: A 45-mile project linking Pittsburgh Airport to Pittsburgh and its eastern suburbs (Mr. Bruce W. Ahern, Port Authority of Allegheny County, 2235 Beaver Avenue, Pittsburgh, PA 15233–1080, telephone 412–237–6121).

• Maryland Department of Transportation: A 40-mile project linking Camden Yard in Baltimore and Baltimore-Washington International Airport to Union Station in Washington, D.C. (Mr. Suhair Alkhatib, Maryland Mass Transit Administration, William Donald Schafer Tower, 6 St. Paul St., Baltimore, MD 21202–1614, telephone 410–767–3751).

• California-Nevada Super Speed Train Commission: A 42-mile project linking Las Vegas to Primm, Nevada (Ms. Richann Johnson, Executive Assistant, California-Nevada Super Speed Train Commission, 400 Las Vegas Blvd. South, Las Vegas, NV 89101, telephone 702–229–6551).

• Florida Department of Transportation: A 20-mile project linking Port Canaveral to the Space Center and the Titusville Regional Airport (Mr. Nazih K. Haddad, Manager, Intercity Passenger Rail, Florida Department of Transportation, 605 Suwannee Street, Mail Station 57, Tallahassee, FL 32399–0450, telephone 850–414–4534).

• Greater New Orleans Expressway Commission: A 40-mile project linking New Orleans Union Passenger Terminal to the airport and across Lake Ponchartrain to the northern suburbs (Mr. Bryan Clement, Greater New Orleans Expressway Commission, 3943 N. Causeway Blvd., Metairie, LA 70002, telephone 504–835–3116).

• Georgia/Atlanta Regional Commission: First 40 miles of 110-mile project from Atlanta to Chattanooga, TN. (Mr. Robert McCord, Maglev Project Manager, The Atlanta Regional Commission, 40 Courtland Street, NE, Atlanta, GA 30303, telephone 404–463–3253).

• State of California: A 70-to 75-mile system connecting Los Angeles International Airport to Union Station in downtown Los Angeles to Ontario Airport and further east into Riverside County (Mr. Albert Perdon, Maglev Project Director, Albert Perdon & Associates, 12748 Castleford Lane, Cerritos, CA 90703, telephone 310–871–1113).

Scoping and Comments

FRA encourages broad participation in the EIS process during scoping and review of the resulting environmental documents. Comments and suggestions are invited from all interested agencies and the public at large to insure the full range of issues related to the proposed action and all reasonable alternatives are addressed and all significant issues are identified. In particular, FRA is interested in determining whether there are areas of national environmental concern where there might be the potential for significant impacts, either adverse or favorable, as a result of advancing the maglev deployment program. Because the applicants are required to conduct public outreach as part of their preparation of environmental assessments, FRA does not plan to hold public scoping meetings. The applicants are responsible for contacting appropriate Federal, State, and local agencies, private organizations and citizens to solicit input regarding their respective program alternatives. Persons interested in providing comments on the scope of the programmatic environmental document should do so by February 18, 2000. Comments can be sent in writing to Mr. David Valenstein at the address identified above. Persons interested in providing comments on issues of environmental concern with respect to any of the individual projects should contact the applicant representatives identified above.

FRA has in place a Maglev Deployment Program page (*http://www.fra.dot.gov/o/hsgt/maglev.htm*) on the agency's Internet site where the public can obtain additional information related to the Maglev Deployment Program. FRA also intends to establish a separate page on the agency's site specifically addressing the environmental impact statement process for the Maglev Deployment Program.

Issued in Washington, D.C. on: December 20, 1999.

Arrigo P. Mongini,

Acting Associate Administrator for Railroad Development.

[FR Doc. 99–33788 Filed 12–28–99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–99–6668]

Notice of Receipt of Petition for Decision That Nonconforming 1991 Mercedes-Benz 560SEC Passenger Cars Are Eligible for Importation

AGENCY: National Highway Traffic Safety Administration, DOT.

ACTION: Notice of receipt of petition for decision that nonconforming 1991 Mercedes-Benz 560SEC passenger cars are eligible for importation.

SUMMARY: This document announces receipt by the National Highway Traffic Safety Administration (NHTSA) of a petition for a decision that the 1991 Mercedes-Benz 560SEC that was not originally manufactured to comply with all applicable Federal motor vehicle safety standards is eligible for importation into the United States because (1) it is substantially similar to a vehicle that was originally manufactured for importation into and sale in the United States and that was certified by its manufacturer as complying with the safety standards, and (2) it is capable of being readily altered to conform to the standards.

DATES: The closing date for comments on the petition is January 28, 2000.

ADDRESSES: Comments should refer to the docket number and notice number, and be submitted to: Docket Management, Room PL–401, 400 Seventh St., SW, Washington, DC 20590. [Docket hours are from 9 am to 5 pm]

FOR FURTHER INFORMATION CONTACT: George Entwistle, Office of Vehicle Safety Compliance, NHTSA (202–366–5306).

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 Federal motor vehicle safety standards 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 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 Federal motor vehicle safety standards.

Petitions for eligibility decisions may be submitted by either manufacturers or