

ACAA also comments that in the event that Legend does not resume operations, the slots selected by Legend should be made available to new entrant and limited incumbent carriers and not be allocated to the commuter carriers. In addition, ACAA requests that the FAA suspend the extra section authority, suspend the buy-sell rule for LaGuardia until October 1, 2001, and provide new entrants/limited incumbents with four daily "delay-free" arrivals. These last comments are beyond the purpose of this disposition of comments concerning the lottery and will not be addressed in this document.

Midwest Express urges the FAA to reconsider its statement during the lottery that only the four commuter participants are permitted to participate in the Legend contingency round and that should there be future slot turnbacks or use/lose violations, those four commuter participants would remain eligible for the slots.

The FAA agrees with US Airways' comments with respect to the limited issue that in the event that the contingency round is allocated among the other four participating carriers, US Airways would be next in line to select an available slot, since it only selected one slot during the contingency round. The FAA does not agree that in the event that the contingency round is allocated that US Airways should be entitled to the second available slot in order to swap that slot with the 2100 slot that it had to select.

The FAA does not agree with ACAA and Midwest Express that any future slot turnbacks should be reserved for new entrant/limited incumbent. In developing the lottery procedures, the agency strived to strike a balance between the policies set forth in AIR-21 and to provide a fair and equitable distribution between the two categories of operations, consistent with the provisions of AIR-21. Since the purpose of the lottery was to cap operations at a level that was more acceptable than the current level of operations, the FAA did not structure lottery procedures so that any carrier could grow its operations. Not including the commuter carriers, all new entrant and limited incumbent carriers retained the same number of slots that they operated prior to the lottery. Consequently, while new entrant and limited incumbent carriers are limited in their ability to grow, as is the same for the commuter carriers, they have not been forced to reduce operations.

If AIR-21 exemption slots are returned for the long-term, under current lottery procedures, all new entrants have received their full

allocations and thus would not be eligible for additional allocations. The FAA does not support changing the lottery procedures during this allocation period. The procedures set forth in the December 4, 2000, **Federal Register** notice will remain in effect until September 15, 2001.

Issued in Washington, DC on February 13, 2001.

**James W. Whitlow,**  
*Deputy Chief Counsel.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### RTCA Special Committee 194; ATM Data Link Implementation

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463, 5 U.S.C., Appendix 2), notice is hereby given for Special Committee 194 meeting to be held March 12-15, 2001, starting at 1 p.m. on March 12. The meeting will be held at RTCA, 1140 Connecticut Ave., NW., Suite 1020, Washington, DC 20036.

The agenda will include: March 12: 1 p.m. Plenary Session: (1) Introductory Remarks; (2) Review Meeting Agenda; (3) Review Previous Meeting Minutes; (4) Proposed Revision 3 to Committee Terms of Reference; (5) Status of the Free Flight Select Committee Update; (6) Status of Working Group (WG)-2's document, "DO-XXX Implementation Requirements for Service Integrated Flight Operations and Air Traffic Management Using Addressed Data Link" (DO-INTEGRATION); (7) Working Group Reports; March 13: 8:30 a.m. (8) WG-2, Flight Operations and ATM Integration; (9) WG-1, Data Link Ops Concept & Implementation Plan; March 14: 8:30 a.m. (10) WG-2 and WG-1 meetings continue; 1 p.m. (11) WG-4, Service Provider Interface; March 15: 9 a.m. Plenary Session: (12) Review Meeting Agenda; (13) Review Status of WG-2 document, DO-INTEGRATION; (14) Working Group Reports; (15) Other Business; (16) Data and Location of Next Meeting; (17) Closing.

Attendance is open to the interested public but limited to space availability. With the approval of the chairman, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the RTCA Secretariat, 1140 Connecticut Avenue, NW., Suite 1020, Washington, DC 20036; (202) 833-9339 (phone); (202)

833-9434 (fax); or <http://www.rtca.org> (web site). Members of the public may present a written statement to the committee at any time.

Issued in Washington, DC, on February 12, 2001.

**Janice L. Peters,**  
*Designated Official.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Environmental Impact Statement: Orange and San Diego Counties, California

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

**ACTION:** Revised Notice of Intent.

**SUMMARY:** The FHWA is issuing this revised notice to advise the public that an environmental impact statement will be prepared for a proposed transportation improvement project in southern Orange County and northern San Diego County, California. A previous Notice of Intent was published in the **Federal Register** on December 16, 1993 (58 FR 65758, Dec. 16, 1993) and public scoping meetings were held on August 25, 1994 and September 16, 1994.

#### FOR FURTHER INFORMATION CONTACT:

Robert L. Cady, Transportation Engineer, Federal Highway Administration, California Division, 980 Ninth Street, Suite 400, Sacramento, California 95814-2724. Telephone: (916) 498-5038.

**SUPPLEMENTARY INFORMATION:** The FHWA in cooperation with the California Department of Transportation (Caltrans) will prepare an Environmental Impact Statement (EIS), on a proposal to locate and construct transportation infrastructure improvements in southern Orange County and northern San Diego County. The Transportation Corridor Agencies (TCA) is currently preparing a Subsequent Environmental Impact Report (SEIR) to comply with the review requirements of the state of California Environmental Quality Act. In an effort to eliminate unnecessary duplication and reduce delay, the document to be prepared, will be a joint EIS/SEIR in accordance with the President's Council on Environmental Quality Regulations as described in 40 Code of Federal Regulations (CFR), sections 1500.5 and 1506.2.

The purpose of the proposed project is provide improvements to the