

the FHWA or the Utah Department of Transportation at the addresses shown above.

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 USC 4321–4351]; Federal-Aid Highway Act [23 U.S.C. 109].

2. *Wetlands and Water Resources*: Clean Water Act, 33 U.S.C. 1251–1377 (Section 404, Section 401, Section 3190; Land and Water Conservation Fund (LWCF), 16 U.S.C. 4601–4604; TEA–21 Wetlands Mitigation, 23 U.S.C. 103(b)(6)(m), 133(b)(11).

3. *Air*: Clean Air Act, 42 U.S.C. 7401–7671(q).

4. *Land*: Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303].

5. *Wildlife*: Endangered Species Act [16 U.S.C. 1531–1544 and Section 1536], 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.*]; Archaeological Resources Protection Act of 1977 [16 U.S.C. 470(aa)–11]; Archaeological and Historic Preservation Act [16 U.S.C. 469–469(c)]; Native American Grave Protection and Repatriation Act (NAGPRA) [25 U.S.C. 3002–3013].

7. *Social and Economic*: Civil Rights Act of 1964 [42 U.S.C. 2000(d)–2000(d)(1)]; American Indian Religious Freedom Act [42 U.S.C. 1996]; Farmland Protection Policy Act (FPPA) [7 U.S.C. 4201–4209].

8. *Hazardous Materials*: Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. 9601–9675; Superfund Amendments and Reauthorization Act of 1986 (SARA); Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6901–6992(k).

9. *Use of and Access to Interstate Highways*: Federal-Aid Highway Act (23 U.S.C. 111).

10. *Executive Orders*: E.O. 11990 Protection of Wetlands; E.O. 11988 Floodplain Management; E.O. 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations; E.O. 11593 Protection and Enhancement of Cultural Resources; E.O. 13007 Indian Sacred Sites; E.O. 13287 Preserve America; E.O. 13175 Consultation and Coordination with Indian Tribal Governments; E.O. 11514 Protection and Enhancement of

Environmental Quality; E.O. 13112 Invasive Species.

(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).

Issued on: January 26, 2006.

**Walter Waidelich**,

*Division Administrator, Salt Lake City, Utah.*  
[FR Doc. 06–956 Filed 2–1–06; 8:45 am]

**BILLING CODE 4910–22–M**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA–LU); Implementation Guidance

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

**ACTION**: Notice.

**SUMMARY**: The FHWA, to ensure widespread distribution of implementation guidance on the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA–LU) (Pub. L. 109–59, 119 Stat. 1144), is announcing the availability of a Web site that contains SAFETEA–LU implementation guidance issued by the FHWA. The implementation guidance is available at the following URL: <http://www.fhwa.dot.gov/safetealu/reference.htm>. This Web site will serve as a consolidated location to obtain all SAFETEA–LU implementation guidance issued by the agency.

**FOR FURTHER INFORMATION CONTACT**: Ms. Carolyn Edwards, Office of Policy and Intergovernmental Affairs, (202) 366–1442, or Mr. Thomas Holian, Office of the Chief Counsel (HCC–10), (202) 366–0761, U.S. Department of Transportation, Federal Highway Administration, 400 Seventh St., SW., Washington, DC 20590. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

#### SUPPLEMENTARY INFORMATION:

##### Background

On August 10, 2005, the President signed into law the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA–LU). Since that time, the FHWA has issued several guidance documents to provide stakeholders with a better idea of how

to implement this statute. In an effort to ensure the widest dissemination possible, the FHWA has established a Web site that will serve as the consolidated source of all SAFETEA–LU implementation guidance issued by the FHWA. This Web site can be found at the following URL: <http://www.fhwa.dot.gov/safetealu/reference.htm>. It is the agency's intent to keep this Web site updated with all SAFETEA–LU implementation guidance as it is issued. The following is a list of some of the guidance documents available on this Web site:

1. Interim Guidance for Implementing Key SAFETEA–LU Provisions on Planning, Environment, and Air Quality for Joint FHWA/FTA Authorities;

2. Interim Guidance for Implementing SAFETEA–LU Provisions on Planning, Environment, and Air Quality for FHWA Authorities;

3. Surface Transportation Program (STP) Section 1113 of SAFETEA–LU—Implementing Guidance;

4. Public Lands Highways Discretionary (PLHD) Program—Implementing Guidance under SAFETEA–LU and Requests for FY 2006 Project Applications;

5. Ferry Boat Discretionary (FBD) Program—Request for FY 2006 Project Applications;

6. Interim Guidance on Use of 23 U.S.C. 139(l) Limitation on Claims Notice;

7. Guidance for Determining De Minimis Impacts to Section 4(f) Resources;

8. Transition and Implementation of SAFETEA–LU Planning Provisions: FHWA/FTA Clarifying Guidance on Implementation of SAFETEA–LU Planning Provisions;

9. Program Guidance: Safe Routes to School;

10. FHWA Guidance—Transportation Enhancements (with SAFETEA–LU updates); and

11. Guidance for Applying the 4(f) Exemption for the Interstate Highway System.

This list is not an exhaustive list of all the guidance currently on the Web site, and the FHWA will continue to issue SAFETEA–LU implementation guidance that will be made available on the Web site announced in this notice.

#### Conclusion

The FHWA will continue to place SAFETEA–LU implementation guidance documents on this Web site as it becomes available, and interested parties should continue to check this Web site for updates. The FHWA issues SAFETEA–LU implementation guidance to provide relevant information on

SAFETEA-LU implementation and intends this guidance to be nonbinding except insofar as it references existing statutory or regulatory requirements. This guidance should not be construed as rules of general applicability and legal effect or notices of proposed rulemaking.

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

Issued on: January 27, 2006.

**J. Richard Capka,**

*Acting Federal Highway Administrator.*

[FR Doc. E6-1388 Filed 2-1-06; 8:45 am]

**BILLING CODE 4910-22-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2003-15432]

#### BNSF Railway Company; Notice of Public Hearing and Extension of Comment Period

The BNSF Railway Company has petitioned the Federal Railroad Administration (FRA) seeking approval to expand the existing waiver, granted on June 23, 2004, to include the area from Fort Worth, Texas, milepost 346.67, to Arkansas City, Kansas, milepost 264.11, on the Fort Worth and Red Rock Subdivisions, a distance of approximately 329 miles. This expansion request is identified as Docket No. FRA-2003-15432.

The FRA had issued a public notice seeking comments of interested parties. After examining the railroad's proposal and the comments received, FRA has determined that a public hearing is necessary before a final decision is made on this proposal. FRA is also extending the comment period to one week beyond the date of the public hearing. If information received at the public hearing warrants the need to extend the comment period even further, a separate notice will be published indicating such extension.

Accordingly, a public hearing is hereby set for 1 p.m. (Eastern Standard Time), on Thursday, February 23, 2006, at the Wyndham Hotel, Vista Ballroom C, 1400 M Street, NW., Washington, DC 20005. Interested parties are invited to present oral statements at the hearing. The hearing will be informal and will be conducted by a representative designated by the FRA, in accordance with Rule 25 of the FRA Rules of Practice (49 CFR part 211.25). The hearing will be a non-adversary proceeding and, therefore, there will be no cross-examination of persons presenting statements. The FRA representative will make an opening

statement outlining the scope of the hearing. After all initial statements have been completed, those persons wishing to make brief rebuttal statements will be given the opportunity to do so in the same order in which they made their initial statements. Additional procedures, if necessary for the conduct of the hearing, will be announced at the hearing.

In addition, FRA is extending the comment period to March 2, 2006. All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number FRA-2003-15432) and must be submitted to the Docket Clerk, DOT Docket Management Facility, Room PL-401 (Plaza Level), 400 7th Street, SW., Washington, DC 20590. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.-5 p.m.) at the above facility. All documents in the public docket are also available for inspection and copying on the Internet at the docket facility's Web site at <http://dms.dot.gov>.

Anyone is able to search the electronic form of all comments received and entered into 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 the **Federal Register** published on April 11, 2000, (Volume 65, Number 70; Pages 19477-78). The Statement may also be found at <http://dms.dot.gov>.

Issued in Washington, DC, on January 30, 2006.

**Grady C. Cothen, Jr.,**

*Deputy Associate Administrator for Safety Standards and Program Development.*

[FR Doc. E6-1425 Filed 2-1-06; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

#### Over-the-Road Bus Accessibility Program Grants

**AGENCY:** Federal Transit Administration (FTA), DOT.

**ACTION:** Notice of Availability of Fiscal Year 2006 Funds: Solicitation of Grant Applications.

**SUMMARY:** The U.S. Department of Transportation (DOT) Federal Transit Administration (FTA) announces the availability of funds in fiscal year (FY) 2006 for the Over-the-Road Bus (OTRB)

Accessibility Program, authorized by Section 3038 of the Transportation Equity Act for the 21st Century (TEA-21). The OTRB Accessibility Program makes funds available to private operators of over-the-road buses to finance the incremental capital and training costs of complying with DOT's over-the-road bus accessibility final rule, 49 CFR Part 37, published in a **Federal Register** notice on September 28, 1998 (63 FR 51670). The authorizing legislation calls for national solicitation of applications, with grantees to be selected on a competitive basis. Federal transit funds are available to intercity fixed-route providers and other OTRB providers at up to 90 percent of the project cost.

In FY 2006, following a one percent rescission, \$5,568,750 was made available for intercity fixed-route service providers and \$1,856,250 was made available for other over-the-road bus service providers.

This announcement is available on the Internet on the FTA Web site at: <http://www.fta.dot.gov>. FTA will announce final selections on the Web site and in the **Federal Register**. A synopsis of this announcement will be posted in the FIND module of the government-wide electronic grants Web site at <http://www.grants.gov>. Applications may be submitted to FTA in hard copy or electronically through the GRANTS.GOV APPLY function.

**DATES:** Complete applications for Over-the-Road Bus (OTRB) Program grants must be submitted to the appropriate FTA regional office (see Appendix C) by April 3, 2006, or submitted electronically through the <http://grants.gov> Web site by the same date. Anyone intending to apply electronically should initiate the process of registering on the <http://grants.gov> site immediately to ensure completion of registration before the deadline for submission. FTA will announce grant selections in the **Federal Register** when the competitive selection process is complete.

**FOR FURTHER INFORMATION CONTACT:** The appropriate FTA Regional Administrator (Appendix C) for application-specific information and issues. For general program information, contact Blenda Younger, Office of Transit Programs, (202) 366-2053, e-mail: [blenda.younger@fta.dot.gov](mailto:blenda.younger@fta.dot.gov). A TDD is available at 1-800-877-8339 (TDD/FIRS).

#### Overview Information

*Federal Agency Name:* Department of Transportation, Federal Transit Administration (FTA).