

to collect data elements to aid the evaluation. As a part of the evaluation, as a condition of award, grant recipients must agree to: (1) make records available to the evaluation contractor or DOT staff; (2) provide access to program records and any other relevant documents to calculate costs and benefits; (3) in the case of an impact analysis, facilitate the access to relevant information as requested; and (4) follow evaluation procedures as specified by the evaluation contractor or DOT staff. Requested program records or information will be consistent with record requirements outlined in 2 CFR 200.334–338 and the grant agreement.

#### ii. Standard Assurances

Each grant recipient must assure that it will comply with all applicable federal statutes, regulations, executive orders, directives, FAA circulars, and other federal administrative requirements in carrying out any project supported by the ATP grant. The grant recipient must acknowledge that it is under a continuing obligation to comply with the terms and conditions of the grant agreement issued for its project with the FAA. The grant recipient understands that federal laws, regulations, policies, and administrative practices might be modified from time to time and may affect the implementation of the project. The grant recipient must agree that the most recent Federal requirements will apply to the project unless the FAA issues a written determination otherwise.

The grant recipient must submit the Certifications at the time of grant application and Assurances must be accepted as part of the grant agreement at the time of accepting a grant offer. Grant recipients must also comply with the requirements of 2 CFR part 200, which “are applicable to all costs related to Federal awards,” and which are cited in the grant assurances of the grant agreements. The Airport Sponsor Assurances are available on the FAA website at: [https://www.faa.gov/airports/aip/grant\\_assurances](https://www.faa.gov/airports/aip/grant_assurances).

#### 3. Reporting

Grant recipients are subject to financial reporting per 2 CFR 200.328 and performance reporting per 2 CFR 200.329. Under the ATP, the grant recipient is required to comply with all Federal financial reporting requirements and payment requirements, including the submittal of timely and accurate reports. Financial and performance reporting requirements are available in the FAA October 2020 Financial Reporting Policy, which is available at <https://www.faa.gov/sites/faa.gov/files/>

[airports/aip/grant\\_payments/aip-grant-payment-policy.pdf](#).

The grant recipient must comply with annual audit reporting requirements. The grant recipient and sub-recipients, if applicable, must comply with 2 CFR part 200, subpart F, *Audit Reporting Requirements*. The grant recipient must comply with any requirements outlined in 2 CFR part 180, *Office of Management and Budget (OMB) Guidelines to Agencies on Governmentwide Debarment and Suspension*.

#### G. Federal Awarding Agency Contact(s)

For further information concerning this notice, please contact the FAA BIL Branch via email at [9-ARP-BILAirports@faa.gov](mailto:9-ARP-BILAirports@faa.gov). In addition, the FAA will post answers to frequently asked questions and requests for clarifications on the FAA’s website at [www.faa.gov/bil/airport-terminals](http://www.faa.gov/bil/airport-terminals). To ensure applicants receive accurate information about eligibility of the program, the applicant is encouraged to contact the FAA directly, rather than through intermediaries or third parties, with questions.

All applicants, including those requesting full federal share of eligible projects costs, should have a plan to address potential cost overruns as part of an overall funding plan.

Issued in Washington, DC, on September 11, 2023

**Robin K. Hunt,**

*Manager, FAA Office of Airports BIL Branch.*

[FR Doc. 2023–19893 Filed 9–13–23; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Withdrawal of the Record of Decision for the LaGuardia Airport Access Improvement Project

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Withdrawal of the Record of Decision (ROD) for the LaGuardia Airport (LGA) Access Improvement Project (Project).

**SUMMARY:** The FAA is withdrawing the July 2021 ROD for the Project. The Port Authority of New York and New Jersey has notified the FAA of its intent to terminate the Project and pursue alternative access improvements to LGA. Accordingly, the components identified in the LGA Access Improvement Project ROD are no longer needed at this time. Following the issuance of the ROD, New York

Governor Kathy Hochul tasked the Port Authority of New York and New Jersey with reexamining alternative mass transit options to LGA. The resulting recommendations from the corresponding study identified improvements to an existing bus service and construction of a new non-stop airport shuttle service. On July 20, 2023, the Port Authority of New York and New Jersey, as the airport sponsor, notified the FAA of its intent to officially abandon the Project as approved by the FAA’s ROD in favor of pursuing the recommended bus service and shuttle improvements. In response to this decision, the FAA has withdrawn the ROD for the LGA Access Improvement Project. Accordingly, all approvals for FAA actions within the ROD are also withdrawn. The Port Authority of New York and New Jersey must reinitiate any requests for FAA review and approval as necessary for all aspects of the Project contained within the now-withdrawn ROD should it wish to proceed with any component of the Project, in part or as a whole.

**DATES:** The effective date of the FAA’s Withdrawal Order for the LGA Access Improvement Project ROD is September 1, 2023.

#### FOR FURTHER INFORMATION CONTACT:

Andrew Brooks, Environmental Program Manager, Eastern Regional Office, AEA–610, Federal Aviation Administration, 1 Aviation Plaza, Jamaica, NY 11434. Telephone: 718–553–2511.

**SUPPLEMENTARY INFORMATION:** In 2015, former New York Governor Andrew Cuomo convened an Airport Advisory Panel to address the deficiencies of LGA as a major transportation facility. The resulting report recommended that the redevelopment of LGA include new ways to access the airport, including a future AirTrain.

In 2018, based on recommendations from the Airport Advisory Panel, the Port Authority of New York and New Jersey (Port Authority), as operator of LGA, proposed the Project to construct and operate a new Automated People Mover (APM) system to provide a reliable transit alternative for air passenger and employee access to the Airport. The Project would connect two on-Airport stations with an off-Airport transfer station at Willets Point. The off-Airport station would provide connections to the Mets-Willets Point stations of the Long Island Railroad (LIRR) Port Washington Branch and the New York City Transit (NYCT) Subway Flushing Station (7 Line). The off-Airport station would also provide a connection to a new off-Airport employee parking option located at

Willetts Point. After preparing an Environmental Impact Statement (EIS), the FAA signed a ROD approving the Project on July 20, 2021.

Following the issuance of the ROD, New York Governor Kathy Hochul directed the Port Authority to review alternative mass transit options to the Airport. In November 2021, per the governor's request, the Port Authority assembled a 3-person panel to oversee the study and provide recommendations based on the study's results.

In March 2023, the Port Authority released the "Options for Mass Transit Solutions to LGA" report, which included the panel's independent analysis of 14 different mass transit options to LGA. The panel recommended that the Port Authority proceed with implementing improvements to the existing Metropolitan Transportation Authority (MTA) Q70 LaGuardia Link bus service and constructing a new non-stop airport shuttle service from Ditmars Boulevard, the terminus of the N/W subway line in Astoria, Queens. Due to foreseeable construction and cost constraints, the expert panel recommended that the Port Authority focus on improving bus services at LGA in the near-term to provide more efficient transit capabilities, and to focus on implementing the shuttle service in the long-term. The Port Authority indicates that improved bus service is projected to serve approximately 5 million passengers annually and cost an estimated \$500 million compared to costs ranging from \$2.4 billion to \$6.2 billion for alternative light rail options (Port Authority Board of Commissioners Approves \$30 Million for Planning and Preliminary Design to Improve Mass Transit Access to LaGuardia Airport, <https://www.panynj.gov/port-authority/en/press-room/press-release-archives/2022-press-releases1/port-authority-board-of-commissioners-approves--30-million-for-p.html>). On June 22, 2023, the Port Authority Board of Commissioners approved \$30 million in funding to plan and develop preliminary designs for the bus service improvements at LGA as recommended by the panel. On July 20, 2023, the Port Authority notified the FAA of its intent to officially abandon the Project as approved by the FAA's ROD in favor of pursuing the recommended bus service improvements from the "Options for Mass Transit Solutions to LGA" report.

Based on consideration of this substantial new information and the changed circumstances concerning the Port Authority's planned access improvements at LGA as discussed above, the July 2021 ROD for the LGA

Access Improvement Project has been withdrawn. Accordingly, all approvals for FAA actions within the ROD are also withdrawn. The Port Authority must reinitiate any requests for FAA review and approval as necessary for all aspects of the Project contained within the now-withdrawn ROD should it wish to proceed with any component of the Project, in part or as a whole.

**FOR FURTHER INFORMATION CONTACT:**

Andrew Brooks, Environmental Program Manager, Eastern Regional Office, AEA-610, Federal Aviation Administration, 1 Aviation Plaza, Jamaica, NY 11434. Telephone: 718-553-2511.

Issued in Jamaica, New York, September 8, 2023.

**Evelyn Martinez,**

Manager, New York Airports District Office, Eastern Region.

[FR Doc. 2023-19850 Filed 9-13-23; 8:45 am]

**BILLING CODE P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Motor Carrier Safety Administration**

[Docket No. FMCSA-2023-0190]

**Appeal Process for Requests for Data Review**

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), U.S. Department of Transportation (DOT).

**ACTION:** Notice; request for comments.

**SUMMARY:** FMCSA proposes the development and implementation of a Federal appeals process for Requests for Data Review (RDRs) submitted to the Agency through its DataQs system. DataQs is the online system for motor carriers, commercial motor vehicle drivers and other interested parties to request and track a review of Federal and State crash and inspection data submitted to and stored by FMCSA that the requester believes is incomplete or incorrect. The proposed review process would provide users with an opportunity to have their requests reviewed by FMCSA after the request has been reviewed and denied after reconsideration by the State agency. FMCSA would include requirements for ensuring an independent review of all requests. The outcome of the FMCSA review would be deemed final. FMCSA requests public comments on the proposed process.

**DATES:** Comments must be received on or before November 13, 2023.

**ADDRESSES:** You may submit comments identified by docket number FMCSA-

2023-0190 using any of the following methods:

- *Federal eRulemaking Portal:* Go to <https://www.regulations.gov/docket/FMCSA-2023-0190/document>. Follow the online instructions for submitting comments.

- *Mail:* Dockets Operations, U.S. DOT, 1200 New Jersey Avenue SE, West Building, Ground Floor, Washington, DC 20590-0001.

- *Hand Delivery or Courier:* Dockets Operations, U.S. DOT, 1200 New Jersey Avenue SE, West Building, Ground Floor, Washington, DC 20590-0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. To be sure someone is there to help you, please call (202) 366-9317 or (202) 366-9826 before visiting Dockets Operations.

- *Fax:* (202) 493-2251.

**FOR FURTHER INFORMATION CONTACT:**

Scott Valentine, Data Quality Program Manager, Analysis Division, Office of Analysis, Research and Technology, FMCSA, 1200 New Jersey Avenue SE, Washington, DC 20590-0001, (202) 366-4869, [Scott.Valentine@dot.gov](mailto:Scott.Valentine@dot.gov). If you have questions regarding viewing or submitting material to the docket, contact Dockets Operations, (202) 366-9826.

**SUPPLEMENTARY INFORMATION:**

FMCSA organizes this notice as follows:

- I. Public Participation and Request for Comments
  - A. Submitting Comments
  - B. Viewing Comments and Documents
  - C. Privacy
- II. Abbreviations
- IV. Background
  - A. Overview of FMCSA Data Systems
  - B. DataQs
  - C. Current Process for Review of Requests in DataQs
  - D. The Call for an Independent Appeal Process
- V. Proposal for FMCSA Appeal Process
  - A. Proposed Process and Acceptance Criteria
- VI. Independent Review for RDR Reconsiderations
- VII. Comments Sought

**I. Public Participation and Request for Comments**

FMCSA encourages you to participate by submitting comments and related materials.

**A. Submitting Comments**

If you submit a comment, please include the docket number for this notice (FMCSA-2023-0190), indicate the specific section of this document to which your comment applies, and provide a reason for each suggestion or recommendation. You may submit your comments and material online or by fax,