

*Parties:* Members of the International Air Transport Association.

*Subject:* TC3 Japan-Korea, Expedited Resolution 002kk, (Memo 1011), *Intended effective date:* 15 January 2007.

*Docket Number:* OST-2006-26663.

*Date Filed:* December 18, 2006.

*Parties:* Members of the International Air Transport Association.

*Subject:* TC3 Within South East Asia, except between Malaysia and Guam, Expedited Resolutions, (Memo 1017), *Intended effective date:* 15 January 2007.

*Docket Number:* OST-2006-26664.

*Date Filed:* December 18, 2006.

*Parties:* Members of the International Air Transport Association.

*Subject:* TC3 South East Asia—South Asian Subcontinent, Expedited Resolution 002ma, (Memo 1018), *Intended effective date:* 15 January 2007.

*Docket Number:* OST-2006-26665.

*Date Filed:* December 18, 2006.

*Parties:* Members of the International Air Transport Association.

*Subject:* TC3 Within South West Pacific, except between French Polynesia, New Caledonia and, American Samoa, Expedited Resolutions, (Memo 1019), *Intended effective date:* 15 January 2007.

*Docket Number:* OST-2006-26666.

*Date Filed:* December 18, 2006.

*Parties:* Members of the International Air Transport Association.

*Subject:* TC3 Japan, Korea-South East Asia, except between Korea and Guam, Northern Mariana Islands, Expedited Resolution 002bb, (Memo 1020), *Intended effective date:* 15 January 2007.

*Docket Number:* OST-2006-26667.

*Date Filed:* December 18, 2006.

*Parties:* Members of the International Air Transport Association.

*Subject:* TC3 Areawide, Expedited Resolution 250m, (Memo 1021), *Intended effective date:* 15 January 2007.

*Docket Number:* OST-2006-26668.

*Date Filed:* December 18, 2006.

*Parties:* Members of the International Air Transport Association.

*Subject:* TC23 Europe-South East Asia, Expedited Resolutions, (Memo 0244), *Intended effective date:* 7 January 2007.

*Docket Number:* OST-2006-26699.

*Date Filed:* December 20, 2006.

*Parties:* Members of the International Air Transport Association.

*Subject:* Mail Vote 524—Resolution 010h, TC2 Special Passenger Amending Resolution, From Israel (IL) to Europe,

(Memo 0234), *Intended effective date:* 1 January 2007.

*Docket Number:* OST-2006-26700.

*Date Filed:* December 20, 2006.

*Parties:* Members of the International Air Transport Association.

*Subject:* Mail Vote 522—Resolution 010aa, CTC COMP Special, Cargo Amending Resolution—Bulgaria and Romania, (Memo 0585), *Intended effective date:* 1 January 2007.

*Docket Number:* OST-2006-26701.

*Date Filed:* December 20, 2006.

*Parties:* Members of the International Air Transport Association.

*Subject:* Minutes: TC31/TC123 Passenger Tariff Coordinating Conference, Bangkok, 23 October–28 October 2006, TC31 North and Central Pacific Minutes, TC123 Minutes, (Memo 0398), *Agreement:* Mail Vote 523—Resolution 010g, TC31 North & Central Pacific, Special Passenger Amending Resolution, from Korea (Rep. of) to Canada, Mexico, Caribbean, (Memo 0399), *Intended effective date:* 15 January 2007.

**Barbara J. Hairston,**

*Supervisory Docket Officer, Docket Operations, Alternate Federal Register Liaison.*

[FR Doc. E6-22608 Filed 1-4-07; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION**

**Office of the Secretary**

**Notice of Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart B (Formerly Subpart Q) During the Week Ending December 22, 2006**

The following Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits were filed under Subpart B (formerly Subpart Q) of the Department of Transportation's Procedural Regulations (See 14 CFR 301.201 et. seq.). The due date for Answers, Conforming Applications, or Motions to Modify Scope are set forth below for each application. Following the Answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

*Docket Number:* OST-2006-26670.

*Date Filed:* December 18, 2006.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* January 8, 2007.

*Description:* Application of Spirit Airlines, Inc. ("Spirit") requesting an exemption and a certificate of public convenience and necessity that would authorize Spirit to engage in scheduled foreign air transportation of persons, property and mail between points in the United States, on the one hand, and St. Maarten, on the other hand.

*Docket Number:* OST-2006-26702.

*Date Filed:* December 20, 2006.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* January 10, 2007.

*Description:* Application of Flying Service N.V. requesting a foreign air carrier permit to engage in (i) charter foreign air transportation of persons and property between Belgium and the United States, either directly or via intermediate points in other countries, with or without stopovers, coextensive with the rights provided under the "open skies" U.S.-Belgium Air Transport Agreement, and (ii) fifth freedom charter service.

*Docket Number:* OST-2006-26720.

*Date Filed:* December 21, 2006.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* January 11, 2007.

*Description:* Application of Air Midwest Inc. requesting the Department to disclaim jurisdiction over the transfer of its operating authority to Air Midwest, LLC, a newly formed Nevada corporation.

*Docket Number:* OST-2006-24629.

*Date Filed:* December 22, 2006.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* January 12, 2007.

*Description:* Application of Yangtze River Express Airlines Co., Ltd. requesting a foreign air carrier permit to operate scheduled cargo-only air services between Shanghai, People's Republic of China and Los Angeles, CA, United States of America, via Anchorage, AK, USA (technical stop only).

**Barbara J. Hairston,**

*Supervisory Docket Officer, Docket Operations, Alternate Federal Register Liaison.*

[FR Doc. E6-22607 Filed 1-4-07; 8:45 am]

**BILLING CODE 4910-9X-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Highway Administration**

**Notice of Final Federal Agency Actions on Proposed Highway in California**

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

**ACTION:** Notice of Limitation on Claims for Judicial Review of Actions by FHWA and other Federal agencies.

**SUMMARY:** This notice announces actions taken by the FHWA and other Federal agencies that are final within the meaning of 23 U.S.C. 139(I)(1). These actions relate to a proposed highway project. U.S. Route 101 Willits Bypass Project between kilo post R69.4 and R78.9 (post mile R43.1 to 49.0) in Mendocino County, State of California. These actions grant approvals for the project.

**DATES:** By this notice, the FHWA is advising the public of final agency actions subject to 23 U.S.C. 139(I)(1). A claim seeking judicial review of the Federal agency actions on the highway project will be barred unless the claim is filed on or before July 5, 2007. If the Federal law that authorizes judicial review of a claim provides a time period of less than 180 days for filing such claim, then that shorter time period still applies.

**FOR FURTHER INFORMATION CONTACT:**

Maiser Khaled, Director, Project Development & Environment, Federal Highway Administration, 650 Capitol Mall, Suite 4-100, Sacramento, CA 95814, weekdays between 7 a.m. and 4 p.m., telephone 916-498-5020, [maiser.khaled@fhwa.dot.gov](mailto:maiser.khaled@fhwa.dot.gov). For U.S. Fish and Wildlife Service, Ray Bosch, Wildlife Biologist, Endangered Species Program, Arcata Fish and Wildlife Office, telephone 707-822-7201, [ray\\_bosch@fws.gov](mailto:ray_bosch@fws.gov).

For National Oceanic and Atmospheric Administration—National Marine Fisheries Service, Thomas Daugherty, Fisheries Biologist, Ukiah Office, Telephone 707-468-4057, [Tom.Daugherty@noaa.gov](mailto:Tom.Daugherty@noaa.gov). For California Department of Transportation, Jeremy Ketchum, Senior Environmental Planner, 2389 Gateway Oaks Dr., Sacramento, CA 95833, weekdays between 8 a.m. and 5 p.m., (916) 274-0621, [jeremy\\_ketchum@dot.ca.gov](mailto:jeremy_ketchum@dot.ca.gov).

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the FHWA and other Federal agencies have taken final agency actions subject to 23 U.S.C. 139(I)(1) by issuing approvals for the following highway project in the State of California: U.S. Route 101 Willits Bypass Project between kilo post R69.4 and R78.9 (post mile R43.1 to 49.0) in Mendocino County. This project would reduce delays, improve safety, and provide at least a Level of Service C for interregional traffic on U.S. 101 in the vicinity of the City of Willits, Mendocino County, California. This

would be accomplished by constructing a four-lane freeway around the city of Willits, in Mendocino County, from 0.8 mile south of the Haehl Overhead to 2.9 miles south of Reynolds Highway. The actions by the Federal agencies, and the laws under which such actions were taken, are described in the Final Environmental Impact Statement (FEIS) for the project, approved on November 25, 2006, in the Record of Decision (ROD) issued on December 18, 2006, and in other documents in the FHWA project files. The FEIS, ROD, and other project records are available by contacting the FHWA or the California Department of Transportation at the addresses provided above. The FHWA FEIS and ROD can be viewed and downloaded from the project Web site <http://www.dot.ca.gov/dist1/d1/projects/willits/reports.htm> or viewed at public libraries in the project area.

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]; Federal-Aid Highway Act [23 U.S.C. 109].
2. *Air:* Clean Air Act, 42 U.S.C. 7401-7671(q).
3. *Land:* Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303].
4. *Wildlife:* Endangered Species Act [16 U.S.C. 1531-1544 and Section 1536], Marine Mammal Protection Act [16 U.S.C. 1361], Anadromous Fish Conservation Act [16 U.S.C. 757(a)-757(g)], Migratory Bird Treaty Act [16 U.S.C. 703-712], Magnuson-Stevens Fishery Conservation and Management Act of 1976, as amended [16 U.S.C. 1801 *et seq.*].
5. *Historic and Cultural Resources:* Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470(f) *et seq.*]; 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)].
6. *Social and Economic:* Civil Rights Act of 1964 [42 U.S.C. 2000(d)-2000(d)(1)]; Farmland Protection Policy Act (FPPA) [7 U.S.C. 4201-4209].
7. *Wetlands and Water Resources:* Clean Water Act, 33 U.S.C. 1251-1377 (Section 404, Section 401, Section 319); Coastal Barrier Resources Act, 16 U.S.C. 3501-3510; Coastal Zone Management Act, 16 U.S.C. 1451-1465; Land and Water Conservation Fund (LWCF), 16 U.S.C. 4601-4604; 42 U.S.C. 300(f)-300(j)(6); Emergency Wetlands Resources Act, 16 U.S.C. 3921, 3931;

TEA-21 Wetlands Mitigation, 23 U.S.C. 103(b)(6)(m), 133(b)(11); Flood Disaster Protection Act, 42 U.S.C. 4001-4128.

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. *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. 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 his program.)

**Authority:** 23 U.S.C. 139(I)(1).

Issued on: December 28, 2006.

**Gene K. Fong,**

*Division Administrator, Federal Highway Administration.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA-2005-23281, Notice No. 3]

#### Safety of Private Highway-Rail Grade Crossings; Notice of Safety Inquiry

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

**ACTION:** Notice of safety inquiry.

**SUMMARY:** On July 27, 2006, the FRA published a notice announcing its intent to conduct a series of open meetings throughout the United States, in cooperation with appropriate State agencies, to consider issues related to the safety of private highway-rail grade crossings. This notice indicated that the first of these meetings would be held August 30, 2006, in Fort Snelling, Minnesota. On September 22, 2006, the FRA published a second notice, which announced that FRA had scheduled subsequent meetings, to be held on September 27, 2006, in Raleigh, North