

<http://www.regulations.gov>, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <http://www.dot.gov/privacy>.

Docket: Background documents or comments received may be read at <http://www.regulations.gov> at any time. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC 20590-0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT:

Alphonso Pendergrass, alphonso.pendergrass@faa.gov, Office of Rulemaking, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591.

This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC.

Timothy R. Adams,

Acting Executive Director, Office of Rulemaking.

Petition for Exemption

Docket No.: FAA-2021-0709.

Petitioner: Merck & Co., Inc.

Section(s) of 14 CFR Affected:

§ 91.211(b)(1)(ii).

Description of Relief Sought: Merck seeks an alternative means of compliance for 14 CFR 91.211(b)(1)(ii) that will permit it to fly above FL 410 without one pilot wearing an oxygen mask. This request is based on additional conditions and limitations as well as the design features of the Gulfstream G550/650 aircraft designed to reduce the likelihood of decompression and provide for an automated emergency descent in the event of a decompression.

[FR Doc. 2021-21641 Filed 10-4-21; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Notice of Final Federal Agency Actions on Proposed Highway in Indiana and Kentucky

AGENCY: Federal Highway Administration (FHWA), Department of Transportation (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 the USFWS that are final pursuant to the statute.

The actions relate to the proposed I-69 Ohio River Crossing (ORX) project in Evansville, Indiana and Henderson, Kentucky and grant licenses, permits, and approvals for the project.

DATES: By this notice, FHWA is advising the public that FHWA and other Federal agencies have made decisions that are subject to 23 U.S.C. 139(l)(1) and are final within the meaning of that law. A claim seeking judicial review of those Federal agency decisions on the proposed highway project will be barred unless the claim is filed on or before March 4, 2022. If the Federal law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such claim, then the shorter time period applies.

FOR FURTHER INFORMATION CONTACT: For the FHWA: Ms. Michelle Allen, Federal Highway Administration, Indiana Division, 575 North Pennsylvania Street, Room 254, Indianapolis, IN 46204-1576; telephone: (317) 226-7344; email: Michelle.Allen@dot.gov. The FHWA Indiana Division Office's normal business hours are 7:30 a.m. to 4:00 p.m., EST. For the USFWS: Mr. Scott Pruitt, Field Supervisor, Indiana Field Office, USFWS, 620 South Walker Street, Bloomington, IN 47403-2121; telephone: (812) 334-4261; email: Scott_Pruitt@fws.gov. Normal business hours for the USFWS Indiana Field Office are: 8 a.m. to 4:30 p.m., EST. For the Indiana Department of Transportation (INDOT), you may contact Laura Hilden, Director—Environmental Services, 100 North Senate Avenue, Room N758-ES, Indianapolis, IN 46204; telephone: (317) 552-9692; email: lhilden@indot.in.gov. Normal business hours for INDOT are: 8:00 a.m. to 4:30 p.m., EST. For the Kentucky Transportation Cabinet (KYTC), you may contact Danny Peake, Director—Division of Environmental Analysis, 200 Mero Street, Frankfort, KY 40622; telephone: (502) 564-7250; email: Danny.Peake@ky.gov. Normal business hours for KYTC are: 8:00 a.m. to 4:30 p.m., EST.

SUPPLEMENTARY INFORMATION: Notice is hereby given that FHWA has approved the Final Environmental Impact Statement (FEIS) for the I-69 ORX project in Evansville, Indiana and Henderson, Kentucky and issued a Record of Decision (ROD) on September 16, 2021.

The FEIS and ROD identified Central Alternative 1B Modified as the Selected Alternative. Decisions in the FEIS and ROD that were cited in the **Federal Register** included, but were not limited to, the following:

1. Purpose and need for the project.
2. Range of alternatives for analysis.

3. Screening of alternatives and the identification of alternatives to be carried forward for more detailed analysis in the Draft Environmental Impact Statement (DEIS).

4. Identification of Central Alternatives 1A and 1B as the Preferred Alternatives in the DEIS and the decision to prepare a combined FEIS and ROD.

5. Development and identification of Central Alternative 1B Modified as the Single Preferred Alternative.

6. Identification of Central Alternative 1B Modified as the Selected Alternative in the combined FEIS and ROD.

Interested parties may consult the FEIS and ROD for details about each of the decisions described above and for information on other issues decided. The FEIS and ROD can be viewed and downloaded from the project website at <https://i69ohiorivercrossing.com/>. People unable to access the website may contact FHWA, INDOT, or KYTC at the addresses listed above. Decisions in the I-69 ORX FEIS and ROD that have final approval include, but are not limited to, the following:

1. National Environmental Policy Act (NEPA) [42 U.S.C. 4321-4351].

2. Endangered Species Act [16 U.S.C. 1531-1544]; Fish and Wildlife Coordination Act [16 U.S.C. 661-667d]; Migratory Bird Treaty Act [16 U.S.C. 703-712]; Bald and Golden Eagle Protection Act [16 U.S.C. 688-688d].

3. Federal-Aid Highway Act [23 U.S.C. 109 and 23 U.S.C. 128].

4. Clean Air Act, 42 U.S.C. 7401-7671(q).

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

6. 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-470(ll)); Archeological and Historic Preservation Act [16 U.S.C. 469-469c]; Native American Grave Protection and Repatriation Act (NAGPRA) [25 U.S.C. 3001-3013].

7. Land and Water Conservation Fund (LWCF) [16 U.S.C. 4601-4604]; Wild and Scenic Rivers Act [16 U.S.C. 1271-1287]; Safe Drinking Water Act (SDWA) [42 U.S.C. 300(f)-300(j)(6)].

8. Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) [42 U.S.C. 9601-9675]; Resource Conservation and Recovery Act (RCRA) [42 U.S.C. 6901-6992(k)].

9. Civil Rights Act of 1964 [42 U.S.C. 2000(d)-2000(d)(1)]; Uniform Relocation Assistance and Real Property Acquisition Act [42 U.S.C. 61].

10. Farmland Protection Policy Act (FPPA) [7 U.S.C. 4201-4209].

11. Executive Order (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.

Notice is hereby given that the USFWS has taken the final agency actions within the meaning of 23 U.S.C. 139(l)(1) by issuing the following:

1. A letter dated September 3, 2020, concurring with the effects determinations in the Biological Assessment (BA) and that no further coordination with the USFWS is needed for the species that received a “may affect, not likely to adversely affect” determination and for the northern long-eared bat, which received a “may affect, is likely to adversely affect” determination. The adverse effects for the northern long-eared bat will be addressed through Section 4(d) of the Endangered Species Act.

2. A Biological Opinion (BO) dated December 17, 2020, that the I-69 ORX project is not likely to jeopardize the continued existence of the fat pocketbook and sheepsnose mussels.

3. A Conference Opinion dated December 17, 2020, that the I-69 ORX project is not likely to jeopardize the continued existence of the longsolid mussel.

As part of the BA, the Indiana bat received an effect determination of “may affect, is likely to adversely affect.” The adverse effects for the Indiana bat will be addressed through Kentucky’s latest Statewide Bat Programmatic Agreement. However, additional coordination with the USFWS Indiana Field Office is required during final design to determine the appropriate amount and/or type of conservation to offset the effects of incidental take.

The BA and BO and other project records relating to the USFWS actions, taken pursuant to the Endangered Species Act, 16 U.S.C. 1531–1544, are available by contacting the FHWA, INDOT, KYTC, or USFWS at the addresses provided above. The BA and BO can be viewed in Appendices K-4 and K-5 of the I-69 ORX FEIS.

(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).

Jermaine R. Hannon,
Division Administrator, FHWA, Indianapolis, Indiana.

[FR Doc. 2021–21452 Filed 10–4–21; 8:45 am]

BILLING CODE 4910–22–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Notice of Final Federal Agency Actions on Proposed Highway in California

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

ACTION: Notice of limitation on claims for judicial review of actions by the California Department of Transportation (Caltrans).

SUMMARY: The FHWA, on behalf of Caltrans, is issuing this notice to announce actions taken by Caltrans that are final. The actions relate to a proposed highway project, Interstate 10/Jackson Street Interchange between Monroe Street and 0.4 miles west of Golf Center Parkway at PM R54.9/R56.5 in the City of Indio, in Riverside County, State of California. Those actions grant licenses, permits, and approvals for the project.

DATES: By this notice, the FHWA, on behalf of Caltrans, is advising the public of final agency actions subject to 23 U.S.C. 139(l)(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 March 4, 2022. If the Federal law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such claim, then that shorter time period still applies.

FOR FURTHER INFORMATION CONTACT: For Caltrans: Renetta Cloud, Chief, Environmental Studies “A”, Caltrans District 8, 464 W 4th Street, 6th Floor, MS-823, San Bernardino, CA 92401–1400, Office Hours: 9:00 a.m. to 4:00 p.m., Office Phone: (909) 383–6323, Email: Renetta.Cloud@dot.ca.gov. For FHWA, contact David Tedrick at (916) 498–5024 or email David.tedrick@dot.gov.

SUPPLEMENTARY INFORMATION: Effective July 1, 2007, FHWA assigned, and Caltrans assumed, environmental responsibilities for this project pursuant to 23 U.S.C. 327. Notice is hereby given that the Caltrans has taken final agency actions subject to 23 U.S.C. 139(l)(1) by

issuing licenses, permits, and approvals for the following highway project in the State of California: Caltrans proposes to reconstruct and widen Jackson Street at Interstate 10 (I-10) to improve the operational performance of the existing I-10/Jackson Street Interchange within the city limits. The I-10/Jackson Street interchange is located on I-10 between Monroe Street and Gold Center Parkway. The project limits extend from approximately Post Mile (PM) R54.9 to PM R56.6 along I-10 and from Kenner Avenue (south of I-10) to Atlantic Avenue (north of I-10) along Jackson Street. The project site is centrally located within the City of Indio at the crossroads of I-10 and Jackson Street in Riverside County, California. The current I-10/Jackson interchange configuration is a diamond interchange, with signal control at the ramp termini. The interchange is a major access point for existing residential and retail sites. The project proposes to reconstruct and widen Jackson Street at I-10 from one to two lanes in the southbound direction, to construct two new access ramps to the CV Link recreational facility, and to realign and widen the existing I-10 eastbound (EB) and I-10 westbound (WB) on- and off-ramps. The project would also include the construction of a WB auxiliary lane preceding the Jackson Street WB off-ramp, the installation of planned ramp meters on the I-10 EB and WB on-ramps, and construction of the Whitewater River Bridge Structure to accommodate two through lanes, a shoulder, and a sidewalk in each direction.

The actions by the Federal agencies, and the laws under which such actions were taken, are described in the Final Environmental Assessment (EA)/ Finding of No Significant Impact (FONSI) for the project, approved on August 27, 2021, and in other documents in the FHWA project records. The EA/FONSI, and other project records are available by contacting Caltrans at the address provided 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. Council on Environmental Quality regulations;
2. National Environmental Policy Act (NEPA);
3. Moving Ahead for Progress in the 21st Century Act (MAP-21);
4. Americans with Disabilities Act;
5. Department of Transportation Act of 1966;
6. Federal Aid Highway Act of 1970;