

existing interchanges and adding capacity along the corridor.

WisDOT has notified FHWA that pursuant to s. 84.0145, Wis. Stats., the Legislature must specifically authorize WisDOT to proceed with the project. The recently approved 2017 Wisconsin Act 59, the State's biennial budget, did not authorize WisDOT to advance the project. Therefore, FHWA has determined, in conjunction with WisDOT, that the ROD shall be rescinded. Any future environmental action within this corridor will comply with environmental review requirements of the National Environmental Policy Act ((NEPA) (42 U.S.C. 4321, *et seq.*)), FHWA environmental regulations (23 CFR 771), and related authorities prior to reissuance of a ROD or other NEPA documentation, as appropriate. Comments and questions concerning this action should be directed to FHWA at the address provided above.

(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.)

Issued on: October 4, 2017.

**Timothy C. Marshall,**

*Assistant Division Administrator, FHWA Wisconsin Division, Madison, Wisconsin.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### **Tier 1 Environmental Impact Statement for the Chesapeake Bay Crossing Study, Anne Arundel County, Baltimore County, Calvert County, Cecil County, Dorchester County, Harford County, Kent County, Queen Anne's County, St. Mary's County, Somerset County, and Talbot County, Maryland**

**AGENCY:** Federal Highway Administration (FHWA), Maryland Transportation Authority (MDTA), DOT.

**ACTION:** Notice of intent to prepare a Tier 1 Environmental Impact Statement (EIS).

**SUMMARY:** The FHWA, as the Lead Federal Agency, and MDTA, as the Local Project Sponsor, are issuing this notice to advise the public of our intention to prepare a Tier 1 EIS for the Chesapeake Bay Crossing Study in Maryland. The Tier 1 EIS will assess the potential environmental impacts of

addressing congestion at the Chesapeake Bay Bridge, which could result in added capacity at the existing bridge or at a new location across the Chesapeake Bay. The Tier 1 EIS will be prepared in accordance with regulations implementing the National Environmental Policy Act (NEPA) and provisions of the Fixing America's Surface Transportation Act (FAST Act) and will include a range of reasonable corridor alternatives, including a "No Build" alternative.

**FOR FURTHER INFORMATION CONTACT:**

Jeanette Mar, Environmental Program Manager, Federal Highway Administration, Maryland Division, 10 S. Howard Street, Suite 2450, Baltimore, MD 21201, (410) 779-7152, or email at [jeanette.mar@dot.gov](mailto:jeanette.mar@dot.gov). Melissa Williams, Director, Division of Planning & Program Development, Maryland Transportation Authority, 2310 Broening Highway, Baltimore, MD 21224, (410) 537-5650, or email at [mwilliams9@mdta.state.md.us](mailto:mwilliams9@mdta.state.md.us).

**SUPPLEMENTARY INFORMATION:** The purpose of this notice is to: (1) Alert interested parties to the FHWA and MDTA plan to prepare the Tier 1 EIS; (2) provide information on the nature of the proposed action; (3) solicit public and agency input regarding the scope of the Tier 1 EIS, including the purpose and need, alternatives to be considered, and impacts to be evaluated; and (4) announce that public and agency scoping meetings will be conducted.

The Chesapeake Bay Crossing Study Tier 1 EIS will identify the preferred corridor alternative for addressing congestion at the Chesapeake Bay Bridge and evaluate its financial viability. The study area is a broad geographic area that includes the entire length of the Chesapeake Bay in Maryland, spanning approximately 100 miles from the northern end near Havre de Grace to the southern border with Virginia between St. Mary's and Somerset Counties. The study will include a review of existing roadway infrastructure and environmental conditions along both shores of the Bay to identify potential crossing corridors in Maryland. Each potential corridor alternative will consist of a corridor band approximately one mile wide. This width may be adjusted to accommodate the specific conditions at each crossing as the study progresses.

Once the full range of potential corridor alternatives is developed, the study will include identification of a range of reasonable corridor alternatives for screening. It is assumed that approximately ten to fifteen corridors will be identified as reasonable for

additional study. These corridors will then be screened based on measurable criteria to the corridor alternatives that will be retained for analysis in the Tier 1 Draft EIS. The EIS will be prepared by MDTA for FHWA to fulfill the requirements established in NEPA pursuant to current FHWA regulations and guidance.

The EIS will be prepared as a tiered document, providing a systematic approach for advancing potential transportation improvements. The analyses undertaken during Tier 1 will result in identification of the preferred corridor alternative that best meets the study purpose and need. The FHWA intends to issue a single Final Tier 1 EIS and Record of Decision (ROD) unless FHWA determines statutory criteria or practicability considerations precluding issuance of a combined document. If the combined Final Tier 1 EIS/ROD identifies an Action (Build) alternative, MDTA will complete a Tier 2 NEPA document where the agency will evaluate site-specific, project level impacts and required mitigation commitments. The scope of future environmental studies will be commensurate with the proposed action and potential environmental consequences.

FHWA and MDTA will undertake a scoping process for the Chesapeake Bay Crossing Study that will allow the public and interested agencies to comment on the scope of the Tier 1 EIS. This public outreach effort will educate and engage stakeholders, and solicit stakeholder input. FHWA and MDTA will invite all interested individuals, organizations, and public agencies to comment on the scope of the Tier 1 EIS, including the purpose and need, corridor alternatives to be studied, impacts to be evaluated, and evaluation methods to be used.

FHWA and MDTA will develop preliminary public outreach materials (such as fact sheets, brochures, maps or other materials) to support the scoping process. A public scoping presentation in webinar format will be held in November 2017. The meeting will be held online and available for viewing at the study Web site ([www.baycrossingstudy.com](http://www.baycrossingstudy.com)). MDTA will also provide local viewing of the presentation at multiple locations. Presentation times and locations will be announced on the project Web site, in newspaper advertisements, and by other media.

Initial scoping will provide an opportunity for public input on issues relevant to the Tier 1 EIS. More information on public outreach activities, including future public open

houses, will be available in a project coordination plan on the study Web site. All public meetings related to the study will be held in locations accessible to persons with disabilities. Any person who requires special assistance, such as a language interpreter, should contact the Chesapeake Bay Crossing Study: Tier 1 NEPA Team at (410) 537-5650 or via email at [info@baycrossingstudy.com](mailto:info@baycrossingstudy.com) at least 48 hours before the open house or meeting.

Letters inviting agencies to be cooperating or participating in the environmental review process are being sent to those agencies that have jurisdiction or may have an interest in the Chesapeake Bay Crossing Study: Tier 1 NEPA. FHWA and MDTA will notify cooperating and participating agencies of a separate agency scoping meeting to be held October 25, 2017, in Annapolis, Maryland.

Written comments or questions on the scope of the Tier 1 EIS should be mailed to the Chesapeake Bay Crossing Study: Tier 1 NEPA, c/o Ms. Melissa Williams, Director, Division of Planning & Program Development, Maryland Transportation Authority, 2310 Broening Highway, Baltimore, MD 21224; sent via email to [mwilliams9@mdta.state.md.us](mailto:mwilliams9@mdta.state.md.us); or submitted on the study Web site ([www.baycrossingstudy.com](http://www.baycrossingstudy.com)).

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research, Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Issued on: October 2, 2017.

**Gregory Murrill,**

*Division Administrator, Federal Highway Administration, Baltimore, Maryland.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2009-0155; FMCSA-2011-0125; FMCSA-2011-0144; FMCSA-2011-0145; FMCSA-2013-0019; FMCSA-2013-0181; FMCSA-2015-0062; FMCSA-2015-0063]

### Qualification of Drivers; Exemption Applications; Diabetes

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.

**ACTION:** Notice of final disposition.

**SUMMARY:** FMCSA announces its decision to renew exemptions for 127

individuals from its prohibition in the Federal Motor Carrier Safety Regulations (FMCSRs) against persons with insulin-treated diabetes mellitus (ITDM) from operating commercial motor vehicles (CMVs) in interstate commerce. The exemptions enable these individuals with ITDM to continue to operate CMVs in interstate commerce.

**DATES:** Each group of renewed exemptions were applicable on the dates stated in the discussions below and will expire on the dates stated in the discussions below.

**FOR FURTHER INFORMATION CONTACT:** Ms. Christine A. Hydock, Chief, Medical Programs Division, 202-366-4001, [fmcsamedical@dot.gov](mailto:fmcsamedical@dot.gov), FMCSA, Department of Transportation, 1200 New Jersey Avenue SE., Room W64-224, Washington, DC 20590-0001. Office hours are from 8:30 a.m. to 5:30 p.m., e.t., Monday through Friday, except Federal holidays. If you have questions regarding viewing or submitting material to the docket, contact Docket Services, telephone (202) 366-9826.

### SUPPLEMENTARY INFORMATION:

#### I. Electronic Access

You may see all the comments online through the Federal Document Management System (FDMS) at: <http://www.regulations.gov>.

**Docket:** For access to the docket to read background documents or comments, go to <http://www.regulations.gov> and/or Room W12-140 on the ground level of the West Building, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., e.t., Monday through Friday, except Federal holidays.

**Privacy Act:** In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to <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>.

#### II. Background

On July 27, 2017, FMCSA published a notice announcing its decision to renew exemptions for 127 individuals from the insulin-treated diabetes mellitus prohibition in 49 CFR 391.41(b)(3) to operate a CMV in interstate commerce and requested comments from the public (82 FR 35029). The public comment period ended on August 28, 2017, and one comment was received.

As stated in the previous notice, FMCSA has evaluated the eligibility of these applicants and determined that renewing these exemptions would achieve a level of safety equivalent to or greater than the level that would be achieved by complying with the current regulation 49 CFR 391.41(b)(3).

The physical qualification standard for drivers regarding diabetes found in 49 CFR 391.41(b)(3) states that a person is physically qualified to drive a CMV if that person:

Has no established medical history or clinical diagnosis of diabetes mellitus currently requiring insulin for control.

### III. Discussion of Comments

FMCSA received one comment in this preceding. An anonymous commenter stated they believe the rule preventing drivers with ITDM operating CMVs in interstate commerce should be removed and the medical examiners should determine whether a driver is fit to operate a CMV in interstate commerce. On May 4, 2015, FMCSA published a Notice of Proposed Rulemaking (NPRM) (80 FR 25260) proposing changes to the Diabetes standard and requesting comments from the public. FMCSA is currently evaluating comments received and drafting a Final Rule. Information related to this action can be found in the Docket at FMCSA-2005-23151.

### IV. Conclusion

Based upon its evaluation of the 127 renewal exemption applications and comments received, FMCSA announces its' decision to exempt the following drivers from the rule prohibiting drivers with ITDM from driving CMVs in interstate commerce in 49 CFR 391.64(3):

As of August 1, 2017, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 35 individuals have satisfied the renewal conditions for obtaining an exemption from the rule prohibiting drivers with ITDM from driving CMVs in interstate commerce (80 FR 37719; 80 FR 59223):

Adele M. Aasen (ND)  
 Kyle E. Beine (WI)  
 Joseph M. Blackwell (GA)  
 Joseph G. Blastick (SD)  
 Gary W. Boninsegna (OH)  
 Billy J. Bronson (OR)  
 Michael L. Campbell (NC)  
 Steven C. Cornell (PA)  
 Josiah L. Crestik (MN)  
 Richard L. Cunningham (NE)  
 Thomas M. Delasko (FL)  
 William T. Eason (NC)  
 Douglas J. Garrison (IA)  
 Daniel W. Gregory (NC)  
 Barry L. Grimes, Sr. (MD)  
 Dennis J. Grimm (DE)