

(Supplemental EIR/EIS) developed for the SR-241/SR-91 Tolled Express Lanes Connector Project. By this Notice, the FHWA is announcing the availability of the ROD. This supplemental environmental analysis was prepared to analyze buildout of the Eastern Transportation Corridor (ETC), as approved in 1994. Caltrans District 12 issues this ROD to advise the public of their decision to approve the proposed tolled express lanes connector between State Route 241 and the 91 Express Lanes.

**ADDRESSES:** The ROD and other project records are available at the Caltrans District 12, 1750 East Fourth Street, Suite 100, Santa Ana, California 92705 and Foothill Eastern Transportation Corridor Agency (F/ETCA) office, 125 Pacifica, Suite 120, Irvine, California 92618.

**FOR FURTHER INFORMATION CONTACT:** Smita Deshpande, Generalist Branch Chief, Caltrans-District 12, "Attn: 241-91 ROD", 1750 East Fourth Street, Suite 100, Santa Ana, California 92705, telephone (657) 328-6151, or email [D12TolledExpressLanesConnector@dot.ca.gov](mailto:D12TolledExpressLanesConnector@dot.ca.gov). For FHWA, contact David Tedrick, telephone (916) 498-5024, or email [david.tedrick@dot.gov](mailto:david.tedrick@dot.gov).

**SUPPLEMENTARY INFORMATION:** The California Department of Transportation (Caltrans) is the lead agency under the California Environmental Quality Act (CEQA). Caltrans is also the lead agency under the National Environmental Policy Act of 1969 (NEPA), as assigned by the Federal Highway Administration (FHWA), in accordance with NEPA (42 United States Code [U.S.C.] 4321 *et seq.*); and the Council on Environmental Quality (CEQ) Regulations implementing NEPA (40 Code of Federal Regulations [CFR] 1500-1508). Caltrans District 12, in cooperation with the Foothill/Eastern Transportation Corridor Agency (F/ETCA) proposes the State Route 241/State Route 91 (SR-241/SR-91) Express Lanes Connector to construct a median-to-median connector between SR-241 and the tolled lanes in the median of SR-91 (91 Express Lanes). The Proposed Project proposes to improve access and reduce congestion at the SR-241/SR-91 interchange by providing a direct connector between SR-241 and the 91 Express Lanes. The Propose Project, located at the junction of SR-241 and SR-91 in the cities of Anaheim, Yorba Linda, and Corona and the counties of Orange and Riverside, would provide improved access between SR-241 and SR-91 and is proposed to be a tolled facility with a total length of approximately 8.7 miles (mi). Currently, there is no direct

connection between the SR-241 toll road and the 91 Express Lanes. SR-241 is a tolled facility, starting at the Oso Parkway interchange, in south Orange County, to its terminus at SR-91. The 91 Express Lanes is a two-lane tolled facility, in each direction, located in the median of SR-91, from State Route 55 (SR-55), to the Orange/Riverside County line (east of the SR-241 interchange). The existing SR-241/SR-91 interchange connects northbound SR-241 to non-tolled general purpose lanes of eastbound and westbound SR-91 and the eastbound and westbound SR-91 to southbound SR-241.

The Final Supplemental EIR/EIS was signed on January 7, 2020. The Notice of Availability for the Final Supplemental EIR/EIS was posted in the **Federal Register** on January 17, 2020 for a 30-day period ending on February 18, 2020. During the 30-day review period, Caltrans received letters and email correspondence from seven agencies. The Orange County Transportation Authority (OCTA) acknowledged receipt of the notice for the approval of the Final Supplemental EIR/EIS and did not provide further comments. The Orange County Cemetery District requested to be included in future correspondence pertaining to the Project. The California Department of Fish and Wildlife (CDFW), stated that they have no comments at this time. The California Transportation Commission (CTC) stated that they have no comments at this time and should be notified as soon as the environmental process is finalized. The Metropolitan Water District of Southern California (MWD) sent an email requesting a copy of the project location map and also provided a formal comment letter requesting that any design plans be submitted for their review and written approval to avoid potential conflicts with their facilities and right-of-way. The Bureau of Land Management (BLM) stated that they have no comments at this time. The United States Army Corps of Engineers (USACE) inquired with Caltrans staff regarding future coordination for funding and permitting. No comments in protest of the Final Supplemental EIR/EIS were received prior to issuance of the ROD.

Issued on: March 25, 2020.

**Tashia J. Clemmons,**

*Director, Planning and Environmental, Federal Highway Administration, Sacramento, California.*

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**DEPARTMENT OF TRANSPORTATION**

**Federal Motor Carrier Safety Administration**

[Docket No. FMCSA-2020-0106]

**Parts and Accessories Necessary for Safe Operation; Application for an Exemption From Nauto, Inc.**

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

**ACTION:** Notice of application for exemption; request for comments.

**SUMMARY:** The Federal Motor Carrier Safety Administration (FMCSA) requests public comment on an application for exemption from Nauto, Inc. (Nauto) to allow its multi-sensor device to be mounted lower in the windshield on commercial motor vehicles than is currently permitted.

**DATES:** Comments must be received on or before May 4, 2020.

**ADDRESSES:** You may submit comments bearing the Federal Docket Management System (FDMS) Docket ID FMCSA-2020-0106 using any of the following methods:

- *Website:* <http://www.regulations.gov>. Follow the instructions for submitting comments on the Federal electronic docket site.
- *Fax:* 1-202-493-2251.
- *Mail:* Docket Management Facility, U.S. Department of Transportation, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590-0001.
- *Hand Delivery:* Ground Floor, Room W12-140, DOT Building, 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m. e.t., Monday-Friday, except Federal holidays.

*Instructions:* All submissions must include the Agency name and docket number for this notice. For detailed instructions on submitting comments and additional information on the exemption process, see the "Public Participation" heading below. Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. Please see the "Privacy Act" heading for further information.

*Docket:* For access to the docket to read background documents or comments received, go to <http://www.regulations.gov> or to Room W12-140, DOT Building, 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., 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 [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at [www.dot.gov/privacy](http://www.dot.gov/privacy).

**Public participation:** The <http://www.regulations.gov> website is generally available 24 hours each day, 365 days each year. You may find electronic submission and retrieval help and guidelines under the “help” section of the <http://www.regulations.gov> website as well as the DOT’s <http://docketsinfo.dot.gov> website. If you would like notification that we received your comments, please include a self-addressed, stamped envelope or postcard or print the acknowledgment page that appears after submitting comments online.

**FOR FURTHER INFORMATION CONTACT:** Mr. José R. Cestero, Vehicle and Roadside Operations Division, Office of Carrier, Driver, and Vehicle Safety, MC-PSV, (202) 366-5541, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE, Washington, DC 20590-0001.

#### SUPPLEMENTARY INFORMATION:

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

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

##### Submitting Comments

If you submit a comment, please include the docket number for this notice (FMCSA-2020-0106), indicate the specific section of this document to which the comment applies, and provide a reason for suggestions or recommendations. You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so the Agency can contact you if it has questions regarding your submission.

To submit your comments online, go to [www.regulations.gov](http://www.regulations.gov) and put the docket number, “FMCSA-2020-0106” in the “Keyword” box, and click “Search.” When the new screen appears, click on “Comment Now!” button and type your comment into the text box in the following screen. Choose whether you are submitting your comment as an individual or on behalf of a third party and then submit. If you submit your comments by mail or hand

delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit comments by mail and would like to know that they reached the facility, please enclose a stamped, self-addressed postcard or envelope. FMCSA will consider all comments and material received during the comment period and may grant or not grant this application based on your comments.

##### II. Legal Basis

FMCSA has authority under 49 U.S.C. 31315(b) to grant exemptions from certain parts of the Federal Motor Carrier Safety Regulations (FMCSRs). FMCSA must publish a notice of each exemption request in the **Federal Register** (49 CFR 381.315(a)). The Agency must provide the public an opportunity to inspect the information relevant to the application, including any safety analyses that have been conducted. The Agency must also provide an opportunity for public comment on the request.

The Agency reviews safety analyses and public comments submitted, and determines whether granting the exemption would likely achieve a level of safety equivalent to, or greater than, the level that would be achieved by the current regulation (49 CFR 381.305). The decision of the Agency must be published in the **Federal Register** (49 CFR 381.315(b)) with the reasons for denying or granting the application and, if granted, the name of the person or class of persons receiving the exemption, and the regulatory provision from which the exemption is granted. The notice must also specify the effective period and explain the terms and conditions of the exemption. The exemption may be renewed (49 CFR 381.300(b)).

##### III. Background

Under 49 CFR 381.315(a), FMCSA must publish a notice of each exemption request in the **Federal Register**. The Agency must provide the public with an opportunity to inspect the information relevant to the application, including any safety analyses that have been conducted. The Agency must also provide an opportunity for public comment on the request.

The Agency reviews the safety analyses and the public comments and determines whether granting the exemption would likely achieve a level of safety equivalent to or greater than the level that would be achieved by the current regulation (49 CFR 381.305). The decision of the Agency must be published in the **Federal Register** (49

CFR 381.315(b)). If the Agency denies the request, it must state the reason for doing so. If the decision is to grant the exemption, the notice must specify the person or class of persons receiving the exemption and the regulatory provision or provisions from which an exemption is granted. The notice must specify the effective period of the exemption (up to 5 years) and explain the terms and conditions of the exemption. The exemption may be renewed (49 CFR 381.315(c) and 49 CFR 381.300(b)).

##### IV. Nauto’s Application for Exemption

The Federal Motor Carrier Safety Regulations require devices meeting the definition of “vehicle safety technology,” including Nauto’s multi-sensor device, to be mounted (1) not more than 4 inches below the upper edge of the area swept by the windshield wipers, or (2) not more than 7 inches above the lower edge of the area swept by the windshield wipers, and outside the driver’s sight lines to the road and highway signs and signals. Nauto has applied for an exemption from 49 CFR 393.60(e)(1) to allow its multi-sensor device to be mounted lower in the windshield than is currently permitted. A copy of the application is included in the docket referenced at the beginning of this notice.

##### V. Request for Comments

In accordance with 49 U.S.C. 31315(b)(6), FMCSA requests public comment from all interested persons on Nauto’s application for an exemption from 49 CFR 393.60(e)(1). All comments received before the close of business on the comment closing date indicated at the beginning of this notice will be considered and will be available for examination in the docket at the location listed under the “Addresses” section of this notice. Comments received after the comment closing date will be filed in the public docket and will be considered to the extent practicable. In addition to late comments, FMCSA will also continue to file, in the public docket, relevant information that becomes available after the comment closing date. Interested persons should continue to examine the public docket for new material.

**Larry W. Minor,**

*Associate Administrator for Policy.*

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