

located in Escanaba, Delta County, Michigan and described as follows:

#### Parcel 1 (3.6 Acres) East Parcel

From the center  $\frac{1}{4}$  corner of section 1 T. 38 N., R. 23 W., measure S. 89 55'24" W. Along the east-west  $\frac{1}{4}$  line of said section a distance of 564.89 feet to the point of beginning of the land herein described, thence N.0 43'38" E. A distance of 138.97 feet, thence S.88 58'42" E. A distance of 844.41 feet to the beginning of a 224.00 foot radius curve to the right, thence southeasterly along said curve a chord bearing of S. 51 42'43" E. A chord distance of 271.27 feet, thence S. 37 52'53" W. A distance of 37.31 feet, thence N.44 05'25" W. A distance of 861.21 feet to the beginning of a 963.58 foot radius curve to the right, thence southwesterly along said curve a chord bearing of S. 89 46'32" W. A chord distance of 37.80 feet to the beginning of 15.91 foot radius curve to the right, thence northwesterly along said curve a chord bearing of N.44 11'12" W. A chord distance of 22.46 feet, thence N.0 43'38" E. A distance of 15.45 feet to the point of beginning. Containing 3.53 acres.

Issued in Romulus, Michigan, on September 28, 2005.

**Irene R. Porter,**

*Manager, Detroit Airports District Office, FAA, Great Lakes Region.*

[FR Doc. 05-21391 Filed 10-25-05; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Public Notice For Waiver of Aeronautical Land-Use Assurance, Delta County Airport, Escanaba, MI

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice of intent of waiver with respect to land.

**SUMMARY:** The Federal Aviation Administration (FAA) is considering a proposal to change a portion of the airport from aeronautical use to non-aeronautical use and to authorize the lease of the airport property. The proposal consists of 1 parcel of land, totaling approximately 37 acres. Current use and present condition is undeveloped land compatible with local commercial/industrial zoning classification. The land was acquired under part of the property from the City of Escanaba deeded to Delta County for airport use. There are no impacts to the airport by allowing the airport to lease of the property. Subject land may

provide good commercial/industrial development opportunities for the community and are well outside airport perimeter fence limits. Approval does not constitute a commitment by the FAA to financially assist in the lease of the subject airport property nor a determination of eligibility for grant-in-aid funding from the FAA. The disposition of proceeds from the lease of the airport property will be in accordance FAA's Policy and Procedures Concerning the Use of Airport Revenue, published in the **Federal Register** on February 16, 1999.

In accordance with section 34107(h) of title 49, United States Code, this notice is required to be published in the **Federal Register** 30 days before modifying the land-use assurance that requires the property to be used for an aeronautical purpose.

**DATES:** Comments must be received on or before November 25, 2005.

**FOR FURTHER INFORMATION CONTACT:** Mr. Marlon D. Peña, Program Manager, Federal Aviation Administration, Great Lakes Region, Detroit Airports District Office, DET-ADO 610, 11677 South Wayne Road, Romulus, Michigan 48174. Telephone Number (734) 229-2909 / FAX Number (734) 229-2950.

Documents reflecting this FAA action may be reviewed at this same location or at Delta County Airport, Escanaba, Michigan.

**SUPPLEMENTARY INFORMATION:** Following is a legal description of the property located in Escanaba, Delta County, Michigan, and described as follows:

#### Parcel 1 (37 Acres) West Parcel

Beginning at the E $\frac{1}{4}$  corner of section 2 T.38W., R.23W., Thence N. 89° 59'02" W. Along the east-west  $\frac{1}{4}$  line of said section a distance of 2659.78 feet to the center  $\frac{1}{4}$  corner of said section, thence continue N. 89° 59'02" W. along said  $\frac{1}{4}$  line of a distance of 738.64 feet, thence N. 0° 55'41" E. A distance of 411.60 feet to a point that is 847.0 feet south of and measure at right angles from the center line of Delta County Airport's East-West Runway, thence S. 89° 02'161" E. Parallel with and 847.00 feet south of said center line a distance of 4077.56 feet, thence S. 16° 00'58" E. A distance of 450.11 feet, thence N. 89° 06'02" W. A distance of 265.14 feet to the beginning of a 944.04 foot radius curve to the right, thence northwesterly along said curve a chord bearing of N. 80° 33'42" W. A chord distance of 280.46 feet to the beginning of a 789.81 foot radius curve to the left, thence northwesterly along said curve a chord bearing of N. 81° 05'12" W. A chord distance of 246.58 feet, thence N. 89°

59'02" W. a distance of 23.73 feet to the point of beginning. Containing 36.80 acres.

Issued in Romulus, Michigan, on September 29, 2005.

**Irene R. Porter,**

*Manager, Detroit Airports District Office, FAA, Great Lakes Region.*

[FR Doc. 05-21392 Filed 10-25-05; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2005-22650]

#### Agency Information Collection Activities; Request for Comment; Clearance of a New Information Collection: Commercial Driver's License Policies and Practices Among the 51 Jurisdictions

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

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

**SUMMARY:** This notice advises the public about FMCSA's intention to request Office of Management and Budget (OMB) approval for a new information collection concerning the Commercial Driver's License (CDL) policies and practices among the 50 States and the District of Columbia (referred to as the 51 jurisdictions). This information is needed to identify where problems exist within the CDL Program and how to address those problems through new or revised safety initiatives. This notice is required by the Paperwork Reduction Act of 1995.

**DATES:** Comments must be submitted on or before December 27, 2005.

**ADDRESSES:** All comments should reference Docket No. FMCSA-2005-22650. You may mail or hand deliver comments to the U.S. Department of Transportation, Dockets Management Facility, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590; telefax comments to 202/493-2251; or submit electronically at <http://dms.dot.gov>.

You may examine and copy all comments received at the above address between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. If you desire your comment to be acknowledged, you must include a self-addressed stamped envelope or postcard or, if you submit your comments electronically, you may print the acknowledgment.

**FOR FURTHER INFORMATION CONTACT:** Ms. Glenda Davis, phone (202) 366-5209; FAX (202) 366-7298; or e-mail [glenda.davis@fmcsa.dot.gov](mailto:glenda.davis@fmcsa.dot.gov); Federal Motor Carrier Safety Administration, DOT, 400 Seventh Street, SW., Washington, DC 20590. For additional information and copies of the information collection instrument and instructions, contact Ms. Lorena F. Truett, National Transportation Research Center, 2360 Cherahala Boulevard, Room I-32, Knoxville, TN 37932; phone (865) 946-1306; FAX (865) 946-1314; or e-mail: [TruettLF@ornl.gov](mailto:TruettLF@ornl.gov). Office hours are from 8:30 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

**SUPPLEMENTARY INFORMATION:**

*Title:* Commercial Driver's License Policies and Practices Among the 51 Jurisdictions.

*OMB Control No:* 2126-XXXX.

*Background:* In 1986, the Commercial Motor Vehicle Safety Act (CMVSA) (Public Law 99-570, Title XII, 100 Stat. 3207-170 (October 27, 1986)) was passed in an effort to improve highway safety as it related to commercial motor vehicle drivers. The CDL program was created as a result of that Act. The Motor Carrier Safety Improvement Act (MCSIA) of 1999 (Public Law 106-159, 113 Stat. 1748 (December 9, 1999)) further strengthened the CDL Program through more vehicle and driver inspections and carrier compliance reviews, stronger enforcement, expedited completion of rules, and effective CDL testing, record keeping, and sanctions. The goal of both the CMVSA and MCSIA was to improve highway safety by ensuring that drivers of commercial vehicles were qualified to operate those vehicles and to remove unsafe and unqualified drivers from the highways.

The Federal Motor Carrier Safety Administration (FMCSA), within the U.S. Department of Transportation (DOT), conducts Compliance Reviews (CRs) of the 50 States and the District of Columbia in Washington, DC, to ensure that the States are complying with the Federal Motor Carrier Safety Regulations (FMCSRs). Additional objectives of the State CRs include the following: identifying technical, operational, and administrative deficiencies in State CDL programs; establishing a mechanism for identifying and correcting serious program deficiencies; and identifying opportunities for CDL fraud.

FMCSA conducted CRs on every State. Based on the results of the State CRs, some States had fewer compliance

issues than others. It appears, however, that each State was in non-compliance to some degree at the time the CR was conducted in the State. It is necessary for FMCSA to understand why the States are in non-compliance. While there is anecdotal evidence that the fault may lie with the various processes within the States, or a failure by FMCSA to provide adequate guidance, or even with the Federal regulations, there has been no systematic effort to determine the cause of State non-compliance with the CDL requirements. For FMCSA to find a solution which brings the States into compliance with the CDL Federal regulations and increases commercial-vehicle safety, FMCSA must obtain input from the States.

The primary means for obtaining information from the State officials will be via a password-protected Web site. In the introduction ("welcome screen") to the questionnaire, the respondent will be provided alternatives for taking the survey via a paper copy or over the phone with an FMCSA contractor. If the respondent indicates a preference for the paper copy or phone survey, arrangements will be made for administering the survey in the desired format. In addition, any respondents who prefer to be interviewed via a phone call will also be provided an e-mail address so they may submit additional comments if desired.

*Respondents:* Each of the 51 jurisdictions (50 States plus the District of Columbia) will be contacted.

*Frequency:* Once.

*Estimated Average Burden per Response:* 1 hour per response.

*Estimated Total Annual Burden Hours:* 51 hours (51 jurisdictions x 1 hour per response).

**Public Comments Invited**

You are asked to comment on any aspect of this information collection, including: (1) Whether the proposed collection is necessary for the FMCSA's performance; (2) the accuracy of the estimated burden; (3) ways for the FMCSA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

**Authority:** The Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35, as amended; Pub. L. 99-570, Title XII, 100 Stat. 3207-170 (October 27, 1986); Pub. L. 106-159, 113 Stat. 1748 (December 9, 1999); and 49 CFR § 1.73.

Issued on: October 21, 2005.

**Annette M. Sandberg,**  
*Administrator.*

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**BILLING CODE 4910-EX-P**

**DEPARTMENT OF TRANSPORTATION**

**Surface Transportation Board**

[STB Finance Docket No. 34728]

**Marquette Rail, LLC—Lease and Operation Exemption—CSX Transportation, Inc.**

Marquette Rail, LLC (MQT), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to lease, from CSX Transportation, Inc. (CSXT), and operate approximately 129.03 miles of rail line extending between: (a) Milepost CGE 3.6 at the Grand Rapids, MI station and milepost CGE 73.71 at the Baldwin, MI station; (b) milepost CB 106.91 at the Baldwin station and milepost CB 136.5 at the Ludington, MI station; (c) milepost CBA 87.0 at the Walhalla, MI station and milepost CBA 113.7 at the Manistee, MI station; and (d) milepost CBA 113.7 at the Manistee station and the end of track at Filer City, MI (the Filer City Spur, approximately 2.63 miles in length).

MQT certifies that its projected revenues as a result of this transaction will not exceed those that would qualify it as a Class III rail carrier. However, because its projected annual revenues may exceed \$5 million, MQT also certifies that it has complied with the posting and service requirements of 49 CFR 1150.32(e).<sup>1</sup> The transaction was scheduled to be consummated on or after October 14, 2005.

If the verified notice contains false or misleading information, the exemption

<sup>1</sup> MQT states that at the time the labor notice was given, MQT planned to purchase the track and other rail improvements and to lease the underlying right-of-way. However, MQT will instead be leasing on a long-term basis both the track and other rail improvements and the underlying right-of-way. In addition, the labor notice also indicated that the milepost at Baldwin in segment (b) was CB 107.0. MQT has been advised by CSXT that, while milepost CB 107.0 is used to signify Baldwin for operating purposes, the actual milepost is CB 106.91. Therefore, MQT and CSXT have amended all of their agreements to reflect the milepost for Baldwin as CB 106.91. Also, in the labor notice, the milepost at Baldwin in segment (a) was incorrectly listed as CGE 73.4 instead of CGE 73.71. Finally, the total mileage is accordingly approximately 129.03 not 128.63 as stated in the labor notice. However, under the revised lease arrangements and milepost changes, no additional CSXT employees will be affected, MQT will still be responsible for all operations and maintenance and the change will not affect the number of positions that MQT anticipates will be available.