

provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room. Copies of the filing also will be available for inspection and copying at the principal office of the BSE. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-BSE-2003-09 and should be submitted on or before June 28, 2004.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>7</sup>

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 04-12783 Filed 6-4-04; 8:45 am]

**BILLING CODE 8010-01-P**

## DEPARTMENT OF STATE

### [Delegation of Authority No. 274]

#### Delegation of Responsibilities Under Section 606 of the Foreign Relations Authorization Act, FY 2000 and 2001

By virtue of the authority vested in me as Deputy Secretary of State, including the authority delegated to me by the Secretary of State in Delegation of Authority Number 245 of April 23, 2001, and by section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a), as amended, I hereby delegate the following functions in the Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (as enacted in Pub. L. 106-113) ("the Authorization Act"):

#### Section 1. Functions Delegated to the Assistant Secretary for Diplomatic Security in Consultation with the Director and Chief Operating Officer, Bureau of Overseas Buildings Operations

The functions vested in the Secretary of State by sections 606(a)(2) and 606(a)(3) of the Authorization Act with respect to U.S. diplomatic facilities other than a chancery or consulate building are delegated to the Assistant Secretary for Diplomatic Security, in consultation with the Director and Chief Operating Officer, Bureau of Overseas Buildings Operations.

#### Section 2. General Provisions

a. Notwithstanding any provisions of this Delegation of Authority, the Secretary of State, the Deputy Secretary

of State, and the Under Secretary of State for Management may at any time exercise the functions herein delegated.

b. Any officer to whom functions are delegated by this Delegation of Authority may, to the extent consistent with law: (1) redelegate such functions and authorize their successive redelegation; and (2) promulgate such rules and regulations as may be necessary to carry out such functions.

c. Any reference in this Delegation of Authority to any act, order, determination, delegation of authority, regulation, or procedure shall be deemed to be a reference to such act, order, determination, delegation of authority, regulation, or procedure as amended from time to time, and any reference in this Delegation of Authority to any provision of law shall be deemed to include reference to any hereafter-enacted provision of law that is the same or substantially the same as such provision.

d. This Delegation of Authority supersedes the prior delegation of March 30, 2000 regarding this subject.

e. This Delegation of Authority shall be published in the **Federal Register**.

Dated: May 19, 2004.

**Richard L. Armitage,**

*Deputy Secretary of State, Department of State.*

[FR Doc. 04-12808 Filed 6-4-04; 8:45 am]

**BILLING CODE 4710-10-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Aviation Rulemaking Advisory Committee Meeting on Transport Airplane and Engine Issues

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of public meeting.

**SUMMARY:** This notice announces a public meeting of the FAA's Aviation Rulemaking Advisory Committee (ARAC) to discuss transport airplane and engine (TAE) issues.

**DATES:** The meeting is scheduled for Tuesday and Wednesday, June 15-16, 2004, starting at 8:30 a.m. on June 15. Arrange for oral presentations by June 7, 2004.

**ADDRESSES:** Homewood Suites, Seattle-Tacoma Airport, 6955 Fort Dent Way, Tukwila, WA 98188.

**FOR FURTHER INFORMATION CONTACT:** Alicia K. Douglas, Office of Rulemaking, ARM-204, FAA, 800 Independence Avenue, SW., Washington, DC 20591, telephone (202) 267-9681, fax (202)

267-5075, or e-mail at [alicia.k.douglas@faa.gov](mailto:alicia.k.douglas@faa.gov).

**SUPPLEMENTARY INFORMATION:** Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. app. III), notice is given of an ARAC meeting to be held June 15-16, 2004, at Homewood Suites, Seattle-Tacoma Airport, in Tukwila, Washington.

The agenda will include:

#### Tuesday, June 15

- Opening Remarks.
- FAA Report.
- European Aviation Safety Agency/Joint Aviation Authorities Report.
- Transport Canada Report.
- Harmonization Management Team Report.
- Legal Expectations for ARAC Recommendations.
- Human Factors HWG Report and Approval.
- Ice Protection HWG Report.
- Loads and Dynamics HWG Report and Approval.
- Discussion of § 25.1309 Phase 2 Task.

#### Wednesday, June 16

- General Structures HWG Report and Approval.
- Airworthiness Assurance HWG Report.
- Written or verbal reports, as required, from the following harmonization working groups: Avionics, Engine, Electromagnetic Effects, Flight Test, Seat Test, Flight Control, Flight Guidance, System Design and Analysis, Electrical Systems, Design for Security, Powerplant Installation, and Mechanical Systems.
- Review of Action Items and 2004 Meeting Schedule.

Three working groups will be seeking approval of reports/documents:

1. The Human Factors Working Group on flight deck equipment and systems for use by flight crew;
2. The Loads and Dynamics Working Group on fire protection of flight controls, engine mounts, and other flight structure; and
3. The General Structures Working Group on damage tolerance and fatigue evaluation of structure, and pressurized compartment loads—high altitude flight.

Attendance is open to the public, but will be limited to the availability of meeting room space and telephone lines. Persons participating by telephone, must contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section after June 7 for the call number and pass code. Details of the

<sup>7</sup> 17 CFR 200.30-3(a)(12).

**Aviation Rulemaking Advisory Committee (ARAC)  
Transport Airplane and Engine Issues Group (TAEIG)**

**Meeting Minutes**

**DATE:** June 15-16, 2004  
**TIME:** 8:30 a.m.  
**LOCATION:** Homewood Suites  
 Seattle-Tacoma Airport  
 6955 Fort Dent Way  
 Tukwila, WA 98188

**Call to Order/Administrative Reporting**

Craig Bolt, Assistant Chair\*, called the meeting to order. Mike Kaszycki, Assistant Executive Director\*\*, read the required statement for conducting the meeting, and attendees introduced themselves:

Members		NonMembers			
Craig Bolt *	Pratt & Whitney	Steve Boyd	FAA	John McConnell	FAA
Edmond Boullay	JAA	Jill DeMarco	Boeing	George McEachen	Boeing
Rolf Greiner	Airbus	Curt Graeber	Boeing	Tom Zierten	Boeing
Mike Kaszycki **	FAA	Loran Haworth	FAA		
Maher Khouzam	TCCA	Amos Hoggard	Boeing	Dionne Krebs	FAA
Doug Lane	Boeing	Brian Kelly	Boeing	Alicia K. Douglas	FAA
S. Rao Varanasi	Boeing				
Jim Wallace	ALPA				

For details, see attached attendance sheet

Mr. Bolt then reviewed:

- |   | <b><u>Handout#</u></b> |
|---|------------------------|
| • The Agenda  | <b>1</b>               |
| • Items of Interest Since February 2004 TAEIG Meeting                           | <b>2</b>               |
| • Action Items  | <b>3</b>               |
| • E-mail Update   | <b>4</b>               |
| • Summary of Tasks in the Working Groups  | <b>5</b>               |
| • Open/Completed Tasking Charts   | <b>6</b>               |
| Comments on the tasking charts are to be forwarded to Mr. Bolt or Elaine Perry. |                        |
| • Action Items from the February 2004 TAEIG meeting (shown below)               | <b>7</b>               |

<b>February 2004 Meeting</b>		
2.	Mr. Kaszycki to investigate if proposed policy statements could be	Completed

	made available on a subscription basis similar to NPRM's.	
3.	TAEIG to provide comments to Mike Kaszycki on proposed new AAWG tasking by February 25.	Completed
4.	FAA to respond to C. Bolt letter on alternate rulemaking procedures.	In-work
5.	TAEIG to provide comments to Mike Kaszycki on FAA Complex STCs policy.	Completed
6.	Mike Kaszycki to distribute FAA report to TAEIG.	Completed
7.	Alicia Douglas to forward e-mail from Transport Canada to Craig for forwarding to TAEIG.	Completed
8.	TAEIG to provide input to Craig Bolt on HMT agenda items and format of the presentations for the next HMT Annual Meeting.	Completed
9.	Mike Kaszycki to send Issue Paper on the use of red and amber in the cockpit to the AVSHWG.	Completed

Regarding the issue of policy statements out for comment being made available on a subscription basis (as is currently the case for Notices of Proposed Rulemaking), Mr. Kaszycki reported that this has been identified as a future work item for the Regulatory Guidance Library team; however with budget cuts under consideration, a timeline for incorporation is not yet known.

The FAA owes a response to Craig Bolt's letter on alternate rulemaking procedures. The FAA (ANE and ARM) are still working on a response, and hope to respond to Craig by mid-June on this issue; however, ANE is still determining their position. Craig Bolt has a telecon with Jay Pardee on this item today.

Craig Bolt/Mike Kaszycki were to determine acceptability of the Flight Test Harmonization Working Group proposal to extend to end of the year their report to Ice Protection Harmonization Working Group. FAA response to this item is that the FAA supports this extension as a result of the timing of other icing activities and Commercial Aviation Safety Team (CAST) review of the Supercooled Large Droplets (SLD) tasking. A decision with respect to prioritizing the SLD tasking will consider CAST, industry inputs, and other factors. Industry has indicated that we have resource overlap with the SLD and other icing issues. The SLD task is related to 2 NTSB recommendations that are currently "open-acceptable" based on the continued ARAC activity.

**FAA Report (Dionne Krebs)**

**8**

Ms. Krebs reported that the FAA has published in the Federal Register two final rules addressing five changes to 14 CFR Part 25: fuselage doors, fire protection of electrical systems; electrical equipment and installations; electronic equipment; and electrical cables. Associated advisory circulars were also published. Further, they published a new tasking to TAEIG. This tasking was for the Airworthiness Assurance Working Group and was divided into four parts. A final part 33 policy memorandum and two part 33 advisory circulars (AC 20-147 and AC 33.90-1) were also published. Internal FAA priorities have changed, affecting the rulemaking schedules for Aging Aircraft initiatives. The work on the other rulemaking projects has not altogether halted, but some schedules will be delayed.

There are seven Part 33 Policy/Guidance documents being worked by the Engine Directorate (ANE) Standards Staff. These are non-ARAC projects. Contact Peter White at ANE with comments or questions on these.

The FAA Office of Rulemaking (ARM) has not yet determined the alternate means for accomplishing the Tiger Team's recommendations for ARAC taskings. Mr. Bolt anticipates receiving a letter from ARM by October 2004. The impact on Part 25 initiatives should be minimal, but concern remains that this could impact Part 33 initiatives.

Mr. Bolt stated that he had not received a response to his letter to Tony Fazio on Part 33 initiatives, their status, and alternate rulemaking procedures.

The de-tasking letter for § 25.975 is in FAA headquarters coordination. The FAA plans to remove the HWG moratorium for PPIHWG once it is determined if work on the § 25.903(d) rotorburst tasking should continue. Mr. Hickey stated at last week's meeting that harmonization is complete. However, Mike Kaszycki stated that he would follow through with current enveloping (Fast Track ARAC category 1) and other issues that are currently open. Edmond Boullay suggested that FAA, EASA, and JAA continue to build on their established good working relationship, and work toward mutual understanding on processes and harmonization. Note: Claude Probst is looking at separating certification and rulemaking issues.

#### **EASA/JAA Report** (Edmond Boullay)

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Mr. Boullay reported the transition, JAA to EASA, is still progressing smoothly. The EASA board/staff are moving to the new headquarters offices in Cologne, Germany. Thaddee Sulocki has accepted an appointment to EASA, handling International Affairs, and reporting directly to Claude Probst. To date, 25 countries are under EASA. JAA still represents those countries not signed to EASA. JAA could dissolve in approximately 2 years, provided countries represented by JAA sign under EASA. Currently, JAA is recognized as an ARAC member. EASA is working with Tony Fazio, ARM, to work out details for EASA's participation [as a member] in ARAC.

#### **Transport Canada Report** (Maher Khouzam)

Mr. Khouzam reported that Transport Canada presented Canadian Aviation Regulation 521 (CAR 521) to the industry in a series of local meetings throughout Canada. The next meeting is on June 21, 2004. The FAA has been invited to attend. TCCA hopes to get the CAR 521 presented to the CARAC (similar to ARAC) in the fall of 2004.

The proposed rule § 43.17 is heading in the right direction with MIP. EASA has requested an official bi-lateral agreement with Transport Canada. Transport Canada is to issue certificates, maintenance/repairs, with work done in accordance with the rules/regulations of the foreign country.

The timeframe for a bi-lateral agreement with EASA is uncertain, due to it being an election year. They plan to meet in October 2004. If all goes well, they could possibly have Cabinet approval for official discussions.

Under Transport Canada and FAA agreement, repairs that are from a foreign country (1<sup>st</sup> repair with no type certificate in the system) are done under 3<sup>rd</sup> party repair agreement advisory with proper guidance on how to apply the intent of the agreement; specifically where the final responsibility for the repair lies. Process details still being developed.

#### **Executive Committee** (Craig Bolt)

No meeting; nothing reported.

## **Harmonization Management Team (HMT) Report** (Mike Kaszycki)

The HMT met in March 2004. FAA Aircraft Certification representatives did not attend the meeting. Flight Standards representatives did attend. The HMT has determined they will focus resources on EASA coordination processes. The HMT will no longer continue to meet, but the FAA and EASA will continue to hold high-level rulemaking discussions.

## **AGC (Legal) Expectations for ARAC Recommendations** (Doug Anderson)

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Mr. Anderson announced Don Byrne's plan to retire from the FAA on July 1, 2004. He then provided a presentation on AGC expectations for ARAC recommendations, and information on the rulemaking process. He spoke about the Legal Review process, Administrative Procedure Act, Federal Advisory Committee Act, Plain Language, and OST/OMB review. He explained that some slowness in the rulemaking process may be attributed to the four months needed for OST and OMB review of our proposed rules. He also provided some insight into regulatory evaluations, and the importance of providing more information and data for the Policy office to use in its evaluations. Then, he provided a word of caution about taking care when drafting advisory/guidance material to ensure they do not require/mandate action – mandates must be in the rule.

## **Human Factors HWG (HFHWG)** (Curt Graeber)

11, 12, 13, 14, 15

Kathy Abbott, Keith Barnett, Mike Romanowski, and Loran Haworth joined by phone.

Curt Graeber submitted the WG recommendation to the TAEIG. He reported the WG gained full consensus of draft rule § 25.1302 and associated advisory material. The rule is not intended to deal with equipment that would require crewmember to leave their seat in order to operate it. However, operation of this 'integrated' equipment affects other equipment.

The TAEIG questioned if the FAA attorneys agreed with paragraph (d). Ms. Abbott stated they did. John McConnell stated that some minor changes to the document were made since Doug Anderson's review, and that Mr. Anderson had approved the document on first review. However, after completion of the final report the FAA submitted a position paper which was included as an appendix but which had not been reviewed by the full WG. The position paper stated that the FAA would pursue the possibility of additional methods of compliance following TAEIG's approval of the WG final report.

There was some discussion on a suggestion that an SAE committee could be asked to draft guidance for inclusion in an ARP, with Mike Romanowski stating concern that it would be put into an ARP rather than in an advisory circular. He suggested that if SAE develops the material, they should request the FAA recognize the material. Further, Mr. Romanowski expressed some concern that the FAA's opinion/position was not solidified and their concurrence provided to the WG before the WG's work was completed.

The WG suggested the FAA implement the WG proposal as it stands and learn how to possibly improve it based on experience, applying changes to the document as a result. Mr. Kaszycki is reviewing and considering how and if this will be carried out. Any changes the FAA makes will be given to the HWG for review before implementation.

Mr. Brian Kelly suggested it could take 2 – 3 years for the WG to address the FAA's concerns. He shared that these changes: will fundamentally change certification of this part of the airplane, specifically for STCs; will force documenting changes to flight decks; and, the largest change in practice will affect smaller operators and applicants, who have not participated in this ARAC and WG process.

Mr. Romanowski agreed with the WG that the guidance should be implemented and monitored. Doug Lane stated his support. He questioned if anything of value could be accomplished by the WG in 3 months, and asked if the NPA/NPRM process might drive out some of the issues and concerns raised during this discussion.

Mr. Kaszycki stated the FAA would take the WG recommendation under advisement. He commits to maintain harmonization. If changes to the document are made, they will be coordinated for FAA internal concurrence, and any resulting changes will be debated and coordinated with EASA and the WG through Phase IV. Then, he shared that the WG was looking at a continuous improvement team.

Mr. Romanowski then provided an explanation of his vote/position. Initially, he would have approved acceptance of the WG recommendation. However, he has received dissenting views from some AIA members, therefore he will abstain. The concerns expressed:

- The term, “clear and unambiguous” -- too ambiguous
- HF capability at a company – very vague
- Financial impact is missing from the report (Para. 2(b) could be interpreted to mean that a company would have to hire HF experts).
- The safety benefit is not clearly identified or stated.

GAMA members also expressed similar concerns as AIA, especially the rule’s effects on small businesses.

There was considerable discussion surrounding the WG providing cost and benefit information/data. Recognizing certain difficulty to specifically identify, positively, that action/recommendation would prevent incidents or accidents.

Mr. Lane stated his appreciation for the WG’s hard work. He suggested the TAEIG:

1. Have the WG stop work on the rule.
2. Have the WG work with APO to provide cost information.
3. Move quickly to stay in line, harmonized with EASA’s effort.

And, the FAA implement and monitor/learn.

Mr. Lane then presented the motion that the TAEIG: (1) Accept the report; (2) Request the WG work with APO on the Regulatory Evaluation; (3) Recommend the FAA expedite the AC and Rule and consider further means of compliance based on experience. The motion carried by unanimous vote.

**Ice Protection HWG (IPHWG) (Jim Hoppins)**

Jim Hoppins provided a status report. Tom Zierten (for Bob Park) provided a status report for the FTHWG regarding icing support to the IPHWG. The following highlights were provided:

Task	Discussion/Action
1	--WG submitted Part 121 rule and is not working Task 1.
2	--Focus on Task 2; revised Part 33. No affect on current activities. --Removed part B from work (FTHWG is working on ice shapes). --Goal – get reports out to the sub-groups next week. --FTHWG is still supporting IPHWG.

	<p>--Airbus and Pratt &amp; Whitney, Canada attended EHWG &amp; PPIHWG May 25-27 meeting in Paris.</p> <p>--Mixed phase is significant threat to engines.</p> <p>--Point of contention in group – specific test points to be included in rule, or in advisory material.</p> <p>--Mike Kaszycki asked for clarification – Part 25 group working on rule (proposed), and Part 33 is working on Report. He suggested Pat 25 group work on Report. He will discuss with Ms. Abbott to ensure WG drafts Report as opposed to NPRM.</p> <p>--Major Issues – ‘Means to discriminate’. White paper to be discussed at June 21-25, 2004 meeting.</p> <p>--Slip in schedule identified in chart.</p> <p>--Mr. Kaszycki asked if anyone working these issues was also working CAST activities – No.</p>
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**Flight Test HWG (FTHWG)** (Tom Zierten)

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Mr. Zierten provided a status report on FTHWG efforts. The WG met May 4-6 in support of IPHWG Task 2. The determined Dr. Jim Riley’s SLD ice shapes from Lewice-2 runs were insufficient, currently working –3. The WG has:

1. Drafted proposed guidance in response to NTSB recommendation A96-58
2. identified issues for coordination with IPHWG, including transferring “flight” IPHWG AC material in FTHWG AC for SLD.
3. identified need for FAA support to define the start of takeoff SLD icing, as well, they would like a FAA recommendation to pursue modeling airfoil ice accumulation during the takeoff ground roll.
4. identified a need for a joint IPHWG/FTHWG meeting.

**Loads and Dynamics HWG (LDHWG)** (Larry Hanson)

17, 18, 19

Mr. Hanson, reporting by phone, stated the WG arrived at consensus, with no minority or dissenting opinion, and submitted the WG’s report and draft advisory circular. After some discussion, and the FAA agreement to withdraw support on minimal zonal temperature, due to lack of consensus, the TAEIG voted to unanimously accept the WG report and draft AC.

**§ 25.1309 Plans** (Mike Kaszycki)

Mike Kaszycki reported there was an ‘Authorities Only’ meeting on § 25.1309. The FAA wants to be sure the authorities are on the same page, having a harmonized approach and harmonized guidance relative to Specific Risk. They agreed on the definition of Specific Risk.

Keith Barnett stated that Specific Risk applies to rulemaking priorities. Mr. Kaszycki agreed and stated that it is indirectly linked to one of the CAST directives. He shared there are certain overarching objectives:

1. Need standardized approach across the airplane (system, powerplant, etc.)
2. No catastrophic single failure during any one flight – Safety Goal.

The group is still working the issue. If they go forward with 25.1309, they will work through TAEIG tasking, providing opportunity to comment. The proposal may be ready to present at October 2004 meeting.

Mr. Barnett asked if the authorities discussed how Specific Risk will be implemented. Mr. Kaszycki stated the new rule and/or policy will be applicable to new design. However, if modifying/redesigning systems, it may apply. However, these could be worked through CPR.

**Review of February 2004 TAEIG Meeting Minutes (Craig Bolt)**

**20**

The group approved/accepted the meeting minutes with minor changes..

NOTE: Alicia Douglas to incorporate changes to meeting minutes, as discussed, and send the document to Mr. Bolt for distribution.

**General Structures HWG (Rich Yargis)**

**21**

Mr. Yargis, representing Mr. Andy Kasowski, by telephone, reported there has been no meeting of GSHWG since their last report.

Section	Discussion/Action
25.365(d) and AC 25-20	--The WG is not able to reach consensus. JAA has changed their position – additional requirements for all altitudes. --JAA could not accept ‘threshold altitude’ --WG documented agreements and disagreements as appendices to report. --Agreement to submit report with unresolved issue, recognizing it is unproductive to continue discussions. --Boeing requested photos be removed from report, as they are not technically relevant, others agreed.

The TAEIG unanimously approved and accepted the GSHWG report pending receipt of agreement by JAA to remove the photos (to be obtained from Thaddee Sulocki by e-mail.) Mr. Kaszycki stated he will need to take this up with the authorities (EASA and TCCA), as the FAA does not want to move forward with an unharmonized rulemaking plan.

**Airworthiness Assurance HWG (AAHWG) (Amos Hoggard)**

**22**

Mr. Hoggard reported that the AAHWG the group’s next meeting is scheduled for June 30, 2004. The Ad Hoc AASIFR working group’s official tasking was published in the Federal Register in May 2004. The EASA representative to the AAISFR has retired and the group would like to have a new EASA representative for the June 30<sup>th</sup> meeting. Mr. Kaszycki expressed concern that the group is growing, possibly becoming unmanageable, causing difficulty in getting consensus on matters. Boeing added that participants will be technical experts, non-voting members. Mr. Kaszycki requested a final list of added members for TAEIG vote, including EASA representative. Mr. Khouzam stated certain surprise that TCCA is not represented at the WG level. He will send Mr. Hoggard an e-mail message prior to June 30<sup>th</sup> to let him know if someone from TCCA will be attending the WG meetings.

**Avionics Systems HWG (AVSHWG) (Craig Bolt for Clark Badie)**

Clark Badie could not attend; Mr. Bolt provided a summary of the WG’s efforts, including that the WG recommendation for §25.1322 and AC 25.1322 had been unanimously accepted at the May 2004 ad hoc TAEIG meeting.

Mr. Kaszycki stated that AC 25-11 is tied to a CAST enhancement, and that the schedule must be maintained.

## Engine HWG

Mr. Bolt sent the WG the FAA's letter of response on Bird Control. The WG is not completely satisfied with points made in the letter, and they believe the letter is not technically correct. Mr. Bolt and Mr. Kaszycki to follow up with Tony Fazio, ARM.

## Mechanical Systems HWG

The WG has interim policy and final recommendation in internal coordination at FAA headquarters. The FAA and CAMI have an agreement that the interim policy will be co-signed by both parties. The FAA and CAMI are working toward agreement on the final rule; however, there are problems with the regulatory assessment.

## Wrap-up

**Action Items:** Mr. Bolt reviewed the Action Items, and indicated that the list would be sent to members electronically.

Item	Action	Status
<b>June 2004 Meeting</b>		
1.	HFWG – Best effort assessment for Cost Benefit Analysis – draft letter/notice that it will reg eval data will be provided later.	TBD
2.	JAA concurrence for pictures removal from GSHWG report.	TBD
3.	JAA to provide EASA representative to AAWG.	TBD
4.	Mike Kaszycki to distribute FAA report to TAEIG.	Completed

**Next Meeting:** October 14, 2004, in Washington, DC.

## Public Notification

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The *Federal Register* published an announcement notice of this meeting on June 7, 2004.

## Approval

I certify the minutes are accurate.



Craig R. Bolt  
Assistant Chair

meeting also available on the ARAC calendar at <http://www.faa.gov/avr/arm/araccal/htm>. To insure that sufficient telephone lines are available, please notify the person listed in the **FOR FURTHER INFORMATION CONTACT** section of your intent by June 7, 2004. Anyone participating by telephone will be responsible for paying long-distance charges.

The public must make arrangements by June 7, 2004, to present oral statements at the meeting. Written statements may be presented to the committee at any time by providing 25 copies to the person listed in the **FOR FURTHER INFORMATION CONTACT** section or by providing copies at the meeting. Copies of the documents to be presented to ARAC for decision or as recommendations to the FAA may be made available by contacting the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

If you are in need of assistance or require a reasonable accommodation for the meeting or meeting documents, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section. Sign and oral interpretation, as well as a listening device, can be made available if requested 10 calendar days before the meeting.

Issued in Washington, DC on June 1, 2004.

**Tony F. Fazio,**

*Director, Office of Rulemaking.*

[FR Doc. 04-12826 Filed 6-4-04; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### **Environmental Impact Statement; North South Hurricane Evacuation Corridor, Houma-Thibodaux to LA 3127; Terrebonne, Lafourche, Assumption, St. James, St. John the Baptist, St. Charles, and St. Mary Parishes, LA**

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

**ACTION:** Notice of intent.

**SUMMARY:** The FHWA is issuing this notice to advise interested agencies and the public that, an Environmental Impact Statement will be prepared for a proposed highway project, a hurricane evacuation route, the Houma-Thibodaux to LA 3127 project servicing Terrebonne, Lafourche, Assumption, St. James, St. John the Baptist, St. Charles, and St. Mary Parishes in Louisiana.

**FOR FURTHER INFORMATION CONTACT:** William C. Farr, Program Operations Manager, Federal Highway

Administration, 5304 Flanders Drive, Suite A, Baton Rouge, Louisiana 70808, Telephone (225) 757-7615; Facsimile: (225) 757-7601 or Michele Deshotels, Environmental Impact Manager 2, Louisiana Department of Transportation and Development, PO Box 94245, Baton Rouge, Louisiana 70804, Telephone: (225) 242-4506; Facsimile: (225) 242-4500. Please refer to project designation numbers State Project No. 700-99-0302 & Federal Aid Project No. HP-9902 (518) in any correspondence.

**SUPPLEMENTARY INFORMATION:** The FHWA, in cooperation with the Louisiana Department of Transportation and Development (LADOTD), will prepare an Environmental Impact Statement (EIS) on a proposal to provide a hurricane evacuation route linking the Houma-Thibodaux area to more direct access to I-10 via LA 3127. Recent planning efforts for this project, known regionally as the Houma-Thibodaux to I-10 Connection (North-South Corridor/Hurricane Evacuation) include the development of a 1999 Louisiana Department of Transportation and Development (LADOTD) study, "Hurricane Evacuation Corridor Study to Connect Relocated US 90 to LA 3127". Also used to establish the project construction limits for this project was a 2002 LADOTD study, "Corridor Feasibility Study Extension of LA 3235 (Larose to US 90). These planning efforts included public involvement. Using these studies, it has been determined that the proposed project limits would be US 90 (Future I-49) on the south and State Route 3127 on the north. The approximate distance of the project is 23 miles.

This project is intended to serve as a primary north-south hurricane evacuation route. It is part of the State's efforts to provide more direct access to the system network servicing the I-10 corridor during emergency evacuation events.

Alternatives under consideration include (1) taking no action; and (2) constructing a four lane highway on new location within the limits described above, on various alignments.

Letters describing this proposal and soliciting comments will be sent to appropriate Federal, State, and local agencies and to private organizations and individuals that have previously expressed, or are known to have, an interest in this proposal. A series of public meetings will be held. In addition, a public hearing will be held. Public notice will be given, in local newspapers and on the LADOTD Web site, of the time and place of the meetings and hearing. The draft EIS will

be available for public and agency review and comment prior to the public hearing. A formal scoping meeting will be held upon initiation of this project.

To ensure that the full range of issues related to this proposed action is addressed, and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the 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 May 24, 2004.

**William A. Sussmann,**

*Division Administrator, FHWA, Baton Rouge, Louisiana.*

[FR Doc. 04-12739 Filed 6-4-04; 8:45 am]

**BILLING CODE 4910-22-M**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34506]

#### **Great Basin and Northern Railroad—Change in Operators Exemption—The City of Ely and the White Pine Historical Railroad Foundation**

Great Basin and Northern Railroad, a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to operate over approximately 28.8 miles of rail line owned by the City of Ely (the City) and the White Pine Historical Railroad Foundation (the Foundation) as follows: (a) Between milepost 127.9 at McGill Junction and milepost 146.1 at Keystone; (b) between milepost 127.9 at McGill Junction and milepost MB 2.6 at McGill; and (c) between milepost 135.3 at Hiline and milepost H-8 at Adverse, in White Pine County, NV.<sup>1</sup>

The transaction was expected to be consummated on or about May 19, 2004, the effective date of the exemption.

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of

<sup>1</sup> Previously, rail service had been provided by the BHP Nevada Railroad Company (BHP) over the main line segment between Keystone and McGill Junction, NV, pursuant to a license agreement with the City and the Foundation. BHP discontinued its rail service pursuant to a decision in *BHP Nevada Railroad Company—Discontinuance of Service Exemption—in Elko and White Pine Counties, NV*, STB Docket No. AB-598X (STB served May 24, 2002).