

acknowledges that the situation cited in this finding has been resolved.

(D4) *Re-evaluation Process*—MOU Section 5.1 requires Caltrans to be subject to the same procedural and substantive requirements that apply to the U.S. Department of Transportation (DOT) in carrying out the responsibilities assumed under the Pilot Program. This includes the process and documentation for conducting NEPA re-evaluations to comply with 23 CFR 771.129. Additionally, SER Chapter 33 discusses revalidations and re-evaluations. As in past audits, project file reviews and staff interviews identified varying degrees of understanding of, and compliance with, these procedures and the improper use of reevaluation documentation to serve another project development purpose. Project file reviews identified the following inconsistencies with regards to re-evaluations:

(a) A re-evaluation is done to determine if the approved environmental document or the Categorical Exclusion (CE) designation remains valid. In the re-evaluation process, the original decision and analysis needs to be reviewed for its validity. A re-evaluation was used to increase the scope of the original EA/FONSI. The FHWA re-evaluation process does not accommodate such an approach. The supporting documentation and project files for this project were not available for review; and

(b) In a second project, the NEPA document was identified in the Quarterly Report as a re-evaluation. This project was identified as an intersection improvement that was to be added to a larger project, already under construction. The project file contained both re-evaluation forms and CE checklist forms. Under NEPA, the project should have been a stand-alone CE, as it was not a part of the original project.

(D5) *Section 4(f) Documentation*—MOU Section 5.1.1 affirms that Caltrans is subject to the same procedural and substantive requirements that apply to DOT in carrying out the responsibilities assumed under the Pilot Program. The SER Chapter 20, Section 4(f) and Related Requirements, sets forth procedures for documenting impacts to Section 4(f) properties in Caltrans-assigned environmental documents. As was also noted in the fourth and fifth FHWA audits of the Pilot Program, project file reviews and interviews with staff conducted during this audit identified inconsistencies with the implementation and documentation requirements for carrying out the Section 4(f) provisions.

In the case of Section 4(f) evaluations, the audit team found the following:

(a) Two of three evaluations did not contain a required Section 4(f) avoidance alternative analysis.

(b) Two of the three evaluations did not provide a required Least Overall Harm Analysis.

(D6) *Statement Regarding Assumption of Responsibility*—MOU section 3.2.5 requires language regarding Caltrans' assumption of responsibility under 23 U.S.C. 327 be included on the cover page of each environmental document for all assumed Pilot Program projects. The audit teams'

project file reviews found the following inconsistencies with this requirement:

(a) The cover page for one EA reviewed during the audit did not include this required statement;

(b) The cover page for one Final EIS had been modified from the language agreed to in the MOU; and

(c) The cover page for three California Environmental Quality Act only document contained the FHWA assumption statement, even though there was no FHWA involvement in this document.

#### *Response to Comments and Finalization of Report*

The FHWA received one comment from Caltrans during the 30-day comment period for the draft audit report. Caltrans submitted its comment regarding finding D3. Caltrans had been informed of this finding by the audit team through initial draft findings shared with them, as per the provisions of the MOU and then also through the draft audit report published in the **Federal Register** for the 30-day comment period. There have been several discussions between FHWA and Caltrans concerning the details of this finding. Since the audit team made and verified this finding, Caltrans has done its own internal investigation into the situation reported. Caltrans's investigation determined that the NEPA QC reviewer was not directed or instructed to by the Office Chief of Environmental Review and/or the District Director to sign the internal certification form. They determined that the memo written by this QC reviewer was "ambiguous" and gave an inaccurate impression of events.

Caltrans stated that they do not concur with the deficient finding and request that the finding be revised to reflect the situation they have determined to accurately from their investigations. The FHWA has revised finding D3 to address the Caltrans comment.

[FR Doc. 2012-11119 Filed 5-8-12; 8:45 am]

**BILLING CODE 4910-22-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

#### FTA Supplemental Fiscal Year 2012 Apportionments, Allocations, and Program Information

**AGENCY:** Federal Transit Administration (FTA), DOT.

**ACTION:** Notice.

**SUMMARY:** The Federal Transit Administration (FTA) annually publishes one or more notices apportioning funds appropriated by law. In some cases, if less than a full year of funds is available, FTA publishes multiple partial apportionment notices. This notice is the second notice announcing partial apportionment for programs funded with Fiscal Year (FY) 2012 contract authority because the current authorization of FTA's programs

provides contract authority for the period October 1, 2011 through June 30, 2012.

**FOR FURTHER INFORMATION CONTACT:** For general information about this notice contact Kimberly Sledge, Acting Director, Office of Transit Programs, at (202) 366-2053. Please contact the appropriate FTA regional office for any specific requests for information or technical assistance. A list of FTA regional offices and contact information is available on the FTA Web site at <http://www.fta.dot.gov>.

#### I. Overview

FTA's current authorization, the Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users (SAFETEA-LU), expired September 30, 2009. Since that time, Congress has enacted short-term extensions allowing FTA to continue its current programs. The Surface Transportation Extension Act of 2012, Public Law 112-102, continues the authorization of the Federal transit programs of the U.S. Department of Transportation (DOT) through June 30, 2012. It extends contract authority for the Formula and Bus Grants programs at approximately seventy-five percent of the FY 2011 levels until June 30 2012.

Additionally, FTA's full-year appropriations bill (Pub. L. 112-055, the Consolidated and Further Continuing Appropriations Act, 2012), hereinafter ("Appropriations Act, 2012") was enacted in November 2011, giving FTA appropriated resources for all of FY 2012 for Administrative Expenses, Capital Investment Grants, and Research programs and grants to the Washington Metropolitan Area Transportation Authority. The Appropriations Act, 2012 also provides a full fiscal year obligation limitation on any contract authority that is made available to FTA programs funded from the Mass Transit Account of the Highway Trust Fund during this fiscal year.

On January 11, 2012, FTA published an apportionments notice that apportioned the FY 2012 authorized contract authority among potential program recipients based on contract authority that was available from October 1, 2011 through March 31, 2012 (see **Federal Register** Volume 77, No.7). That notice also provided relevant information about the FY 2012 funding available, program requirements, period of availability, prior year unobligated balances, and other related program information and highlights. A copy of that notice and accompanying tables can be found on the FTA Web site at <http://www.fta.dot.gov/apportionments>.

This document apportions the currently available FY 2012 authorized contract authority among potential program recipients according to statutory formulas in 49 U.S.C. Chapter 53 and allocates Section 5309 Bus and Bus Facilities funds to bus testing and the Fuel Cell program.

Tables displaying the funds available to eligible states and urbanized areas have been posted on FTA's Web site at <http://www.fta.dot.gov/apportionments>. The table below displays funds allocated to bus testing and the Fuel Cell program. FTA will issue a supplemental notice at a later date if

additional contract authority becomes available. This notice does not include reprogramming of discretionary funds that lapsed to the designated project as of September 30, 2011 or the allocation of FY 2012 discretionary resources.

FY 2012 BUS AND BUS FACILITIES ALLOCATIONS

State	Project ID	Project description/name	Amount allocated
CA, GA, MA .....	E2012-BUSP-018 .....	Fuel Cell Bus Program .....	\$13,500,000
PA .....	E2012-BUSP-019 .....	Bus Testing .....	3,000,000
FY 2012 Total .....	.....	.....	16,500,000

Issued in Washington, DC, this 4th day of May 2012.

**Peter Rogoff,**  
Administrator.

[FR Doc. 2012-11203 Filed 5-8-12; 8:45 am]

**BILLING CODE P**

**DEPARTMENT OF TRANSPORTATION**

**National Highway Traffic Safety Administration**

[Docket No. NHTSA-2012-0050]

**National Emergency Medical Services Advisory Council (NEMSAC); Notice of Federal Advisory Committee Meeting**

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), U.S. Department of Transportation (DOT).

**ACTION:** Meeting notice—National Emergency Medical Services Advisory Council.

**SUMMARY:** The NHTSA announces a meeting of NEMSAC to be held in the Metropolitan Washington, DC area. This notice announces the date, time, and location of the meeting, which will be open to the public. The purpose of NEMSAC is to provide a nationally recognized council of emergency medical services representatives and consumers to provide advice and recommendations regarding Emergency Medical Services (EMS) to DOT's NHTSA.

**DATES:** The meeting will be held on May 30, 2012, from 10 a.m. to 5 p.m. EDT, and on May 31, 2012, from 8 a.m. to 12 p.m. EDT. A public comment period will take place on May 30, 2012 between 3:30 p.m. and 4:30 p.m. EDT. Written comments must be received by May 25, 2012.

**ADDRESSES:** The meeting will be held on the 8th floor of the FHI 360 Conference

Center at 1825 Connecticut Avenue NW., Washington, DC 20009.

**FOR FURTHER INFORMATION CONTACT:** Drew Dawson, Director, U.S. Department of Transportation, Office of Emergency Medical Services, 1200 New Jersey Avenue SE., NTI-140, Washington, DC 20590, telephone number 202-366-9966; email [Drew.Dawson@dot.gov](mailto:Drew.Dawson@dot.gov).

**SUPPLEMENTARY INFORMATION:** Notice of this meeting is given under the Federal Advisory Committee Act, Public Law 92-463, as amended (5 U.S.C. App.). The NEMSAC will meet on Wednesday and Thursday, May 30-31, 2012, on the 8th floor of the FHI 360 Conference Center at 1825 Connecticut Avenue NW., Washington, DC 20009.

**Tentative Agenda of National EMS Advisory Council Meeting, May 30-31, 2012**

The tentative agenda includes the following:

*Wednesday, May 30, 2012 (10 a.m. to 5 p.m. EDT)*

- (1) Opening Remarks
- (2) Introduction of Members and All in Attendance
- (3) Review and Approval of Minutes of Last Meeting
- (4) Update From NHTSA Office of EMS
- (5) Federal Partner Update
- (6) Review of the NEMSAC Roundtable on the EMS Education Agenda for the Future Meeting Results
- (7) Public Comment Period (3:30 p.m. to 4:30 p.m. EDT)
- (8) Business of the Council

*Thursday, May 31, 2012 (8 a.m. to 12 p.m. EDT)*

- (1) Presentations from NEMSAC Committees
- (2) Deliberations of Committee Documents
- (3) Voting To Finalize Several NEMSAC Advisories and Recommendations

(4) Unfinished Business/Continued Discussion From Previous Day

(5) Next Steps and Adjourn

**Public Attendance:** This meeting will be open to the public. There will not be a teleconference option for this meeting. Individuals wishing to attend must register online at [www.regonline.com/NEMSAC1](http://www.regonline.com/NEMSAC1) no later than May 25, 2012.

**Public Comment:** Members of the public who wish to make comments on Wednesday, May 30, 2012, between 3:30 p.m. and 4:30 p.m. EDT are requested to register in advance. In order to allow as many people as possible to speak, speakers are requested to limit their remarks to 5 minutes. Written comments from members of the public will be distributed to NEMSAC members at the meeting and should reach the NHTSA Office of EMS by May 25, 2012. All submissions received may be submitted by either one of the following methods: (1) You may submit comments by email: [nemsac@dot.gov](mailto:nemsac@dot.gov), or (2) you may submit comments by fax: 202-366-7149.

A final agenda as well as meeting materials will be available to the public online through [www.ems.gov](http://www.ems.gov) prior to May 30, 2012.

Issued on: May 4, 2012.

**Jeffrey P. Michael,**

Associate Administrator for Research and Program Development.

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