

anticipated to eliminate the existing deficiencies in Lower Manhattan subway service noted above and generate positive impacts for Lower Manhattan businesses, residents, workers, and visitors. In light of this, and in consideration of other new construction activity that is expected to occur in Lower Manhattan over the next decade, it is anticipated that construction-related impacts from the proposed project may be the most important aspect of the environmental evaluation under NEPA. Potential effects associated with the construction phase include noise, business disruption, and impacts on pedestrian and vehicular traffic, air quality, and historic resources. The cumulative effects of construction of this project and other Lower Manhattan recovery projects will be a major focus of the evaluation.

The long-term operational issues and impacts of the alternatives to be considered in the EIS include economic development; land acquisition; historic, archaeological, and cultural resources; visual and aesthetic qualities; air quality; noise and vibration; safety and security; utilities; and transportation impacts. In addition, the EIS will describe the methodology used to assess impacts; identify the affected environment; and identify opportunities and measures for mitigating adverse impacts. Principles of environmental construction management, resource protection and mitigation measures, and NYCT's "Design for the Environment" guidelines (2002) will be considered for incorporation into the Build Alternatives.

VIII. FTA Procedures

During the NEPA process, FTA will also comply with the requirements of the National Historic Preservation Act, Section 4(f) of the Department of Transportation Act (49 U.S.C. 303), the Clean Air Act, and other applicable environmental statutes, rules, and regulations, in accordance with FTA procedures.

Through the NEPA scoping process and as project development advances, it will be determined whether certain elements of the Full Build Alternative should be advanced independently or in combination with other elements, or be deferred for evaluation at a future time, in order to meet the transportation needs of redeveloping Lower Manhattan with minimal impact and in a timely manner.

If there are no major changes to the proposed action, a Draft EIS will be prepared and made available for public and agency review and comment. One

or more public hearings will be held on the Draft EIS. On the basis of the Draft EIS and the public and agency comments thereon, a locally preferred alternative will be selected and will be fully described and further developed in the Final EIS.

Issued on: March 31, 2003.

Susan E. Schrueth,

Director, Lower Manhattan Recovery Office.

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2002-13219; Notice 2]

Decision That Nonconforming 2002 Ferrari 360 Passenger Cars Manufactured Before September 1, 2002, Are Eligible for Importation

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Notice of decision by NHTSA that nonconforming 2002 Ferrari 360 Passenger Cars manufactured before September 1, 2002, are eligible for importation.

SUMMARY: This notice announces the decision by NHTSA that 2002 Ferrari 360 passenger cars manufactured before September 1, 2002, that were not originally manufactured to comply with all applicable Federal motor vehicle safety standards are eligible for importation into the United States because they are substantially similar to vehicles originally manufactured for importation into and sale in the United States and certified by their manufacturer as complying with the safety standards (the U.S. certified version of the 2002 Ferrari 360 passenger car manufactured before September 1, 2002), and they are capable of being readily altered to conform to the standards.

DATES: This decision is effective as of the date of its publication in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Coleman Sachs, Office of Vehicle Safety Compliance, NHTSA (202-366-3151).

SUPPLEMENTARY INFORMATION:

Background

Under 49 U.S.C. 30141(a)(1)(A), a motor vehicle that was not originally manufactured to conform to all applicable Federal motor vehicle safety standards shall be refused admission into the United States unless NHTSA has decided that the motor vehicle is

substantially similar to a motor vehicle originally manufactured for importation into and sale in the United States, certified under 49 U.S.C. 30115, and of the same model year as the model of the motor vehicle to be compared, and is capable of being readily altered to conform to all applicable Federal motor vehicle safety standards.

Petitions for eligibility decisions may be submitted by either manufacturers or importers who have registered with NHTSA pursuant to 49 CFR part 592. As specified in 49 CFR 593.7, NHTSA publishes notice in the **Federal Register** of each petition that it receives, and affords interested persons an opportunity to comment on the petition. At the close of the comment period, NHTSA decides, on the basis of the petition and any comments that it has received, whether the vehicle is eligible for importation. The agency then publishes this decision in the **Federal Register**.

G&K Automotive Conversion, Inc. of Santa Ana, California ("G&K") (Registered Importer 90-007) petitioned NHTSA to decide whether 2002 Ferrari 360 passenger cars manufactured before September 1, 2002, are eligible for importation into the United States. NHTSA published notice of the petition on September 10, 2002 (67 FR 57479), to afford an opportunity for public comment. The reader is referred to that notice for a thorough description of the petition.

One comment was received in response to the notice of petition, from a law firm representing Ferrari North America, Inc. ("FNA"), the U.S. representative of the vehicle's manufacturer. In this comment, FNA took issue with the extensiveness of the modification described in the petition as necessary to conform non-U.S. certified 2002 Ferrari 360 passenger cars manufactured before September 1, 2002, to certain of the Federal motor vehicle safety standards. FNA contended that if import eligibility were to be granted to those vehicles, that decision, insofar as it involved conformity with the Federal motor vehicle safety standards, would have to be made on the same basis as the decision to grant import eligibility to the non-U.S. certified 2001 Ferrari 360 that was published on April 10, 2002, at 67 FR 17483 (Docket No. NHTSA-2001-9628).

FNA also noted that G&K had stated in the petition that it would modify non-U.S. certified Ferrari 360 passenger cars manufactured before September 1, 2002, to the Bumper Standard at 49 CFR part 581, but stated in a subsequent letter to the agency that "[a]t this time we will be replacing the bumpers with