

example, if prior to completion of NEPA documentation, all TDM measures are eliminated from consideration and the sole remaining question is the determination of an alignment for a highway capacity-expanding project (which may include TDM), subsequent project development activities are not exempt from highway sanctions.

The FHWA may not approve preliminary engineering for final design of a project, nor can approval be granted for a project's plans, specifications, and estimates (PS&E) after initiation of highway sanctions for projects that are not exempt under this policy. Neither right-of-way nor any necessary equipment may be purchased or leased with Federal funds for nonexempt projects while an area is under sanction. Federally-funded construction may not in any way begin on a project that does not meet the exemption criteria described in this policy while an area is under sanction.

Highway sanctions apply to those projects whose funds have not yet been obligated by the FHWA by the date the highway sanction applies. Those projects that have already received approval to proceed and had obligated funds before the EPA imposes the prohibition may proceed even while the area is under sanction, if no other FHWA action is required to proceed. In the case of a phased project, only those phases that have been approved and had obligated funds prior to the date of sanction application may proceed. For example, if preliminary engineering for a project was approved and funds were obligated prior to application of sanctions but no approval was secured for later project phases (such as right-of-way acquisition, construction, etc.), preliminary engineering could proceed while the highway sanction applies but no subsequent phases of the project could proceed with Federal highway funds unless the total project meets the exemption criteria in this policy. These restrictions pertain only to project development activities that are to be approved or funded under Title 23. Activities funded under title 49, U.S.C., or through State or other funds may proceed even after highway sanctions have been imposed unless: (1) approval or action by FHWA under title 23 is required; and (2) they do not otherwise meet the exemption criteria of this policy statement.

#### F. Other Environmental Requirements

Exemption of a transportation project from the section 179(b)(1) highway sanctions does not waive any applicable requirements under the NEPA (e.g., environmental documents), section

176— of the CAA (conformity requirement), or other Federal law.

**Authority:** 42 U.S.C. 7509(b); 23 U.S.C. 315; and 49 CFR 1.48.

Issued on: June 22, 1995.

**Rodney E. Slater,**

*Federal Highway Administrator.*

[FR Doc. 95-16103 Filed 6-29-95; 8:45 am]

BILLING CODE 4910-22-P

#### Maritime Administration

[Docket S-921]

**Matson Navigation Company, Inc.;**  
**Notice of Application for Written**  
**Consent Pursuant to Section 506 of the**  
**Merchant Marine Act, 1936, as**  
**amended, for the Transfer of the**  
**President Hoover, President Grant, and**  
**President Tyler to the Domestic Trade**

Notice is hereby given that Matson Navigation Company, Inc. (Matson), by letter of June 19, 1995, requests a waiver of the provisions of section 506 of the Merchant Marine Act, 1936, as amended (Act), so as to permit Matson to operate in exclusively domestic service during the year commencing December 1, 1995, the U.S.-Flag C-8 containerships the President Hoover, President Grant, and President Tyler (Vessels) not to exceed six months, with respect to each vessel, during that year period. The Vessels were built in the United States with the aid of construction-differential subsidy (CDS), and are currently owned by American President Lines, Ltd. (APL). Matson intends to purchase the Vessel from APL.

Matson states that it intends to use the C-8S both in its Transpacific Alliance (Alliance) service, as well as in its Pacific Coast Shuttle (PCS) service, where they will engage on voyages among Vancouver, British Columbia, Canada; Seattle, Washington; Los Angeles and Oakland, California. The itinerary of the Alliance service vessels westbound will involve departures from California ports with calls at Honolulu and Guam outbound before arrival as Asian ports. The outbound calls at Hawaii and Guam are specifically permitted under section 506 of the Act. Matson explains that due to operational exigencies involved in the start-up of the Alliance service, it is likely that the Vessels will have to be used interchangeably among the Alliance and PCS services for an indefinite period. However, Matson indicates that only two of the Vessels will be used in the PCS service at any time. Acquisition of the C-8s will mean that the PCS can be expanded to a twice weekly service, and

that Oakland, CA can be added as port of call.

Any person, firm, or corporation having any interest in the application for section 506 consent and desiring to submit comments concerning Matson's request must by 5:00 p.m. on July 17, 1995, file written comments in triplicate, to the Secretary, Maritime Administration, Room 7210, Nassif Building, 400 Seventh Street, SW., Washington, D.C. 20590. The Maritime Administration, as a matter of discretion, will consider any comments submitted and take such action as may be deemed appropriate.

(Catalog of Federal Domestic Assistance Program No. 20.800 Construction-Differential Subsidies (CDS)).

By Order of the Maritime Administrator.

Dated: June 27, 1995.

**Joel C. Richard,**

*Secretary, Maritime Administration.*

#### Federal Transit Administration

**Environmental Impact Statement on**  
**the Introduction of Transportation**  
**Improvements on the East Side of New**  
**York County, NY**

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

**ACTION:** Notice of intent to prepare an environmental impact statement.

**SUMMARY:** The FTA, the Federal Highway Administration (FHWA) and the New York City Transit Authority (NYC Transit) are issuing this notice to advise the public and all other interested parties that in accordance with the National Environmental Policy Act (NEPA), an Environmental Impact Statement (EIS) will be prepared for transportation improvements that will improve mobility on the east side of the island of Manhattan within the City of New York. NYC Transit will ensure that the EIS also satisfies the requirements of the State of New York Environmental Quality Review Act and the intent of the City of New York Environmental Quality Act. The Draft EIS (DEIS) will include a Major Investment Study (MIS) in accordance with the joint FTA/FHWA Metropolitan Planning Requirements, 23 CFR part 450.

High levels of auto congestion in the study area influence the region's ability to meet National Ambient Air Quality standards. The MIS/DEIS process will clearly identify these and other mobility problems in the study area and evaluate any alternative actions generated through the scoping process. Among the alternatives that the MIS/DEIS effort will evaluate are the No-Action and

Transportation Systems Management (TSM) alternatives; a new subway line; light rail transit; elevated rail transit, jitney bus services and ferry services; special bus lanes and fixed bus guideways, including along the Franklin Delano Roosevelt Drive; buses powered by overhead wires; and feasible combinations of options. Scoping will be accomplished through correspondence and meetings with interested persons, organizations, and federal, state and local agencies, and will culminate with centrally located afternoon and evening public meetings.

**DATES: Comment Due Date:** Written comments on the scope of alternatives and impacts to be considered should be sent to James Dubbs, Assistant Director of Government and Community Relations (718) 694-5141, NYC Transit, 130 Livingston St., Room 3011D, Brooklyn, NY 11201 by August 7, 1995. **Scoping Meetings:** Public scoping meetings will be held on Tuesday, July 26, 1995, 3 pm and 6 pm, at Metropolitan Transportation Authority Headquarters, 347 Madison Avenue (between 44th and 45th St.), 5th floor, New York, NY 11007.

**FOR FURTHER INFORMATION CONTACT:** James Dubbs, NYC Transit Assistant Director of Government and Community Relations at the above address, PHONE: (718) 694-5141, FAX: (718) 488-6539; Letitia Thompson, FTA Deputy Regional Administrator, 26 Federal Plaza, Suite 2940, NY, NY 10278, PHONE: (212) 264-8162, FAX: (212) 264-8973; or Harold Brown, FHWA Division Administrator, Leo O'Brian Federal Building, Albany, NY 12207, PHONE: (518) 431-4127, FAX: (518) 431-4121.

#### SUPPLEMENTARY INFORMATION

##### Scoping

FTA, FHWA and the NYC Transit invite interested individuals, organizations, and federal, state and local agencies to participate in defining the alternatives to be evaluated in the EIS and identifying any significant social, economic, or environmental issues related to the alternatives. An information packet describing the purpose of the project, the proposed alternatives, the impact areas to be evaluated, the citizen involvement program, and the preliminary project schedule is being mailed to affected federal, state and local agencies and to interested parties on record. Others may request the scoping materials by contacting James Dubbs at the NYC Transit office at the address above or by calling him at (718) 694-5141. Scoping comments may be made verbally at either of the public scoping meetings or

in writing. See the **DATES** section above for locations and times. During scoping, comments should focus on identifying specific social, economic or environmental impacts to be evaluated and suggest alternatives which are less costly or less environmentally damaging while achieving similar transit objectives. Anyone wishing to be placed on a mailing list to receive further information as the project develops should contact James Dubbs as previously described.

##### Description of the Study Area and Project Need

The study area is approximately 12 miles in length extending in a north/south direction along the east side of the Borough of Manhattan from South Ferry in Manhattan to 164th Street in the Bronx. In the Bronx, the study area boundaries are from St. Ann's Avenue west to the Harlem River. In Manhattan, from 125th Street to Washington Square North, the study area boundaries are from the East River to Fifth Avenue. From Washington Square North (Waverly Place) to Battery Park, the Study Area boundaries are from the East River to Broadway. The Study Area will also include the route of the NYCT Broadway Line (N,R) from 63rd Street to the Whitehall St. South Ferry Station. There are a number of surface and rapid transit routes that enter the Study Area from regions outside the Study boundaries. The Study Area boundaries outlined herein provide a rough guide and are to be considered flexible and dependent upon the outcome of the scoping process.

Removal of elevated transit lines serving north/south routes along Manhattan's east side in the 1940s and 1950s, combined with growth in population and commercial development in that area, have resulted in excess ridership demand on remaining transit facilities. In the 1960s, planning and design work was conducted for a proposed subway line along Second Avenue. Construction of the line was initiated in the 1970s. Though some segments of the Second Avenue Subway were constructed, work was suspended due to fiscal constraints. As a consequence, the demand for subway service in the study area still exceeds supply.

Similar to the subway system, the local north-south arterials in the study area and the Franklin Delano Roosevelt (FDR) Drive are overtaxed during the peak period. The high levels of auto congestion in the study area influences the New York Metropolitan region's ability to meet National Ambient Air Quality standards.

The purpose of the MIS/DEIS process is, in coordination with a regional framework of transportation studies, to thoroughly examine the long term needs and available options for improving mobility in the north/south corridors on Manhattan's East Side and identify a preferred investment strategy that will address the mobility needs in a cost-effective, equitable, and publicly acceptable manner.

This MIS/DEIS effort is in its preliminary stages. While study efforts over the past several months have included a significant amount of data gathering, review of past work, and initial public involvement, public involvement regarding issues and alternatives to be studied are still being sought.

##### Alternatives

The alternatives proposed for evaluation include: No-Action which involves no change to transportation services or facilities in the corridor beyond already committed projects; the TSM alternative, which consists of low-to-medium cost improvements to the facilities and operations of existing transportation services; Lexington Avenue (4/5/6) subway service improvements, which might include installing new technology signals, higher capacity trains or stations; a north/south subway route, which could extend along part or all of Manhattan's east side (e.g. under Second Avenue); a commuter rail service extension south of Grand Central Terminal; various bus strategies including fixed busways and buses powered by overhead wires, including along the FDR Drive; light rail service; elevated rail service; jitney services; ferry services; and, the introduction of new stations on commuter rail lines north of Grand Central Station and cross-town subway routes east of Lexington Ave.

Other reasonable alternatives proposed during the scoping process will also be considered.

##### Probable Effects/Potential Impacts for Analysis

FTA, FHWA and NYC Transit plan to evaluate in the MIS/DEIS all social, economic, and environmental impacts of the proposed alternatives. Among the primary issues are the expected increase in transit ridership, impacts on highway and local street usage, the capital outlays needed to construct the project, the cost of operating and maintaining the facilities created by the project, and the financial impacts on the funding agencies. Impacts to the markets outside the study area will be examined as well. Environmental and social impacts for

analysis include land use and neighborhood impacts, traffic and parking impacts near stations, visual impacts, impacts on cultural resources, and noise and vibration impacts. Impacts on natural areas, rare and endangered species, air and water quality, groundwater, and geologic forms will also be covered. The impacts will be evaluated both for the construction period and for the long-term period of operation. Measures to mitigate significant adverse impacts will be considered.

#### **FTA and FHWA Procedures**

In accordance with Federal Transit Laws, the Federal Aid Highway Act and FTA/FHWA regulations and policies, the MIS/DEIS will be prepared in conjunction with an analysis of alternatives and initial Conceptual Engineering. After its publication, the MIS/DEIS will be available for public and agency review and comment, and a public hearing will be held. On the basis of the MIS/DEIS and the comments received, and with input from the Project Steering Committee, The Technical Advisory Committee, and the Public Advisory Committee, the

Metropolitan Transportation Authority will select a locally preferred alternative for a major investment strategy. The Regional Transportation Plan and Transportation Improvement Plan will be revised to incorporate the selected strategy. Approval will be sought from FTA and FHWA to continue with Preliminary Engineering and to prepare a Final EIS.

Issued on: June 26, 1995.

**Thomas J. Ryan,**

*Regional Administrator, Federal Transit Administration.*

[FR Doc. 95-16151 Filed 6-29-95; 8:45 am]

BILLING CODE 4910-57-P