

## Proposed Action Background

The FHWA and WSDOT will prepare an EIS on the proposed widening of the SR 502 Corridor (NE 219th Street) in north Clark County from a two-lane roadway to a four lane roadway with a median barrier separating westbound and eastbound travel. The SR 502 Corridor Widening is proposed between NE 15th Avenue and NE 102nd Avenue, for a length of approximately 5 miles. The project also proposes to construct paved shoulders for pedestrian and bicycle use, stormwater facilities, and three new signalized intersections on SR 502 at NE 29th Avenue, NE 50th Avenue, and NE 92nd Avenue in addition to the existing signalized intersection on SR 502 at NE 72nd Avenue (Dollars Corner). These improvements are proposed to address the current and future deficiencies related to mobility and safety on the SR 502 corridor.

The SR 502 Corridor Widening Project began as an Environmental Assessment (EA) in early 2007. One agency scoping meeting and one public scoping meeting were held on February 22, 2007 to identify issues and concerns as well as provide input into establishing a range of alternatives for the project. A wide range of alternatives were considered between February and September 2007. Six "on-corridor" alternatives, including widening the existing facility directly to either the north or south of the existing facility, or equally on both sides from the centerline, were studied. Additionally, two "off-corridor" alternatives, which considered constructing a new roadway for SR 502 further north or south of the existing corridor, were studied. Four public open house meetings were held to gather public input on the range of alternatives being considered for the project on: March 27, 2007; May 9, 2007; June 14, 2007; and September 27, 2007. These public meetings resulted in strong public support for one "on-corridor" alternative, which was forwarded for further detailed environmental study along with the no action alternative. As draft environmental discipline studies of the possible effects of the potential alternatives were conducted, it was determined that the widening of the SR 502 corridor may substantially affect the quality of the human and natural environment and may benefit from a more detailed analysis. Therefore, the FHWA and WSDOT elected to prepare an EIS.

## Alternatives

The ETS will address, at a minimum, the no action alternative and the following action alternative:

*On-corridor Widening Alternative:* This alternative would widen the existing SR 502 facility to four general purpose travel lanes from just west of NE 15th Avenue to NE 102nd Avenue. Along the entire SR 502 corridor, two lanes would be constructed in each direction with a median barrier separating westbound and eastbound travel between the four signalized intersections at NE 29th Avenue, NE 50th Avenue, NE 72nd Avenue (Dollars Corner), and NE 92nd Avenue. Paved shoulders that could be used by pedestrians and bicyclists would also be constructed the length of the corridor. Curb and sidewalk would accommodate additional pedestrian travel through the Dollars Corner rural commercial center between roughly NE 67th Avenue and the 7600 block of SR 502. Except at the four signalized intersections, turns to and from SR 502 would be restricted to right-in/right-out turning movements. Stormwater treatment facilities would collect, detain, treat, and discharge stormwater runoff from new impervious surface that results from the roadway widening.

## Probable Effects

The FHWA and WSDOT will evaluate all transportation, environmental, social, and economic effects of the alternatives. Potential areas of impact include: Natural and cultural resources; land use; social and economic elements; and, traffic and noise. All effects will be evaluated for both the construction period and the long-term period of operation. Indirect and cumulative impacts will also be evaluated. Measures to avoid, minimize, and mitigate any significant effects will be developed.

## Scoping

*Agency Coordination:* The project sponsors are working with the local, state and federal resource agencies to implement regular opportunities for coordination during the National Environmental Policy Act (NEPA) process. This process will comply with SAFETEA-LU section 6002.

*Tribal Coordination:* The formal Tribal government consultation will occur through government-to-government collaboration.

The date and address of the public scoping meeting is given in the **DATES** section above. The WSDOT assures full compliance with Title VI of the Civil Rights Act of 1964 by prohibiting

discrimination based on race, color, national origin and sex in the provision of benefits and services. For language interpretation services please contact Chris Tams at (360) 759-1310 or 1 (866) 279-0730. For information on the WSDOT Title VI Program, please contact the Title VI Coordinator at (360) 705-7098.

To ensure that a full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from interested parties. Comments or questions concerning this proposal will be accepted at the public meeting or may be sent to the Washington State Department of Transportation Southwest Region 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 7, 2008.

**Dean Moberg,**

*FHW Area Engineer, Olympia.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

### Notice of Final Federal Agency Actions on Proposed Highway in Lawrence, KS

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

**ACTION:** Notice of Limitation on Claims for Judicial Review of Actions by FHWA and other Federal Agencies.

**SUMMARY:** This notice announces actions taken by the FHWA and other Federal agencies that are final within the meaning of 23 U.S.C. 139(l)(1). The actions relate to a proposed highway project, the South Lawrence Trafficway, K-10 Highway in Lawrence, Douglas County, Kansas. Those actions grant approvals for the project.

**DATES:** By this notice, the FHWA is advising the public of final agency actions subject to 23 U.S.C. 139(l)(1). A claim seeking judicial review of the Federal agency actions of the highway project will be barred unless the claim is filed within 180 days of this notice. If the Federal law that authorizes judicial review of a claim provides a time period of less than 180 days for filing such claim, then that shorter time period still applies.

**FOR FURTHER INFORMATION CONTACT:** For FHWA: Mr. J. Michael Bowen, P.E., Division Administrator, Federal Highway Administration, 6111 SW 29th Street, Topeka, Kansas 66509, Telephone (785) 228-2544. The Kansas Division Office's normal business hours are 7:30 a.m. to 4 p.m. (central time). For the Kansas Department of Transportation (KDOT): Mr. Joe Erskine, Deputy Secretary for Finance and Administration, 700 SW Harrison Street, Topeka, Kansas 66603-3745, Telephone (785) 296-3461. For USACE: Mark Frazier, Chief, Regulatory Branch, U.S. Army Corps of Engineers, Kansas City District, 601 E 12th Street, Attn: OD-R, Room 706, Kansas City, MO 64106; telephone (816) 389-3990.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the FHWA and other Federal agencies have taken final agency actions by issuing approvals for the following highway project in Kansas: the South Lawrence Trafficway, K-10 Highway beginning at the intersection of K-10 and US-59 highway in Lawrence, Kansas and proceeding eastward along the 32nd Street corridor to a point east of 1750 Road on existing K-10 Highway. The project will be a 5.61 mile long, access controlled four-lane highway on new alignment. The actions by the Federal agencies, and the laws under which such actions were taken, are described in the 2002 Final Environmental Impact Statement (FEIS) and the 2007 Final Section 4(f) Evaluation for the project, and approved in the FHWA Record of Decision (ROD) issued on May 9, 2008, and in other documents in the FHWA project files. The FEIS, Section 4(f) Evaluation, ROD and other project records are available by contacting the FHWA or KDOT at the addresses provided above. The FHWA FEIS, Section 4(f) Evaluation, and ROD can be viewed and downloaded from the project Web site at <http://www.southlawrencetrafficway.org>. The USACE decision and permit (USACE Permit 200101697) are available by contacting USACE at the address provided above. This notice applies to all Federal agency decisions as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. *General:* National Environmental Policy Act (NEPA) [42 U.S.C. 4321-4351]; Federal-Aid Highway Act [23 U.S.C. 109].

2. *Land:* Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303]; Landscaping and Scenic Enhancement (Wildflowers) [23 U.S.C. 319].

3. *Wildlife:* Endangered Species Act [16 U.S.C. 1531-1544 and Section 1536]; Fish and Wildlife Coordination Act [16 U.S.C. 661-667(d)]; Migratory Bird Treaty Act [16 U.S.C. 703-712].

4. *Historic and Cultural Resources:* Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470(f) *et seq.*]; Archaeological and Historic Preservation Act [16 U.S.C. 469-469(c)].

5. *Social and Economic:* Civil Rights Act of 1964 [42 U.S.C. 2000(d)-2000(d)(1)]; Farmland Protection Policy Act (FPPA) [7 U.S.C. 4201-4209].

6. *Safe Drinking Water Act (SDWA)* [42 U.S.C. 300(f)-300(j)(6)]; *Flood Disaster Protection Act* [42 U.S.C. 4001-4128]; *Clean Water Act (Section 404, Section 401, Section 319)* [33 U.S.C. 1251-1377]; *Wetlands Mitigation* [23 U.S.C. 103(b)(6)(M) and 133(b)(11)].

7. *Executive Orders:* E.O. 11990, *Protection of Wetlands*; E.O. 11988, *Floodplain Management*; E.O. 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations*; E.O. 11593, *Protection and Enhancement of Cultural Resources*; E.O. 13007, *Indian Sacred Sites*; E.O. 13287, *Preserve America*; E.O. 13175, *Consultation and Coordination with Indian Tribal Governments*; E.O. 11514, *Protection and Enhancement of Environmental Quality*; E.O. 13112, *Invasive Species*.

(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.)

**Authority:** 23 U.S.C. 139(l)(1).

Issued on: May 9, 2008.

**Norbert Muñoz,**

*Assistant Division Administrator, Federal Highway Administration, Topeka, Kansas.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

**[Docket No. FMCSA-99-5578, FMCSA-99-6156, FMCSA-99-6480, FMCSA-00-7006, FMCSA-00-7165, FMCSA-04-17195, FMCSA-06-23773, FMCSA-06-24015]**

### Qualification of Drivers; Exemption Applications; Vision

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

**ACTION:** Notice of renewal of exemptions; request for comments.

**SUMMARY:** FMCSA announces its decision to renew the exemptions from the vision requirement in the Federal Motor Carrier Safety Regulations for 25 individuals. FMCSA has statutory authority to exempt individuals from the vision requirement if the exemptions granted will not compromise safety. The Agency has concluded that granting these exemption renewals will provide a level of safety that is equivalent to, or greater than, the level of safety maintained without the exemptions for these commercial motor vehicle (CMV) drivers.

**DATES:** This decision is effective June 3, 2008. Comments must be received on or before June 16, 2008.

**ADDRESSES:** You may submit comments bearing the Federal Docket Management System (FDMS) Docket ID FMCSA-99-5578, FMCSA-99-6156, FMCSA-99-6480, FMCSA-00-7006, FMCSA-00-7165, FMCSA-04-17195, FMCSA-06-23773, FMCSA-06-24015, using any of the following methods.

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

- *Mail:* Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.

- *Hand Delivery or Courier:* West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

- *Fax:* 1-202-493-2251.

Each submission must include the Agency name and the docket number for this Notice. Note that DOT posts all comments received without change to <http://www.regulations.gov>, including any personal information included in a comment. Please see the Privacy Act heading below.

*Docket:* For access to the docket to read background documents or comments, go to <http://www.regulations.gov> at any time or Room W12-140 on the ground level of the West Building, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The FDMS is available 24 hours each day, 365 days each year. If you want acknowledgment that we received your comments, please include a self-addressed, stamped envelope or