

The Wisconsin Department of Transportation has met with local public officials and has created a Local Advisory Committee to include as much local and public input as possible. This type of local coordination and public involvement assisted in the identification of alternatives to be evaluated in the EIS, and will aid in the eventual selection of a preferred alternative.

Public involvement will be solicited throughout this process. Public information meetings will be held during the project study. Public notice will be given as to the time and place of all workshops and public information meetings. All meetings and workshops will be held at accessible times and locations.

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. Additional information may be found on the project Web site at: <http://www.dot.wisconsin.gov/projects/d3/wis15/index.htm>. Comments and questions concerning the proposed action and the Environmental Impact Statement 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.)

**Authority:** 23 U.S.C. 315; 49 CFR 1.48.

Issued on: October 21, 2008.

**Mark Chandler,**

*Design and Environment Engineer, Federal Highway Administration, Madison, Wisconsin.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice of Final Federal Agency Actions on Proposed Transportation Project in Washington State

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

**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 the proposed Interstate

90 (I-90) Snoqualmie Pass East Project, located between Hyak and Easton (Milepost 55.1 to 70.3) in the County of Kittitas, within the State of Washington. Those actions grant licenses, permits, and approvals for the project. The project will add one additional lane eastbound and westbound within a 15-mile section of I-90. Specific actions include acquiring additional easement and right-of-way, replacing the existing snowshed, replacing and adding new bridges and culverts, adding snow support structures (avalanche control), extending chain up/off areas, adding wildlife overcrossings, removing and placing fill, removing vegetations and trees, and providing stormwater treatment for both new and existing surfaces. The project also includes extensive mitigation and restoration actions which are compatible with land use plans.

**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 on the listed highway project will be barred unless the claim is filed on or before April 27, 2009. 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:**

Liana Liu, Area Engineer; Address: 711 S. Capitol Way, Suite 501, Olympia, WA; The Area Engineer's regular office hours are: Monday-Friday 8 a.m.-4:30 p.m.; Telephone: (360) 753-9553; e-mail address: [Liana.Liu@fhwa.dot.gov](mailto:Liana.Liu@fhwa.dot.gov). You may also contact Jason W. Smith, WSDOT I-90 Environmental Manager; Address: 1710 S. 24th Avenue, Yakima, WA 98902; Office Hours: Monday-Thursday 8 a.m.-4:30 p.m.; Telephone (509) 577-1921; e-mail address: [SmithJW@wsdot.wa.gov](mailto:SmithJW@wsdot.wa.gov).

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the FHWA and other Federal agencies have taken final agency actions by issuing licenses, permits, and NEPA approval for the I-90 Snoqualmie Pass East Project located in the State of Washington that is listed below. The first five miles of construction (beginning at MP 55.1) is funded and constructing the remaining 10 miles of the project is dependent upon the availability of future funding.

The action by the Federal agencies on a project, and the laws under which such action were taken, are described in the Final Environmental Impact Statement (EIS) issued in connection with the project, and in other project records. The Final EIS and Record of

Decision (ROD), and other project records for the listed project are available by contacting the FHWA or the WSDOT at the addresses provided above. The Final EIS and ROD documents also can be viewed and downloaded electronically, or viewed at the following public libraries, as specified below.

I-90 Snoqualmie Pass East Project  
Web site address: <http://www.wsdot.wa.gov/projects/I90/SnoqualmiePassEast>.

**Area public libraries:**

- Washington State Library
- Seattle Public Library (downtown branch)
- King County Libraries (Bellevue Regional, Issaquah, Lake Hills, Newport Way, and North Bend)
- Ellensburg Library
- Cle Elum Library
- Central Washington University Library

This notice applies to all Federal agency decisions on the listed projects as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

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

**Air:** Clean Air Act, as amended [42 U.S.C. 7401-7671(q)].

**Land:** Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303], Organic Act of 1897 [16 U.S.C. 473 *et seq.*], National Forest Management Act of 1976 [16 U.S.C.].

**Wildlife:** Endangered Species Act [16 U.S.C. 1531-1544]; Anadromous Fish Conservation Act [16 U.S.C. 757(a)-757(g)]; Fish and Wildlife Coordination Act [16 U.S.C. 661-667(d)]; Magnuson-Stevenson Fishery Conservation and Management Act of 1976, as amended [16 U.S.C. 1801 *et seq.*]; Migratory Bird Treaty Act [16 U.S.C. 703-712].

**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 Resources Protection Act of 1977 [16 U.S.C. 470(aa)-11]; Archaeological and Historic Preservation Act [16 U.S.C. 469-469(c)]; Native American Grave Protection and Repatriation Act [25 U.S.C. 3001-3013].

**Social and Economic:** Civil Rights Act of 1964 [42 U.S.C. 2000(d)-2000(d)(1)]; American Indian Religious Freedom Act [42 U.S.C. 1996]; Farmland Protection Policy Act [7 U.S.C. 4201-4209]; the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended [42 U.S.C. 61].

**Wetlands and Water Resources:** Clean Water Act, 33 U.S.C. 1251-1377

(Section 404, Section 401, Section 319); Land and Water Conservation Fund [16 U.S.C. 4601–4604]; Safe Drinking Water Act [42 U.S.C. 300(f)–300(j)(6)]; Rivers and Harbors Act of 1899 [33 U.S.C. 401–406]; TEA–21 Wetlands Mitigation [23 U.S.C. 103(b)(6)(m), 133(b)(11)]; Flood Disaster Protection Act [42 U.S.C. 4001–4128].

*Hazardous Materials:* Comprehensive Environmental Response, Compensation, and Liability Act [42 U.S.C. 9601–9675]; Superfund Amendments and Reauthorization Act of 1986 [PL 99–499]; Resource Conservation and Recovery Act [42 U.S.C. 6901–6992(k)].

*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.

*Final actions taken under:* NEPA Final EIS issuance and Record of Decision by FHWA; Biological Opinion issued by United States Fish and Wildlife Service on August 29, 2008.

*FHWA NEPA documents:* Final EIS published August 29, 2008 and Record of Decision issued October 6, 2008. These documents are available from the agency contacts, WSDOT Web site or libraries identified 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.)

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

Issued on: October 21, 2008.

**Liana Liu,**

*Area Engineer, Olympia, WA.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Agency Request for Emergency Processing of Collection of Information by the Office of Management and Budget

**AGENCY:** Federal Railroad Administration (FRA), Department of Transportation (DOT).

**ACTION:** Notice.

**SUMMARY:** FRA hereby gives notice that it is seeking emergency approval processing from the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (Pub. L. 104–13, 44 U.S.C. Chapter 35) for the information collection request (ICR) listed below. FRA requests that OMB authorize the collection of information identified below on or before October 31, 2008, for a period of 180 days after the date of issuance of this notice in the **Federal Register**. On October 7, 2008, in response to the September 12, 2008, Chatsworth, California, collision of a Union Pacific (UP) freight train and a Metrolink commuter train, which resulted in the deaths of 25 people and numerous injuries, as well as other recent accidents/incidents involving cell phone use and use of electronic/electrical devices, FRA published in the **Federal Register** Emergency Order No. 26 (E.O. 26) (*see* 73 FR 58702) restricting on-duty railroad operating employees' use of cell phones and other distracting electronic and electronic devices. Because E.O. 26 goes into effect on October 27, 2008, and because E.O. 26 imposes information collection requirements that must be fulfilled by the nation's railroads, FRA is seeking emergency approval for the proposed collection of information to enforce compliance with E.O. 26 and to ensure the safety of affected railroad employees and the general public during train operations throughout the United States. **DATES:** Comments must be received no later than November 3, 2008.

**ADDRESSES:** Submit written comments on any or all of the following proposed activities by mail to either: Mr. Robert Brogan, Office of Safety, Planning and Evaluation Division, RRS–21, Federal Railroad Administration, 1200 New Jersey Ave., SE., Mail Stop 17, Washington, DC 20590, or Ms. Nakia Jackson, Office of Information Technology, RAD–20, Federal Railroad Administration, 1200 New Jersey Ave., SE., Mail Stop 35, Washington, DC 20590. Commenters requesting FRA to acknowledge receipt of their respective

comments must include a self-addressed stamped postcard stating, “Comments on OMB control number 2130—New” and the title of the proposed collection of information. Alternatively, comments may be transmitted via facsimile to (202) 493–6216 or (202) 493–6497, or via e-mail to Mr. Brogan at *robert.brogan@dot.gov*, or to Ms. Jackson at *nakia.jackson@dot.gov*. Please refer to the assigned OMB control number in any correspondence submitted.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert Brogan, Office of Planning and Evaluation Division, RRS–21, Federal Railroad Administration, 1200 New Jersey Ave., SE., Mail Stop 17, Washington, DC 20590 (telephone: (202) 493–6292) or Ms. Nakia Jackson, Office of Information Technology, RAD–20, Federal Railroad Administration, 1200 New Jersey Ave., SE., Mail Stop 35, Washington, DC 20590 (telephone: (202) 493–6073). (These telephone numbers are not toll-free.)

**SUPPLEMENTARY INFORMATION:** Below is a brief summary of the currently approved information collection activities that FRA is submitting for clearance by OMB:

*OMB Control Number:* 2130—New.  
*Title:* FRA Emergency Order No. 26, Notice No. 1.

*Type of Request:* Emergency approval.  
*Affected Public:* Businesses.  
*Form Number(s):* N/A.

*Abstract:* Emergency Order No. 26—and its associated collection of information—is FRA's direct and proactive response to the September 12, 2008, Chatsworth, California, collision of a Union Pacific (UP) freight train and a Metrolink commuter train, which resulted in the deaths of 25 people and numerous injuries to train occupants, as well as to other train accidents/incidents involving cell phone use and use of electronic/electrical devices that have occurred throughout the country recently. The collection of information under Emergency Order No. 26 is aimed at ensuring that railroads revise their programs of operational tests and inspections, as necessary, to include the requirements of E.O. 26 and specifically include a minimum number of operational tests and inspections; and at ensuring railroads instruct each of their operating employees and supervisors of railroad operating employees concerning the requirements of E.O. 26 and implementing railroad rules and instructions. The collection of information under E.O. 26 also contains a provision that allows railroads to petition for relief from this Order by adopting other means of ensuring that railroad operating employees are not