

**DEPARTMENT OF TRANSPORTATION****Federal Highway Administration****Notice of Final Federal Agency Actions on Proposed Highway in California**

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

**ACTION:** Notice of Limitation on Claims for Judicial Review of Actions by the California Department of Transportation (Caltrans), pursuant to 23 USC 327, and Other Federal Agencies.

**SUMMARY:** The FHWA, on behalf of Caltrans, is issuing this notice to announce actions taken by Caltrans, and other Federal agencies, that are final within the meaning of 23 U.S.C. 139(l)(1). The actions relate to proposed roadway improvements in mid-Solano County between Interstate 80 (I-80) in Vacaville in the north and State Route 12 (SR12) in Suisun City in the south, in the County of Solano, State of California. Those actions grant licenses, permits, and approvals for the project.

**DATES:** By this notice, the FHWA, on behalf of Caltrans, 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 roadway project will be barred unless the claim is filed on or before January 29, 2012. 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 Caltrans: Melanie Brent, Office Chief, Office of Environmental Analysis, Caltrans District 4, 111 Grand Avenue, MS 8B, Oakland, CA 94612, (510) 286-5231, [Melanie\\_Brent@dot.ca.gov](mailto:Melanie_Brent@dot.ca.gov).

**SUPPLEMENTARY INFORMATION:** Effective July 1, 2007, the Federal Highway Administration (FHWA) assigned, and the California Department of Transportation (Caltrans) assumed, environmental responsibilities for this project pursuant to 23 U.S.C. 327. Notice is hereby given that the Caltrans has taken final agency actions subject to 23 U.S.C. 139(l)(1) by issuing licenses, permits, and approvals for the following roadway project in the State of California: Roadway Improvements within the 12-mile corridor referred to as the Jepson Corridor in Solano County, California. The purposes of the project is to provide a safe, convenient route for local traffic in this portion of Solano County, while providing opportunities for multimodal use and unifying landscape and design features to enhance aesthetics and character of the adjoining communities. It would

upgrade and link a series of existing local two- and four-lane roadways to provide a four- to six-lane north-south travel route for residents who face increasing congestion when traveling between jurisdictions in central Solano County. The actions by the Federal agencies, and the laws under which such actions were taken, are described in the Final Environmental Impact Statement (FEIS) for the project, approved on May 12, 2011, in the FHWA Record of Decision (ROD) issued on June 21, 2011, and in other documents in the FHWA project records. The FEIS, ROD, and other project records are available by contacting Caltrans at the addresses provided above. The Caltrans FEIS and ROD can be viewed and downloaded from the project Web site at <http://www.dot.ca.gov/dist4/envdocs.htm>.

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. National Environmental Policy Act (NEPA) [42 U.S.C. 4321-4351]; Federal-Aid Highway Act [23 U.S.C. 109] and its regulations 23 CFR 772
2. Farmland Protection Policy Act (FPPA) [7 U.S.C. 4201-4209] and its regulations, 7 CFR Ch. VI part 658
3. Antiquities Act of 1906 [16 U.S.C. 431-433]; Federal-Aid Highway Act of 1935 [20 U.S.C. 78]
4. Clean Air Act [42 U.S.C. 7401-7671(q)]
5. U.S. Fish and Wildlife Service (USFWS) mitigation policy for California's riparian habitats in Resource Category 2 (46 FR 7644)
6. Clean Water Act [33 U.S.C. 1344]
7. Federal Endangered Species Act (FESA) [16 U.S.C. 1531] and its regulations, 50 CFR part 402
8. Migratory Bird Treaty Act [16 U.S.C. 703-712]
9. Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470(aa)-11]
10. Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) [42 USC 9601-9675]; Resource Conservation and Recovery Act of 1976 (RCRA)
11. E.O. 11988 Floodplain Management; E.O. 11990 Protection of Wetlands. (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: July 26, 2011.

**Gary Sweeten,**

*North Team Leader, Local Programs, Federal Highway Administration, Sacramento, California.*

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**BILLING CODE 4910-RY-P**

**DEPARTMENT OF TRANSPORTATION****Federal Highway Administration****Notice of Statute of Limitations on Claims; Notice of Final Federal Agency Actions on Proposed Highway in California**

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

**ACTION:** Notice of Limitation on Claims for Judicial Review of Actions by the California Department of Transportation (Caltrans), pursuant to 23 U.S.C. 327.

**SUMMARY:** The FHWA, on behalf of Caltrans, is issuing this notice to announce actions taken by Caltrans, that are final within the meaning of 23 U.S.C. 139(l)(1). The actions relate to a proposed project to replace the Mt. Vernon Avenue Bridge (State Bridge No. 54C-0066) over the Burlington Northern Santa Fe (BNSF) railroad facilities in the City of San Bernardino, County of San Bernardino, in the State of California. Those actions grant licenses, permits, and approvals for the project.

**DATES:** By this notice, the FHWA, on behalf of Caltrans, 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 highway project will be barred unless the claim is filed on or before January 29, 2012. 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 Caltrans: Aaron Burton, Senior Environmental Planner, Environmental Studies "B" Branch Chief, California Department of Transportation, District 8, Division of Environmental Planning, 464 West 4th Street, 6th Floor MS-821, San Bernardino, California 92401, available 8 a.m.-5 p.m. Monday through Friday, phone number (909) 383-2841 or e-mail: [aaron\\_burton@dot.ca.gov](mailto:aaron_burton@dot.ca.gov).

**SUPPLEMENTARY INFORMATION:** Effective July 1, 2007, the Federal Highway Administration (FHWA) assigned, and the California Department of Transportation (Caltrans) assumed environmental responsibilities for, this project pursuant to 23 U.S.C. 327. Notice is hereby given that the Caltrans

has taken final agency actions subject to 23 U.S.C. 139(I)(1) by issuing licenses, permits, and approvals for the following local assistance project in the State of California: The project will involve the removal of the existing bridge structure, construction of a new replacement of a new bridge structure, and improvements to bridge approaches and roadways in the project vicinity. The new replacement bridge will be 317.1 m (1,040 feet) long and 24.4 m (80 feet) wide with four 3.7-m (12-foot) lanes (two in each direction), a 1.2-m (4-foot)-wide median, and 2.4-m (8-foot)-wide shoulders. Sidewalks on each side of the new bridge would be 1.5 m (5 feet) wide and would meet ADA requirements for sidewalk width and slopes, including preservation of existing access directly from the bridge to the Santa Fe Depot and Metrolink Station. Concrete barrier railings (1.1 m [3.5 feet] high) topped with fencing (1.9 m [6.1 feet] high) would be provided on each side of the new bridge. The actions by the Federal agencies, and the laws under which such actions were taken, are described in the Final Environmental Assessment (EA) for the project, approved via issuance of a Finding of No Significant Impact (FONSI) issued on June 27, 2011, and in other documents in the FHWA project records. The EA, FONSI, and other project records are available by contacting Caltrans at the addresses 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) of 1969 [42 U.S.C. 4321–4351]; Growth Related Effects on Environmental Resources: (40 CFR 1508.8); Federal Aid-Highway Act of 1970 [23 U.S.C. 109].

2. *Relocations:* Title VI of the Civil Rights Act of 1964 [42 U.S.C. 2000d, *et seq.*] Federal Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970 and Title 49 Code of Federal Regulations (CFR part 24).

3. *Historic and Cultural Resources:* Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470], Historic Preservation (36 CFR part 800), Caltrans' responsibilities in regard to the Programmatic Agreement (23 CFR part 327).

4. *Water:* Clean Water Act; (Sections 303, 304, 401, 402, and 404); Safe Drinking Water Act.

5. *Traffic and Transportation:* Accessibility Policy and safe accommodation of pedestrians and

bicyclists (23 CFR part 652) and (49 CFR part 27); Rehabilitation Act [29 U.S.C. 794].

6. *Paleontology:* Antiquities Act of 1906 [16 U.S.C. 431–433]; Federal-Aid Highway Act of 1956 [23 U.S.C. 305].

7. *Hazardous Waste:* Resource Conservation and Recovery Act of 1976 (RCRA); Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA); Community Environmental Response Facilitation Act (CERFA) of 1992; Toxic Substances Control Act (TSCA); Occupational Safety & Health Act (OSHA)(Title 29 CFR part 1926); Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).

8. *Clean Air Act*, as amended in 1990 [42 U.S.C. 7401–7671]; (40 CFR 93.126 and 40 CFR 93.127).

9. *Noise:* (23 CFR part 772).

10. *Wetlands and Other Waters:* Clean Water Act (33 CFR part 1344)

11. *Animal and Plant Species:* Federal Endangered Species Act [16 U.S.C. 1531–1544]; Intergovernmental Cooperation—Endangered Species (50 CFR part 402); Fish and Wildlife Coordination Act [16 U.S.C. 661–667(d)]; Migratory Bird Treaty Act [16 U.S.C. 703–712].

12. Executive Orders (EO) 12898 Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations; EO 13166 Improving Access to Services for Persons with Limited English Proficiency; EO 12088 Federal Compliance with Pollution Control; EO 11990 Protection of Wetlands; EO 13112 Prevention and Control of 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(I)(1).

Issued on: July 26, 2011.

**Shawn E. Oliver,**

*South Team Leader, State Programs, Federal Highway Administration.*

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**BILLING CODE 4910-RY-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice of Final Federal Agency Actions on Proposed Highway in Idaho

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

**ACTION:** Notice of Limitation on Claims for Judicial Review of Actions by FHWA.

**SUMMARY:** This notice announces actions taken by the FHWA that are final within the meaning of 23 U.S.C. 139(I)(1). The actions relate to a proposed highway project, Idaho 16, I–84 to Idaho 44 in Ada and Canyon Counties in the State of Idaho [FHWA–ID–EIS–09–01–F, Federal Aid project number A–009(963), and Idaho Transportation Department (ITD), Key Number 009963].

**DATES:** By this notice, the FHWA is advising the public of final agency actions subject to 23 U.S.C. 139(I)(1). A claim seeking judicial review of the Federal agency actions on the highway project will be barred unless the claim is filed on or prior to January 29, 2012. 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. Peter J. Hartman, Division Administrator, Federal Highway Administration, 3050 Lake Harbor Lane, Suite 126, Boise, ID 83703; *telephone:* (208) 334–9180; *e-mail:* [Idaho.FHWA@dot.gov](mailto:Idaho.FHWA@dot.gov). The FHWA Idaho Division Office's normal business hours are 7 a.m. to 4:30 p.m. (Mountain Standard Time). For ITD: Ms. Sue Sullivan, Environmental Section Manager, Idaho Transportation Department, 3311 W. State St., P.O. Box 7129, Boise, ID 83707–1129; *telephone:* (208) 334–8203; *e-mail:* [sue.sullivan@itd.idaho.gov](mailto:sue.sullivan@itd.idaho.gov). Normal business hours are 8 a.m. to 5 p.m. (Mountain Standard Time).

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the FHWA has taken final agency actions subject to 23 U.S.C. 139(I)(1) by issuing approvals for the following highway project in the State of Idaho: Idaho 16, I–84 to Idaho 44 in Ada and Canyon Counties. The project includes the acquisition of right-of-way (ROW), and the construction of a proposed extension of Idaho 16 across the Boise River to Interstate 84 (I–84).

The project includes:

- Construction of a four-lane access controlled divided highway (Idaho 16) from a new interchange at I–84, creating a new Boise River crossing, and connecting to existing Idaho 16 near Idaho 44 (State Street). The corridor width of approximately 300 feet will accommodate four travel lanes (two 12-foot-wide travel lanes in each direction), surface drainage features, and potential for future multimodal options.