

air, and conventional rail) as it exists at the time of the EIR/EIS preparation, and as it would exist in the future without completion of the improvements included in the program description. The No Action alternative defines the existing and future intercity transportation system for the Altamont Corridor and Northern San Joaquin Valley based on programmed and funded improvements to the intercity transportation system, according to the following sources of information: The State Transportation Improvement Program, Regional Transportation Plans for all modes of travel, airport plans, and intercity passenger rail plans.

#### **Independent Right of Way Alternative**

Independent right of way adjacent to the UPRR right of way that would seek to maximize the provision of a separate right of way for future ACE service will be considered in specific locations including between Manteca and Merced, and possibly over the Altamont Pass. This alternative would reduce the potential for scheduling and other constraints from operating on shared tracks with freight operations.

#### **Shared Corridor Alternative**

A second alternative that may be considered would be provision of a dedicated passenger track within the existing railroad right-of-way. Such a track could be utilized by passenger trains or by freight trains, but would be developed primarily for passenger traffic use.

#### **Other Potential Alternatives**

Other alternatives that could be considered could vary proposed program elements. Such variations could include: (1) Other station locations as they arise through the project scoping process; (2) continued use of the existing route to the south of Tracy instead of a downtown alignment; (3) track variations, such as an elevated or sub-grade track instead of an at-grade section; and (4) other variations in alignment, track improvements, service levels, and stations.

#### **The EIS Process and the Role of Participating Agencies and the Public**

The purpose of the EIR/EIS process is to assess the potentially significant effects of implementing the proposed action on the physical, human, and natural environment. Areas of investigation will be developed during the scoping process and may include, but not be limited to, transportation impacts; safety and security; land use and zoning; indirect and cumulative impacts; land acquisition,

displacements, and relocations; cultural resource impacts, including impacts on historical and archaeological resources and parklands/recreation areas; community disruption and environmental justice; natural resource impacts including air quality, wetlands, water resources, noise, vibration, energy, wildlife and ecosystems, including endangered species and temporary construction impacts.

FRA will comply with all applicable Federal environmental laws, regulations and executive orders during the environmental review process. These requirements include, but are not limited to, the regulations of the CEQ implementing NEPA (40 CFR parts 1500–1508), State CEQA Guidelines (14 California Code of Regulations 15168(b)), and FRA's Procedures for Considering Environmental Impacts (64 FR 28545, May 26, 1999), project-level air quality conformity regulation of the U.S. Environmental Protection Agency (EPA) (40 CFR part 93(b)), Section 404(b)(1) guidelines of EPA (40 CFR part 230), Executive Orders 11988, 11990 and 12898 regarding floodplains, wetlands, and environmental justice, respectively, Section 106 of the National Historic Preservation Act (36 CFR part 800), Section 7 of the Endangered Species Act (50 CFR part 402), and Section 4(f) of the Department of Transportation Act (49 U.S.C. 303). Measures to avoid, minimize, and mitigate all adverse impacts will be identified and evaluated.

The FRA and the SJRRC will assess the site characteristics, size, nature, and timing of the improvements to determine whether the impacts are potentially significant and whether impacts can be avoided or mitigated. The EIR/EIS will identify and evaluate reasonable and feasible alternatives, evaluate the impacts from construction, operation, and maintenance, and identify mitigation measures. Information and documents regarding the ACEforward environmental review process will be made available through the SJRRC's Internet site: <http://www.acerail.com/sjrrc/capitalprojects.aspx>.

#### **Scoping and Comments**

FRA encourages broad participation in the EIS process during scoping and review of the resulting environmental document. Comments are invited from all interested agencies, Native American Tribes and the public to ensure the full range of issues related to the proposed action and all reasonable alternatives are addressed and that all significant issues are identified. Public agencies with jurisdiction are requested to advise

FRA and SJRRC of the applicable permit and environmental review requirements of each agency, and the scope and content of the environmental information that is germane to the agency's statutory responsibilities in connection with the proposed program. Agencies are requested to advise the FRA if they anticipate taking a major action in connection with the proposed program and if they wish to cooperate in the preparation of the EIR/EIS.

Issued in Washington, DC, on September 13, 2013.

**Renee Cooper,**

*Staff Director, Office of Passenger and Freight Programs.*

[FR Doc. 2013–22598 Filed 9–17–13; 8:45 am]

**BILLING CODE 4910–06–P**

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Railroad Administration**

#### **Notice Rescinding a Notice of Intent To Prepare a Programmatic Environmental Impact Statement: High Speed Rail Corridor Las Vegas, Nevada to Anaheim, California**

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

**ACTION:** Notice rescinding intent to prepare an Environmental Impact Statement (EIS).

**SUMMARY:** The Federal Railroad Administration (FRA) is issuing this notice to advise the public that FRA is rescinding the Notice of Intent (NOI) to prepare a programmatic environmental impact statement (PEIS) for the California-Nevada Interstate Maglev Project in cooperation with the project sponsor, the Nevada Department of Transportation. FRA published the original NOI in the **Federal Register** on May 20, 2004. This rescission is due to inactivity of this PEIS process for more than five years.

**FOR FURTHER INFORMATION CONTACT:** Ms. Stephanie Perez-Arrieta, Environmental Protection Specialist, Federal Railroad Administration, 1200 New Jersey Avenue Southeast, (Mail Stop 20), Washington, DC 20590, telephone (202) 493–0388.

**SUPPLEMENTARY INFORMATION:** During the 1990s and 2000s, the California-Nevada Super Speed Train Commission (CNSSTC), a public agency chartered within the State of Nevada, conducted Federally sponsored studies to examine the feasibility and the environmental impacts of linking the Las Vegas area with various points in the Los Angeles region using a magnetic levitation

technology high-speed ground transportation system. During the late 1990s, FRA was implementing the Maglev Deployment Program (Program) created by Congress in the Transportation Equity Act for the 21st Century (Pub. L. 105-178, June 9, 1998). The purpose of the Program was to demonstrate the feasibility of maglev technology. In addition to a number of feasibility studies, FRA prepared a PEIS addressing the potential for significant environmental impact from the Program that included a Las Vegas-Primm project as one of seven projects analyzed in the PEIS. The notice of availability for the PEIS was published on May 4, 2001.

The Department of Transportation and Related Agencies Appropriations Act, 2003 (Pub. L. 108-7), which provides appropriations for the FRA and other agencies, included funds specifically to conduct additional design, engineering and environmental studies concerning the California-Nevada Interstate Maglev Project under the FRA's Next Generation High Speed Rail Technology Demonstration Program. On May 20, 2004, FRA issued a notice of intent to prepare a PEIS for the California-Nevada Interstate Maglev project. FRA intended for this PEIS to draw on environmental analysis already completed, including the Las Vegas-Primm project.

The only activity completed for the PEIS was scoping in 2004. No further work has been completed on the PEIS since that time. Due to a lack of activity for more than five years, FRA is issuing this notice terminating the preparation of the PEIS.

**Renee Cooper,**

*Staff Director, Office of Passenger and Freight Programs.*

[FR Doc. 2013-22600 Filed 9-17-13; 8:45 am]

**BILLING CODE 4910-06-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Railroad Administration**

**Notice Rescinding a Notice of Intent To Prepare an Environmental Impact Statement for the Altamont Corridor Rail Project From Stockton to San Jose, California**

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

**ACTION:** Notice rescinding intent to prepare an Environmental Impact Statement (EIS).

**SUMMARY:** The Federal Railroad Administration (FRA) is issuing this notice to advise the public that FRA is

rescinding the Notice of Intent (NOI) to prepare a programmatic environmental impact statement (EIS) for the Altamont Corridor Rail Project from Stockton to San Jose, California Project in cooperation with the project sponsor, the California High Speed Rail Authority (Authority). FRA published the original NOI in the **Federal Register** on October 29, 2009. This rescission is due to the transfer of the project from the Authority to the San Joaquin Regional Rail Commission (SJRRRC) and a change in the project definition and purpose and need. An NOI to prepare an Environmental Impact Statement (EIS) for the revised Altamont Corridor Express also known as the *ACEforward* project is being published concurrently with this notice.

**FOR FURTHER INFORMATION CONTACT:** Ms. Stephanie Perez-Arrieta, Environmental Protection Specialist, Federal Railroad Administration, 1200 New Jersey Avenue Southeast, (Mail Stop 20), Washington, DC 20590, telephone (202) 493-0388.

**SUPPLEMENTARY INFORMATION:** The Altamont Corridor was studied by the Authority and identified as a candidate route to the Bay Area in the Statewide High Speed Train (HST) System Program Environmental Impact Report/Environmental Impact Statement (EIR/EIS). The Authority and FRA further examined the corridor in the 2008 Bay Area to Central Valley HST EIR/EIS and selected the Pacheco Pass via Gilroy as the route to connect the main line of the HST network in the Central Valley with the Peninsula and San Francisco. The Authority and SJRRRC proposed to develop a dedicated regional rail corridor through Altamont Pass and the Tri Valley area capable of supporting intercity and commuter rail passenger services. The project was planned to improve the existing ACE service managed by SJRRRC by accommodating more trains per day, reducing travel times, and eliminating freight railroad delays by providing separate passenger tracks. The Altamont Corridor was planned to serve as a feeder to the statewide HST System being planned and developed by the Authority. The project considered connections between the Altamont corridor and the HST mainline between Stockton and Modesto and HST compatible infrastructure that would have allowed trains to run from one rail line to the other in order to accommodate intercity travel between stations along the Altamont Corridor and regional stops on the greater statewide HST System.

Scoping was completed for the EIR/EIS in 2009 and the development of

preliminary alternatives in 2010 and 2011. No further work was completed on the EIS. Due to the proposed change in leadership and direction of this project, FRA is issuing this notice terminating the preparation of the Altamont Corridor Rail Project EIS.

Issued in Washington, DC, on September 13, 2013.

**Renee Cooper,**

*Staff Director, Office of Passenger and Freight Programs.*

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**DEPARTMENT OF TRANSPORTATION**

**Federal Railroad Administration**

[Docket No. FRA-2012-0066]

**State Rail Plan Guidance**

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

**ACTION:** Notice of Availability of Final State Rail Plan Guidance.

**SUMMARY:** FRA is publishing this notice to announce the availability of final State Rail Plan Guidance. The purpose of FRA's final State Rail Plan Guidance is to describe the processes for the development, submission, and acceptance of State rail plans. State rail plans are documents that are required under Section 303 of the Passenger Rail Investment and Improvement Act of 2008 (PRIIA). Section 303 of PRIIA provides for enhanced State involvement in rail policy, planning, and development efforts, including requiring States to develop FRA-accepted State rail plans in order to be eligible for the capital grants authorized in the Act and available under the High-Speed Intercity Passenger Rail program. This guidance provides an explanation of the process to be followed in developing State rail plans, FRA's process for reviewing and accepting State rail plans, a standardized format, and a list of the minimum content requirements for State rail plans. The State Rail Plan Guidance is available on FRA's Web site at <http://www.fra.dot.gov/Page/P0511>.

**DATES:** The final State Rail Plan Guidance is effective as of the publication of this notice on September 18, 2013.

*Applicability:* Any State rail plan whose development is begun after publication of this notice must adhere to the standardized format and minimum content requirements defined within the guidance in order to be accepted by the FRA.