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**SUPPLEMENTARY INFORMATION:** Effective July 1, 2007, the FHWA assigned, and the Caltrans assumed, environmental responsibilities for this project pursuant to 23 U.S.C. 327. Notice is hereby given that Caltrans and USACE have taken final agency actions subject to 23 U.S.C. 139(J)(1) by issuing licenses, permits, and approvals for the following highway project in the State of California: Rehabilitation of the existing asphalt concrete (AC) pavement on Interstate 10 from Post Mile (PM) R104.9 to PM R134.0. in the County of Riverside. Rehabilitation Activities include removal and replacement of existing inside and outside shoulders, guardrails, rumble strips, drainage inlets, and dikes, and installation of oversized drains. The project will also involve upgrades to ramp facilities for ADA compliance, installation of two temporary detour lanes in the existing median, extension of existing rock slope protection at bridge locations, and hydroseeding the median for erosion control and vegetation restoration. The primary purpose of this project is to restore and extend the life of existing pavement for a minimum of forty years, enhance trip reliability, and consequently minimize expenditures associated with future maintenance. The actions by the Federal agencies, and the laws under which such actions were taken, are described in the Final Environmental Assessment (FEA)/ Finding of No Significant Impact (FONSI) for the project, approved on November 8, 2019, and in other documents in Caltrans' project records. The FEA, FONSI and other project records are available by contacting Caltrans at the addresses provided above. The USACE decision 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. National Environmental Policy Act of 1969, as amended, 42 U.S.C. 4331(b)(2)
2. Federal Highway Act of 1970, U.S.C. 772
3. Federal Clean Air Act, as amended
4. Clean Water Act of 1977 and 1987
5. Federal Water Pollution Control Act of 1972
6. Safe Drinking Water Act of 1944, as amended
7. Endangered Species Act of 1973
8. Executive Order 11990, Protection of Wetlands

9. Executive Order 13112, Invasive Species
10. Fish and Wildlife Coordination Act of 1934, as amended
11. Migratory Bird Treaty Act
12. Title VI of the Civil Rights Act of 1964, as amended
13. Executive Order 12898, Federal Actions to Address Environmental Justice in Minority and Low-Income Populations
14. National Historic Preservation Act of 1966, as amended

(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(J)(1).

Issued on: December 16, 2019.

**Tashia J. Clemons,**

*Director, Planning and Environment, Federal Highway Administration, California Division.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Environmental Impact Statement in Erie County, NY

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

**ACTION:** Notice of intent.

**SUMMARY:** The FHWA is issuing this notice to advise the public that an Environmental Impact Statement (EIS) will be prepared for a proposed project known as the New York State (NYS) Route 5 (Buffalo Skyway) Project, in Erie County, New York.

**FOR FURTHER INFORMATION CONTACT:**

Frank Cirillo, Regional Director, New York State Department of Transportation, 100 Seneca Street, Buffalo, New York 14203, Telephone: (716) 847-3238; or Richard Marquis, Division Administrator, Federal Highway Administration, New York Division, Leo W. O'Brien Federal Building, 7th Floor, 11A Clinton Avenue, Albany, New York 12207, Telephone (518) 431-4127.

**SUPPLEMENTARY INFORMATION:** The New York State Department of Transportation (NYSDOT), in cooperation with FHWA, will prepare an EIS in accordance with the National Environmental Policy Act (NEPA) on a proposal to remove the Buffalo Skyway bridge and its approaches, including portions of NYS Route 5 along the Outer Harbor, and realign the transportation

network within the Buffalo Outer Harbor and South Buffalo areas.

NYS Route 5 serves as the primary vehicular route connecting Buffalo's downtown to its southern suburbs. In recent years, the Buffalo Inner and Outer Harbors have undergone substantial redevelopment with recreational/mixed-use improvements. It has become apparent that the portions of NYS Route 5 along the Buffalo Outer Harbor, including the Skyway Bridge, present both a physical and visual barrier to continued development within this area. Infrastructure removal is needed to accommodate existing and planned recreational, mixed-use, and waterfront development and support waterfront economic development initiatives. The project is also needed to improve the transportation network to safely and efficiently accommodate the traffic currently carried by the Skyway Bridge and to address the safety, operational, and capacity deficiencies of the highway connections that serve economic development areas and local communities within South Buffalo.

The purpose of the project is to realign the existing transportation network to support existing and planned recreational, mixed-use, and waterfront development in the Buffalo Outer Harbor area. The project will also address the safety, operational, and capacity deficiencies of the highway connections that serve economic development areas and local communities within South Buffalo.

A reasonable range of alternatives is currently being considered and will be evaluated during the NEPA scoping process in consideration of agency and public comments received. Letters describing the proposed action and soliciting comments have been sent to Cooperating and Participating Agencies. Public and agency outreach will include formal Public Scoping Meetings, a Public Hearing, and consultation with Cooperating and Participating Agencies. Public notice will be given of the dates, times, and locations of the Scoping Meetings and Public Hearing.

To assist in determining the scope of issues to be addressed and identifying the potential for significant issues related to the proposed action, the general public will have the opportunity to submit written comments at the Scoping Meetings and during a scoping comment period. A Draft EIS will be available for public and agency review and comment prior to the Public Hearing.

Comments or questions concerning this proposed action should be directed to the NYSDOT and FHWA at the addresses provided above.

Issued on: December 11, 2019.

**Richard J. Marquis,**

*New York Division Administrator, Albany,  
New York.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA-2019-0004-N-22]

#### Proposed Agency Information Collection Activities; Comment Request

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

**ACTION:** Notice of information collection; request for comment.

**SUMMARY:** Under the Paperwork Reduction Act of 1995 (PRA) and its implementing regulations, this notice announces that FRA is forwarding the Information Collection Requests (ICRs) abstracted below to the Office of Management and Budget (OMB) for review and comment. The ICRs describe the information collections and their expected burden. On October 7, 2019, FRA published a notice providing a 60-day period for public comment on the ICRs.

**DATES:** Interested persons are invited to submit comments on or before January 21, 2020.

**ADDRESSES:** Submit written comments on the ICRs to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street NW, Washington, DC 20503, Attention: FRA Desk Officer. Comments may also be sent via email to OMB at the following address: [oir-submissions@omb.eop.gov](mailto:oir-submissions@omb.eop.gov).

**FOR FURTHER INFORMATION CONTACT:** Ms. Hodan Wells, Information Collection Clearance Officer, Office of Railroad Safety, Federal Railroad Administration, 1200 New Jersey Avenue SE, Washington, DC 20590, (telephone: (202) 493-0440) or Ms. Kim Toone, Information Collection Clearance Officer, Office of Information Technology, Federal Railroad Administration, 1200 New Jersey Avenue SE, Washington, DC 20590, (telephone: (202) 493-6132).

**SUPPLEMENTARY INFORMATION:** The PRA, 44 U.S.C. 3501-3520, and its implementing regulations, 5 CFR part 1320, require Federal agencies to issue two notices seeking public comment on information collection activities before OMB may approve paperwork packages.

See 44 U.S.C. 3506, 3507; 5 CFR 1320.8 through 1320.12. On October 7, 2019, FRA published a 60-day notice in the **Federal Register** soliciting public comment on the ICRs for which it is now seeking OMB approval. See 84 FR 53556. FRA has received no comments in response to this notice.

Before OMB decides whether to approve these proposed collections of information, it must provide 30-days' notice for public comment. Federal law requires OMB to approve or disapprove paperwork packages between 30 and 60 days after the 30-day notice is published. 44 U.S.C. 3507(b)-(c); 5 CFR 1320.12(d); see also 60 FR 44978, 44983, Aug. 29, 1995. OMB believes the 30-day notice informs the regulated community to file relevant comments and affords the agency adequate time to digest public comments before it renders a decision. 60 FR 44983, Aug. 29, 1995. Therefore, respondents should submit their respective comments to OMB within 30 days of publication to best ensure having their full effect.

Comments are invited on the following ICRs regarding: (1) Whether the information collection activities are necessary for FRA to properly execute its functions, including whether the information will have practical utility; (2) the accuracy of FRA's estimates of the burden of the information collection activities, including the validity of the methodology and assumptions used to determine the estimates; (3) ways for FRA to enhance the quality, utility, and clarity of the information being collected; and (4) ways to minimize the burden of information collection activities on the public, including the use of automated collection techniques or other forms of information technology.

The summaries below describe the ICRs that FRA will submit for OMB clearance as the PRA requires:

**Title:** Remotely Controlled Switch Operations.

**OMB Control Number:** 2130-0516.  
**Abstract:** Sections 49 CFR 218.30 and 218.77 require remotely controlled switches be properly lined to protect workers who are vulnerable to being struck by moving cars as they inspect or service rolling equipment on track or occupy camp cars. Creating required notifications promotes safety by minimizing the mental lapses of workers who are simultaneously handling several tasks. These sections require the operator of remotely controlled switches to maintain a record of each blue signal protection request for 15 days. Operators of remotely controlled switches use the information

as a record documenting blue signal protection of workers or camp cars. This record also serves as a valuable resource for railroad supervisors and FRA and State inspectors monitoring regulatory compliance.

**Type of Request:** Extension with change (revised estimates) of a currently approved collection.

**Affected Public:** Businesses.

**Form(s):** N/A.

**Respondent Universe:** 53 railroads.

**Frequency of Submission:** On occasion.

**Total Estimated Annual Responses:** 1,934,650.

**Total Estimated Annual Burden:** 24,183 hours.

**Total Estimated Annual Burden Hour Dollar Cost Equivalent:** \$1,378,431.

**Title:** Bad Order, Home Shop Card, and Stenciling Reporting Mark.

**OMB Control Number:** 2130-0519.

**Abstract:** Under 49 CFR part 215, railroads are required to inspect freight cars placed in service and take remedial action when defects are identified. A railroad freight car with a part 215 defect may be moved to another location for repair only after the railroad has complied with the process under 49 CFR 215.9. Section 215.9 requires railroads to affix a "bad order" tag describing each defect to each side of the freight car. It is imperative that a defective freight car be tagged "bad order" so it can be readily identified and moved to another location for repair purposes only, and so that the maximum speed and other restrictions necessary for safely conducting the movement are known. At the repair location, the "bad order" tag serves as a notification of the defective condition of the freight car. Railroads must retain each tag for 90 days to verify that proper repairs were made at the designated location. When inspecting a freight car, FRA and State inspectors review all pertinent records to determine railroads' compliance with the movement restrictions of 49 CFR 215.9.

Additionally, section 215.301<sup>1</sup> requires railroads and private car owners to stencil or otherwise display identification marks on freight cars. FRA uses the identification marks to determine the railroads affected, the number and type of cars involved, the commodities being carried, and the territorial and speed limits within which the cars will be operated. FRA reviews this information to determine if the freight car is safe to operate and if the operation qualifies for dedicated

<sup>1</sup> Burdens associated with section 215.301 were formerly covered under OMB Control Number 2130-0520.