Washington State Department of Transportation

Memorandum

TO: RICHARD CONLIN, CITY COUNCIL PRESIDENT

FROM: MEGAN WHITE, WSDOT ENVIRONMENTAL DIRECTOR
KIMBERLY FARLEY, DIRECTOR OF OPERATIONS, AWV PROGRAM

SUBJECT: CITY OF SEATTLE AS A CO-LEAD AGENCY ON THE ALASKAN WAY VIACUCT CENTRAL WATERFRONT REPLACEMENT NEPA/SEPA ENVIROMENTAL IMPACT STATEMENT

DATE: SEPTEMBER 29, 2010

CC: DAVE DYE, WSDOT; RON PAANANEN, WSDOT; RON JUDD, WSDOT; ALLISON HANSON, WSDOT

Per your request, we have prepared a memo outlining the roles and responsibilities of the City of Seattle as a co-lead agency for the Alaskan Way Viaduct Central Waterfront NEPA/SEPA Environmental Impact Statement.

How is co-lead status established?

Co-lead agencies are those agencies that have a role in the project action. Co-lead agencies typically include those that are funding the project, permitting or approving the project, or allowing the project within their right-of-way. The City of Seattle was asked by FHWA and the WSDOT to act as a co-lead agency in 2001. There were several reason for this request: 1) the City owns the land on which the current failing viaduct is built; 2) any replacement of the facility would have significant impacts during and after construction on the fabric of the City as a whole; 3) numerous permits are required from the City for any action to be taken; and 4) it was contemplated that the city-owned seawall might need to be replaced as part of the viaduct replacement solution.

It is now common practice to create a written agreement with co-lead agencies to establish roles, responsibilities, and expectations throughout the NEPA/SEPA process. However, in 2001, this practice was not fully established, and at the time, the three agencies felt the roles and responsibilities of the agencies were very clear. It was determined that no written agreement was necessary, and none was required either by law or regulation. Our intent to establish FHWA, WSDOT, and the City of Seattle as co-lead agencies has been articulated in several Notices of Intent to prepare an Environmental Impact Statement (EIS) published in the Federal and State Registers, and are provided as an attachment to this memo.

Co-lead status on an environmental document can be terminated by the agencies involved in the process, though this is rare. We understand that you are planning to consider an ordinance that re-affirms the City's police to remain a co-lead agency in this process. As we discuss below, there are many important reasons for the City to remain a co-lead agency and for the three agencies to continue the NEPA/SEPA process together.

What does it mean to be a co-lead agency?

FHWA is the lead federal agency under NEPA and is required to furnish guidance, participate in the preparation, and independently evaluate NEPA documents prepared for this partially federally funded highway project.

FHWA has delegated the duty of preparing the NEPA documents for WSDOT. We prepare these documents on behalf of FHWA, with their guidance and support, and in concert with our local co-lead agency, the City of Seattle.

As a co-lead agency, City departments are included in the reviews and designs associated with the project alternatives. Those departments include, but are not limited to: Department of Transportation, Department of Planning and Development, Seattle Public Utilities, Seattle City Light, Seattle Fire Marshal, and Department of Information Technology.

The City of Seattle has and is expected to help establish the Purpose and Need for the project, assist in identifying a reasonable range of alternatives to consider during the environmental process, assist in the development of methodologies and analysis for the 17 technical reports which are the basis for each environmental impact statement (EIS) associated with the Alaskan Way Viaduct Central Waterfront Replacement Project, and assist in developing reasonable mitigation strategies. Review cycles with the City, WSDOT and FHWA began in 2001 with the publication of the first Notice of Intent in the Federal and State Registers, which announced the project was being contemplated, and that the co-lead agencies had been established.

Prior to publishing the EIS, comments received from co-lead agencies are fully considered and incorporated into the documentation, as appropriate.

In what ways has the City participated as a co-lead in this process?

City of Seattle staff has actively participated in environmental and engineering meetings and plan reviews since work began in earnest to replace the viaduct in 2001. The City's involvement has remained constant and strong throughout that time and since the bored tunnel was recommended in January 2009. The alternatives considered in the environmental process have been modified numerous times to accommodate requests from the city, and all three of the environmental documents (2004 Draft EIS, 2006 Supplemental Draft EIS, and 2010 Supplemental Draft EIS) were based on these plans.

The City's participation has included creation of the Purpose and Need for the project; identification of the alternatives to be considered; creation and review of the technical reports; creation and review of the Draft EISs; and identification of mitigation opportunities where impacts are identified.

The Purpose and Need for the project has been a negotiated statement, reviewed and modified to suit all three parties: FHWA , WSDOT, and Seattle. It has been modified in response to City comments and suggestions, and has been approved by all three co-leads. All technical reports (more than 45 total for all three Draft EISs), have been reviewed by City of Seattle staff, and staff have provided several hundred comments over the years.

Comments received from the City have been tracked and responded to either by modifying the environmental documents, or providing explanations. We reach mutual resolution on each and every comment made prior to completion of the documents.

SDOT and FHWA receive a preliminary review draft for the EISs for review and comment prior to publication. In addition to comments on the technical reports, we have received several hundred comments from the City on the Draft EISs as well. Comments are tracked and responded to either by modifying the environmental document, or providing explanations. We reach mutual resolution on each and every comment made prior to completion of the documents.

What have been the benefits to having the City as co-lead up to now and into the future?

Though the list of activities described above outline the general expectations of a co-lead agency, the City's participation in the environmental process has led to a more full and robust participation in all aspects of project delivery. The number of instances where City staff (SDOT, SCL, SPU, the City's Fire Marshal, DPD, and others) have participated in our NEPA/SEPA process, and because of this involvement, in our Program delivery process, are too numerous to mention, however, here are a few examples:

- the design of the alternatives have been significantly altered due to the City's desire to ensure the replacement of the viaduct fits in with the fabric of the City and meets the long term goals of the City's development vision;
- significant pedestrian and bicycle facilities have been added to meet the City's long term goals; and,
- construction scenarios have been rigorously investigated to ensure that the public will experience the least impacts possible under the circumstances.

Specific to the environmental process, the City has influenced the process by being a co-lead agency in many ways. The following are a few such examples:

- In the 2004 Draft EIS, a Surface Alternative (six lanes on Alaskan Way) was fully analyzed at the request of the City of Seattle. This was included even though it appeared that the Surface Alternative would not meet the Purpose and Need. The City felt that only through a full review could this determination be made. After the completion of the 2004 document, it was clear that such an alternative would not meet the Purpose and Need, and the alternative was dropped from consideration for the Supplemental DEIS in 2006 with the full agreement of the co-lead agencies.
- A Supplemental Draft EIS was prepared in large part due to additions to the project limits requested by the City. Prior to 2006, the project limits ended before the Battery Street Tunnel (BST). However, when it became clear during the team's investigations that BST was also nearing the end of its useful life, we planned to extend the limits of the project to include this failing facility. At this point, the City insisted that, if we were going to include BST, we should go further north, allowing for alternatives to be considered that reconnected Thomas, John, and Harrison.

These changes, plus the addition of several construction scenarios, where the main subjects of the Supplemental DEIS in 2006. This change has also affected the design of the bored tunnel alternative, and the reconnection of the street grid to the north of BST is part of that alternative as well.

- Also in the 2006 Supplemental Draft EIS, at the City's insistence, and with the State and FHWA's concurrence, the Cut-and-Cover Tunnel Alternative was identified as the preferred alternative.

The changes described above would not have taken place but for the City acting as a co-lead and active partner on our environmental documents. If for some reason, the City was no longer a co-lead going forward, several important changes would happen: the City would no longer be asked to review and comment on documents as they were being developed, and information would come to the City later than it does currently, as is the case with other cooperating agencies; and comments made by the City would be considered, but might not be incorporated to the City's satisfaction. In short, our coordination relationship would dramatically change.

We have appreciated the City's involvement in this critical safety project, and look forward to continuing to work together with you.

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Notice of Meeting of the Industry Sector Advisory Committee on Services (ISAC–13)

AGENCY Office of the United States Trade Representative

ACTION Notice of meeting

SUMMARY The Industry Sector Advisory Committee on Services (ISAC–13) will hold a meeting on June 28 2001 from 9 a m to 12 noon The meeting will be open to the public from 9 a m to 9 45 a m and closed to the public from 9 45 a m to 12 noon

DATES The meeting is scheduled for June 28 2001 unless otherwise notified

ADDRESSES The meeting will be held in Conference Room 6057 of the Department of Commerce located at 14th Street between Pennsylvania and Constitution Avenues NW Washington DC

FOR FURTHER INFORMATION CONTACT Ingrid Mitchem Acting Designated Officer for ISAC–13 (202) 482–3268 Department of Commerce 14th Street and Constitution Avenue NW Washington DC 20230 (principal contacts) or myself on (202) 395–6120

SUPPLEMENTARY INFORMATION During the meeting the following topics will be addressed

- Trade Promotion Authority and
- International Trade Agreements

Heather K Wingate

Assistant United States Trade Representative for Intergovernmental Affairs and Public Liaison

[FR Doc 01–15772 Filed 6–21–01 8 45 am]

BILLING CODE 3190–01–M

DEPARTMENT OF TRANSPORTATION

Coast Guard

[USCG 2001–9938]

Merchant Marine Personnel Advisory Committee Vacancies

AGENCY Coast Guard DOT

ACTION Request for applications

SUMMARY The Coast Guard is seeking applications for appointment to membership on the Merchant Marine Personnel Advisory Committee (MERPAC) MERPAC provides advice and makes recommendations to the Coast Guard on matters related to the training qualification licensing certification and fitness of seamen serving in the U S merchant marine

DATES Applications should reach us on or before August 31 2001

ADDRESSES You may request an application form by writing to Commandant (G–MSO–1) U S Coast Guard 2100 Second Street SW Washington DC 20593–0001 Please submit applications to the same address

FOR FURTHER INFORMATION CONTACT Commander Brian J Peter Executive Director of MERPAC or Mr Mark C Gould Assistant to the Executive Director telephone 202–267–0229 fax 202–267–4570

SUPPLEMENTARY INFORMATION This notice is available on the Internet at *http //dms dot gov* The application form is available on the Internet at *http //www uscg mil/hq/g m/advisory/index htm* You may also obtain an application by calling Mr Mark Gould at (202) 267–0229 by e mailing him at *mgould@comdt uscg mil* by faxing him at (202) 267–4570 or by writing him at the location in ADDRESSES above

MERPAC is chartered under the Federal Advisory Committee Act 5 U S C App 2 It provides advice and makes recommendations to the Assistant Commandant for Marine Safety and Environmental Protection on matters of concern to seamen serving in our merchant marine such as implementation of the international Convention on Standards of Training Certification and Watchkeeping for Seafarers 1978 (STCW) as amended and activities of regional examination centers

MERPAC meets at least twice a year once at Coast Guard Headquarters Washington DC and once elsewhere in the country Its subcommittees and working groups may also meet to consider specific tasks as required

The Coast Guard will consider applications for six positions that expire or become vacant in January 2002 It needs applicants with one or more of the following backgrounds to fill the positions

(a) Licensed Deck Officer

(b) Managerial employee of a shipping company

(c) Licensed Engineer

(d) Unlicensed Member of the Deck Department

(e) Marine Educator associated with a Federal or State maritime academy

(f) Pilot

Each member serves for a term of 3 years No member may serve more than two consecutive 3 year terms MERPAC members serve without compensation from the Federal Government however they do receive travel reimbursement and per diem

In support of the policy of the Department of Transportation on gender and ethnic diversity the Coast Guard encourages applications from qualified women and members of minority groups

If you are selected as a member who represents the general public we will require you to complete a Confidential Financial Disclosure Report (OGE Form 450) Neither the report nor the information it contains may be released to the public except under an order issued by a Federal court or as otherwise provided under the Privacy Act [5 U S C 552a]

Dated June 12 2001

Joseph J Angelo

Director of Standards Marine Safety and Environmental Protection

[FR Doc 01–15660 Filed 6–21–01 8 45 am]

BILLING CODE 4910–15–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement Seattle, Washington

AGENCY Federal Highway Administration (FHWA) USDOT

ACTION Notice of intent

SUMMARY The FHWA is issuing this notice to advise the public Tribes and agencies that an environmental impact statement will be prepared for a proposed highway project in Seattle King County Washington

FOR FURTHER INFORMATION CONTACT Jim Leonard FHWA 711 South Capitol Way Suite 501 Olympia Washington 98501 (telephone 360–753–9408) Carroll Hunter WSDOT Office of Urban Mobility 401 Second Avenue South Suite 300 Seattle WA 98104–2887 (telephone 206–464–6231) and Kristen Nielsen City of Seattle 600 Fourth Avenue Suite 401 Seattle WA 98140–1879 (telephone 206–684–0983)

SUPPLEMENTARY INFORMATION The FHWA the Washington State Department of Transportation (WSDOT) and the City of Seattle will prepare an environmental impact statement (EIS) to document the environmental consequences for alternative solutions to improve the existing SR 99 corridor now partially served by the Alaskan Way Viaduct located in downtown Seattle King County Washington The proposed action would provide a facility with improved earthquake resistance that maintains or improves mobility for people and goods along the existing SR 99 Corridor The proposed action would involve improvements to the existing 2 mile viaduct structure or construction of a new facility The southern terminus of the project would

be the First Avenue South Bridge The north terminus would be north of the existing Battery Street Tunnel and will be determined after project scoping to (1) not preclude a possible connection to the south Lake Union vicinity (the Mercer Street Corridor connection to Interstate 5) (2) not preclude a possible realignment of the SR 99 corridor and (3) not preclude using the existing Battery Street Tunnel and existing Alaskan Way Viaduct facilities

Improvement to the corridor are considered necessary because the age design and location of the existing viaduct make it vulnerable to soil liquefaction and could render the structure unusable in a strong earthquake Built in the 1950 s the viaduct does not meet current seismic standards Damage sustained to the structure during a February 2001 earthquake compounded its seismic vulnerability The structure also does not meet current roadway design standards for lane widths shoulders and ramp sight distances and tapers which contribute to the number and severity of traffic accidents Four areas along this section of SR 99 are designated High Accident Locations (HAL) The SR 99 Alaskan Way Viaduct is one of two primary north south limited access routes through downtown Seattle and is a vital link in the region s roadway system

Although alternatives have not yet been identified preliminary alternatives under early consideration include taking no action seismic retrofit of the existing structure in kind replacement of the current structure replacement with a new elevated structure of a different configuration replacement with a tunnel removal of the viaduct and reconfiguration of the surface street system adding transit capacity or combinations of these solutions The list of alternatives to be addressed in the EIS will be finalized after scoping has occurred

Letters soliciting comments on the scope of the EIS and describing the purpose need and potential alternatives will be sent to appropriate Federal State and local agencies Tribes and to private organizations and citizens who have previously expressed or are known to have interest in this proposal Two meetings will be held to identify the scope of issues to be addressed the major impacts and the potential alternatives Both meetings will be conducted on June 28 2001 at the Mountaineers Club Olympus Room 300 Third Avenue West Seattle Washington The first meeting from 1 00 to 4 00 p m will focus on input from agencies and Tribes The second meeting from 5 00 to 8 00 p m will primarily be for the public Written scoping comments may be submitted to Carol Hunter (WSDOT) at the address provided above and are requested by July 12 2001 In addition a public hearing will be held following circulation of the draft EIS

To ensure that the full range of issues related to this proposed action are addressed and all significant issues are identified comments and suggestions are invited from all interested parties Comments or questions concerning this action and the EIS should be directed to FHWA or WSDOT or the City of Seattle at the addresses provided above

(Catalog of Federal Domestic Assistance Program Number 20 205 Highway Research Planning and Construction The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program)

Issued on June 18 2001

James A Leonard

Urban Transportation and Environmental Engineer Olympia Washington for the Division Administrator

[FR Doc 01–15730 Filed 6–21–01 8 45 am]

BILLING CODE 4910–22–M

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No NHTSA–2000–7739 Notice 2]

Utilimaster Corporation, Denial of Application for Decision of Inconsequential Noncompliance

Utilimaster Corporation (Utilimaster) has determined that some of its vehicles do not comply with some requirements of Federal Motor Vehicle Safety Standard (FMVSS) No 108 Lamps Reflective Devices and Associated Equipment and has filed an appropriate report pursuant to 49 CFR part 573 Defect and Noncompliance Reports Utilimaster has also applied to be exempted from the notification and remedy requirements of 49 U S C Chapter 301— Motor Vehicle Safety on the basis that the noncompliance is inconsequential to motor vehicle safety

Notice of receipt of the application was published in the **Federal Register** on August 14 2000 (65 FR 49631) Opportunity was afforded for public comment until September 13 2000 No public comments were received

Table 1 of FMVSS No 108 lists motor vehicle lighting equipment other than headlamps required for multipurpose passenger vehicles trucks trailers and buses of 80 or more inches in overall width The requirements for clearance and identifications are contained in Society of Automotive Engineers (SAE) Standard J592e Clearance Sidemarker and Identification Lamps July 1972 which is incorporated by reference in FMVSS No 108 SAE J592e requires that these lamps provide at least 0 62 candela at 10 degrees down and 45 degrees to the left and right

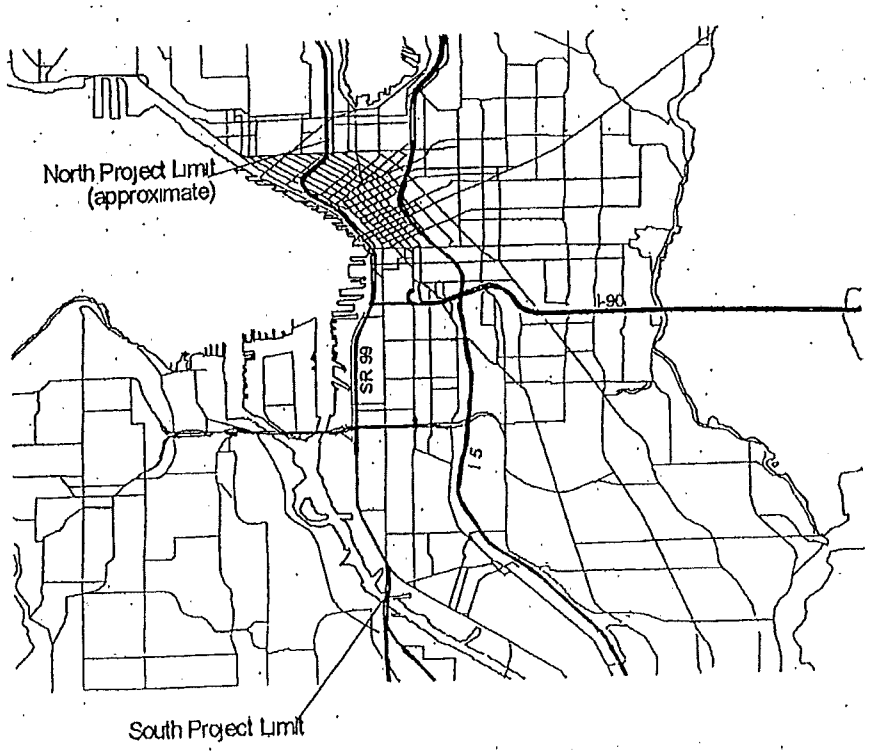
Utilimaster determined that between September 30 1997 and October 6 1999 it produced 2 730 walk in van trucks that do not comply with the aforementioned photometric requirements These trucks have light emitting diode (LED) front clearance and identification lamps mounted at a 30 degree off vertical set back position The photometric noncompliances were as much as 69 percent below the minimum requirement

Utilimaster supports its application for inconsequential noncompliance by stating that the lighting array and coverage of the clearance identification side marker and parking lamps on the subject vehicles provide (and even exceed) the requisite outboard visibility under FMVSS No 108 on a systems basis Although the clearance and identification lamps on the subject vehicles do not meet two requirements in the standard the petitioner believes that the system of lighting as installed on these vehicles meets the standard s intent of providing a visually safe vehicle It bases its position on the fact that the company is using a front turn signal and parking lamp that is actually designed to meet the greater photometric angles required of turn signal and clearance lamp applications

More specifically the front turn signal and parking lamps mounted on each side of the front of the walk in vans provide light out to a 45 degree angle both left and right The light intensity at these greater angles (45 degrees) is 50 percent greater than that required for clearance lamps (0 93 cd minimum compared with 0 62 cd minimum required) In addition these front turn signal/parking lamps are mounted low on the subject vehicles so that the light output covers the lower angles where the clearance and identification lamps are deficient Further the front side marker lamps cover the 45 degree to the front to 45 degree to the rear downward angles of light so that there is no degradation of visibility to the side of the vehicle The light from the side marker lamps exactly parallels the outboard light from the parking lamps

Utilimaster believes that the noncompliance in no way compromises the safety of vehicles on which the clearance and identification lamps have

SR 99 Alaskan Way Viaduct EIS
Project Limits



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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent To Rule on Application 03-04-C-00-PIB To Impose and Use the Revenue From a Passenger Facility Charge (PFC) at Hattiesburg-Laurel Regional Airport, Hattiesburg, MS

AGENCY Federal Aviation Administration (FAA), DOT

ACTION Notice of intent to rule on application

SUMMARY The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at Hattiesburg-Laurel Regional Airport under the provisions of the 49 U S C 40117 and part 158 of the Federal Aviation Regulations (14 CFR part 158)

DATES Comments must be received on or before October 27, 2003

ADDRESSES Comments on this application may be mailed or delivered in triplicate to the FAA at the following address FAA/Airports District Office, 100 West Cross Street, Suite B, Jackson, MS 39208-2307

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr Tomas E Heanue, Executive Director of the Hattiesburg-Laurel Regional Airport Authority at the following address 1002 Terminal Drive, Moselle, MS 39459

Air carriers and foreign air carriers may submit copies of written comments previously provided to the Hattiesburg-Laurel Regional Airport Authority under § 158 23 of part 158

FOR FURTHER INFORMATION CONTACT Patrick D Vaught, Program Manager, Jackson Airports District Office, 100 West Cross Street, Suite B, Jackson, MS 39208-2307, (601) 664-9885 The application may be reviewed in person at this same location

SUPPLEMENTARY INFORMATION The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at Hattiesburg-Laurel Regional Airport under the provisions of the 49 U S C 40117 and part 158 of the Federal Aviation Regulations (14 CFR part 158)

On September 17, 2003, the FAA determined that the application to impose and use the revenue from a PFC submitted by Hattiesburg-Laurel Regional Airport Authority was substantially complete within the requirements of § 158 25 of part 158 The FAA will approve or disapprove the application, in whole or in part, no later than January 13, 2004

The following is a brief overview of the application

Proposed charge effective date April 1, 2004

Proposed charge expiration date April 1, 2006

Level of the proposed PFC $4 50

Total estimated PFC revenue $79,467

Brief description of proposed project(s) Acquire air passenger boarding stairs, Expanding parking lot, Expand commercial apron, and Rehabilitate airport beacon and apron lights

Class or classes of air carriers which the public agency has requested not be required to collect PFCs None

In additoin, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the Hattiesburg-Laurel Regional Airport Authority

Issued in Jackson Mississippi on September 17 2003

Rans D Black,

Manager, Jackson Airports District Office

[FR Doc 03-24432 Filed 9-25-03 8 45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement, Seattle, WA

AGENCY Federal Highway Administration (FHWA), USDOT

ACTION Revised notice of intent

SUMMARY The FHWA is issuing this revised notice of intent to inform the public, Tribes, and agencies of changes made to the initial Notice of Intent for a proposed highway project along SR 99 in Seattle, King County, Washington The initial Notice of Intent announcing that an Environmental Impact Statement would be prepared for the project appeared in the Federal Register on June 22, 2001

FOR FURTHER INFORMATION CONTACT Barry Brecto (FHWA), 711 South Capitol Way, Suite 501, Olympia, Washington 98501 (telephone 360-753-9482), Kimberly Farley, WSDOT Urban Corridors Office, 401 Second Avenue South, Suite 560, Seattle, Washington 98104 (telephone 206-464-1227), and Sandra Gurkewitz, City of Seattle, 600 Fourth Avenue, Suite 401, Seattle, WA 98104 (telephone 206-684-8574)

SUPPLEMENTARY INFORMATION The FHWA, Washington State Department of Transportation (WSDOT), and the City of Seattle will prepare an environmental impact statement (EIS) documenting the environmental impacts of alternatives to improve the Alaskan Way Seawall and existing SR 99 corridor that is partially served by the Alaskan Way Viaduct The Alaskan Way Viaduct and Seawall are located in downtown Seattle, King County, Washington The Alaskan Way Viaduct is one of two primary north-south limited access routes through downtown Seattle and is a vital link in the region's roadway system

The purpose of the proposed action is to provide a transportation facility and seawall with improved earthquake resistance that maintains or improves mobility and accessibility for people and goods along the existing Alaskan Way Viaduct Corridor The southern terminus of the project would be near S Spokane Street The north terminus would be Ward Street north of the existing Battery Street Tunnel

Built in the 1950's, the Alaskan Way Viaduct is past the halfway point in its 75-year design life, and it does not meet current seismic design standards Additionally, the soils around the foundations of the Alaskan Way Viaduct consist of former tidal flats covered with wet, loose fill material subject to liquifaction The Alaskan Way Seawall, which is also vulnerable to earthquakes, holds these soils in place along the majority of the Alaskan Way Viaduct Corridor Built in the 1930's, the Alaskan Way Seawall is in a state of disrepair and also does not meet current seismic design standards

In addition, the Viaduct does not meet current roadway design standards for lane widths, shoulders, and ramp sight distances and tapers These roadway deficiencies contribute to the high number and severity of traffic accidents on the Alaskan Way Viaduct Four areas along this section of SR 99 are designated High Accident Locations

Preliminary alternatives under early consideration include Taking no action, replacing the Viaduct and Seawall in-kind, replacing the Viaduct and Seawall with a new elevated structure and a new seawall, replacing the Viaduct and Seawall with a tunnel, replacing the viaduct with a surface street, adding transit components, or combinations of these solutions

The lead agencies have preliminarily identified the following key areas for discussion in the EIS

- Local and regional transportation system
- Pioneer Square and Pike Place historic districts
- Neighborhoods, businesses, and residences
- Port of Seattle and Washington State Ferry operations
- Construction impacts along the Elliott Bay shoreline

112008-10135

Letters soliciting comments on the scope of the EIS, the purpose, need, and potential alternatives have been sent to appropriate Federal, State, and local agencies, and Tribes Two meetings were held to identify the scope of issues to be addressed, the major impacts, and the potential alternative Both meetings were conducted on June 28, 2001, at the Mountaineers Club, Olympus Room 300 Third Avenue West, Seattle, Washington The first meeting, from 1 to 4 p m, focused on input from agencies and Tribes The second meeting from 5 to 8 p m was primarily for the public In addition, a public hearing will be held following circulation of the draft EIS

Comments and questions concerning this action and the EIS should be directed to FHWA, WSDOT, or the City of Seattle at the addresses provided above

(Catalog of Federal Domestic Assistance Program Number 20 205 Highway Research Planning and Construction The regulations implementing Executive Order 12372 regarding intergovernmental consultation of Federal programs and activities apply to this program)

Issued on September 19 2003

Mary E Gray,

Environmental Program Specialist Olympia Washington

[FR Doc 03–24345 Filed 9–25–03, 8 45 am]

BILLING CODE 4910–22–M

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No FMCSA–2002–14095]

National Environmental Policy Act Implementing Procedures

AGENCY Federal Motor Carrier Safety Administration (FMCSA), DOT

ACTION Notice of proposed order, request for comments

SUMMARY The FMCSA is publishing for public comment its draft Order on agency procedures for implementing the National Environmental Policy Act of 1969 (NEPA) Now that the FMCSA is a separate agency within the Department of Transportation (Department or DOT), it has developed its own draft procedures for complying with NEPA, other pertinent environmental regulations, Executive Orders, statutes, and laws to ensure that it actively incorporates environmental considerations into informed decisionmaking

DATES Submit comments on or before November 10, 2003

ADDRESSES You may submit comments identified by DOT DMS Docket Number FMCSA–2002–14095 by any of the following methods

- Web Site *http //dms dot gov* Follow the instructions for submitting comments on the DOT electronic docket site
- Fax 1–202–493–2251
- Mail Docket Management Facility, U S Department of Transportation, 400 Seventh Street, SW, Nassif Building, Room PL–401, Washington, DC 20590–0001
- Hand Delivery Room PL–401 on the plaza level of the Nassif Building, 400 Seventh Street, SW, Washington, DC, between 9 am and 5 pm, Monday through Friday, except Federal Holidays
- Federal eRulemaking Portal Go to *http //www regulations gov* Follow the online instructions for submitting comments

Instructions All submissions must include the agency name and docket number or Regulatory Identification Number (RIN) for this rulemaking Note that all comments received will be posted without change to *http // dms dot gov*, including any personal information provided Please see the Privacy Act heading for further information

Docket For access to the docket to read background documents or comments received, go to *http // dms dot gov* at any time or to Room PL–401 on the plaza level of the Nassif Building, 400 Seventh Street, SW, Washington, DC, between 9 am and 5 pm, Monday through Friday, except Federal Holidays

Privacy Act Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc) You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70, Pages 19477–78) or you may visit *http //dms dot gov*

Comments received after the comment closing date will be included in the docket and we will consider late comments to the extent practicable The FMCSA may, however, issue a final FMCSA environmental Order at any time after the close of the comment period

FOR FURTHER INFORMATION CONTACT Ms LaKisha R Pearson or Mr David R Miller, Office of Policy, Plans, and Regulations (MC–PR), FMCSA, U S Department of Transportation, 400 Seventh St, SW, Washington, DC 20590–0001 Telephone (202) 366–6408

SUPPLEMENTARY INFORMATION

Background

The FMCSA was established within the Department on January 1, 2000, pursuant to the Motor Carrier Safety Improvement Act of 1999 (Public Law No 106–159, 113 Stat 1748 (December 9, 1999)) The FMCSA's primary mission is to prevent commercial motor vehicle-related fatalities and injuries FMCSA activities contribute to ensuring safety in motor carrier operations through strong enforcement of safety regulations, targeting high-risk carriers and commercial motor vehicle drivers, improving safety information systems and commercial motor vehicle technologies, strengthening commercial motor vehicle equipment and operating standards, and increasing safety awareness To accomplish these activities, the FMCSA works with Federal, State, and local enforcement agencies, the motor carrier industry, labor organizations, safety interest groups, and others

The majority of the functions FMCSA inherited from the FHWA are safety-related functions that were transferred from the former Interstate Commerce Commission (ICC) to the Department when it was established in 1966 (49 U S C 102 and 102 note) Additional functions inherited from the FHWA relating to registering motor carriers operating in interstate and foreign commerce were carried out by the ICC before 1996 and by the FHWA from 1996–1999

When the FHWA assumed authority over motor carrier licensing in 1996, it did not adopt the ICC's environmental regulations because the FHWA had its own The FHWA's environmental impact regulations at 23 CFR part 771, which are primarily geared to highway and urban mass transportation construction projects, contain a categorical exclusion (CE) for the promulgation of rules, regulations, and directives (23 CFR 771 117(c)(17))

Implementation of FMCSA's NEPA Order

It is necessary for FMCSA to issue its own implementing procedures for carrying out its responsibilities under NEPA, 42 U S C 4321, *et seq*, as amended FMCSA is soliciting public comments on the draft procedures before making this environmental procedures Order final Except for most of the appendices, the full text of the draft Order is being published for public

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Agency Information Collection Activities Under OMB Review

AGENCY Federal Aviation Administration (FAA) DOT

ACTION Notice

SUMMARY In compliance with the Paperwork Reduction Act of 1995 (44 U S C 3501 *et seq*) this notice announces that the Information Collection Requests (ICR) abstracted below have been forwarded to the Office of Management and Budget (OMB) for extension of the currently approved collections The ICR describes the nature of the information collection and the expected burden The Federal Register Notice with a 60 day comment period soliciting comments on the following collections of information was published on April 12 2005 page 19144

DATES Comments must be submitted on or before September 2 2005 A comment to OMB is most effective if OMB receives it within 30 days of publication

FOR FURTHER INFORMATION CONTACT Judy Street on (202) 267–9895

SUPPLEMENTARY INFORMATION

Federal Aviation Administration (FAA)

1 *Title* Pilot schools—FAR 141
Type of Request Extension of a currently approved collection
OMB Control Number 2120–0009
Forms(s) FAA Form 8420–8
Affected Public A total of 524 pilot schools
Abstract 49 U S C 44707 authorizes certification of civilian schools giving instruction in flying 14 CFR part 141 prescribes requirements for pilot schools certification Information collected is used for certification and to determine compliance The respondents are applicants who wish to be issued pilot school certificates and associated ratings
Estimated Annual Burden Hours An estimated 28 878 hours annually

2 *Title* Rotorcraft External Load Operator Certificate Application
Type of Request Extension of a currently approved collection
OMB Control Number 2120–0044
Forms FAA Form 8710–4
Affected Public A total of 4000 rotorcraft operators
Abstract 14 CFR part 133 Rotorcraft External Load Operations was adopted to establish certification rules governing non passenger carrying rotorcraft external load operations conducted for compensation or hire The applicants are individual airmen state and local governments and businesses
Estimated Annual Burden Hours An estimated 3 268 hours annually

ADDRESSES Send comments to the Office of Information and Regulatory Affairs Office of Management and Budget 725 17th Street NW Washington DC 20503 Attention FAA Desk Officer

Comments are invited on whether the proposed collection of information is necessary for the proper performance of the functions of the Department including whether the information will have practical utility the accuracy of the Department s estimates of the burden of the proposed information collection ways to enhance the quality utility and clarity of the information to be collected and ways to minimize the burden of the collection of information on respondents including the use of automated collection techniques or other forms of information technology

Issued in Washington DC on July 27 2005

Judith D Street

FAA Information Collection Clearance Officer Information Systems and Technology Services Staff ABA–20

[FR Doc 05–15312 Filed 8–2–05 8 45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement Seattle, WA

AGENCY Federal Highway Administration (FHWA) USDOT

ACTION Revised notice of intent

SUMMARY The FHWA is issuing this revised notice of intent to update the public Tribes and agencies of changes made to the previous notice of intent for a proposed highway project along SR 99 in Seattle King County Washington The previous notice of intent was published in the Federal Register on September 26 2003 It announced that a Draft Environmental Impact Statement (EIS) would be prepared for the Alaskan Way Viaduct and Seawall Replacement Project The Draft EIS for the Alaskan Way Viaduct and Seawall Replacement Project was published March 31 2004 Since the Draft EIS was issued the project s purpose and need statement has been revised to include access and safety improvements from the Battery Street Tunnel north to Roy Street

FOR FURTHER INFORMATION CONTACT Megan Hall (FHWA) 711 South Capitol Way Suite 501 Olympia Washington 98501 (telephone 360–753–8079) Kathryn Stenberg WSDOT Urban Corridors Office 999 Third Avenue Suite 2424 Seattle Washington 98104 (telephone 206–382–5279)

SUPPLEMENTARY INFORMATION The FHWA Washington State Department of Transportation (WSDOT) in cooperation with the City of Seattle will prepare a supplemental draft EIS and a final environmental impact statement documenting the environmental impacts for improvements proposed along the existing SR 99 corridor now partially served by the Alaskan Way Viaduct and Alaskan Way Seawall located in downtown Seattle King County Washington The Alaskan Way Viaduct is one of two primary north south limited access routes through downtown Seattle and is a vital link in the region s roadway system The Alaskan Way Seawall provides supports for the soils that hold up the viaduct s foundations

Since the previous notice of intent the lead agencies have revised the project s purpose and need statement to address the need for safety and access improvements to the SR 99 corridor from the Battery Street Tunnel north to Roy Street

The revised purpose and need statement for the project is provided below

The purpose of the proposed action is to provide a transportation facility and seawall with improved earthquake resistance The project will maintain or improve mobility accessibility and traffic safety for people and goods along the existing Alaskan Way Viaduct Corridor as well as improve access to and from SR 99 from the Battery Street Tunnel north to Roy Street The southern terminus of the project would be approximately Spokane Street The north terminus would be Roy Street north of the existing Battery Street Tunnel

The Alaskan Way Viaduct and Alaskan Way Seawall are both at the end of their useful life Improvements to both are required to protect public safety and maintain the transportation corridor Because these facilities are at risk of sudden and catastrophic failure in an earthquake FHWA WSDOT and the City of Seattle seek to implement these improvements as quickly as possible Improvements between the Battery Street Tunnel and Roy Street will be needed to improve access to and from SR 99 and to improve local street connections once the viaduct is

replaced FHWA WSDOT and the City of Seattle have identified the following underlying needs the project should address seismic vulnerability traffic safety roadway design deficiencies and bicycle and pedestrian safety and accessibility

Issued on April 1 2005

Mary E Gray,

Environmental Program Specialist Olympia Washington

[FR Doc 05–15270 Filed 8–2–05 8 45 am]

BILLING CODE 4910–22–M

DEPARTMENT OF TRANSPORTATION

Saint Lawrence Seaway Development Corporation

Advisory Board, Notice of Meeting

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Pub L 92–463 5 U S C App I) notice is hereby given of a meeting of the Advisory Board of the Saint Lawrence Seaway Development Corporation (SLSDC) to be held at 9 a m on Wednesday August 30 2005 at 445 Antigua Lane West Palm Beach FL 33480 The agenda for this meeting will be as follows Opening Remarks Consideration of Minutes of Past Meeting Quarterly Report Old and New Business Closing Discussion Adjournment

Attendance at the meeting is open to the interested public but limited to the space available With the approval of the Administrator members of the public may present oral statements at the meeting Persons wishing further information should contact not later than August 26 2005 Anita K Blackman Chief of Staff Saint Lawrence Seaway Development Corporation 400 Seventh Street SW Washington DC 20590 202–366–0091

Any member of the public may present a written statement to the Advisory Board at any time

Issued at Washington DC on July 27 2005

Albert S Jacquez

Administrator

[FR Doc 05–15294 Filed 8–2–05 8 45 am]

BILLING CODE 4910–61–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Small Business/Self Employed—Taxpayer Burden Reduction Committee of the Taxpayer Advocacy Panel

AGENCY Internal Revenue Service (IRS) Treasury

ACTION Notice

SUMMARY An open meeting of the Small Business/Self Employed—Taxpayer Burden Reduction Committee of the Taxpayer Advocacy Panel will be conducted (via teleconference) The TAP will be discussing issues pertaining to increasing compliance and lessening the burden for Small Business/Self Employed individuals

DATES The meeting will be held Thursday September 1 2005

FOR FURTHER INFORMATION CONTACT Marisa Knispel at 1–888–912–1227 or 718–488–3557

SUPPLEMENTARY INFORMATION Notice is hereby given pursuant to Section 10(a)(2) of the Federal Advisory Committee Act 5 U S C App (1988) that an open meeting of the Small Business/Self Employed—Taxpayer Burden Reduction Committee of the Taxpayer Advocacy Panel will be held Thursday September 1 2005 from 3 p m e t to 4 30 p m e t via a telephone conference call If you would like to have the TAP consider a written statement please call 1–888–912–1227 or 718–488–3557 or write to Marisa Knispel TAP Office 10 Metro Tech Center 625 Fulton Street Brooklyn NY 11201 Due to limited conference lines notification of intent to participate in the telephone conference call meeting must be made with Marisa Knispel Ms Knispel can be reached at 1–888–912–1227 or 718–488–3557 or post comments to the Web site *http // www improveirs org*

The agenda will include the following Various IRS issues

Dated July 29 2005

Martha Curry

Acting Director Taxpayer Advocacy Panel

[FR Doc 05–15360 Filed 8–2–05 8 45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Area 7 Taxpayer Advocacy Panel (Including the States of Alaska, California, Hawaii, and Nevada)

AGENCY Internal Revenue Service (IRS) Treasury

ACTION Notice

SUMMARY An open meeting of the Area 7 committee of the Taxpayer Advocacy Panel will be conducted (via teleconference) The Taxpayer Advocacy Panel (TAP) is soliciting public comments ideas and suggestions on improving customer service at the Internal Revenue Service The TAP will use citizen input to make recommendations to the Internal Revenue Service

DATES The meeting will be held Thursday August 25 2005

FOR FURTHER INFORMATION CONTACT Mary Peterson O Brien at 1–888–912–1227 or 206–220–6096

SUPPLEMENTARY INFORMATION Notice is hereby given pursuant to Section 10(a)(2) of the Federal Advisory Committee Act 5 U S C App (1988) that an open meeting of the Area 7 Taxpayer Advocacy Panel will be held Thursday August 25 2005 from 12 30 p m Pacific time to 1 30 p m Pacific time via a telephone conference call The public is invited to make oral comments Individual comments will be limited to 5 minutes If you would like to have the TAP consider a written statement please call 1–888–912–1227 or 206–220–6096 or write to Mary Peterson O Brien TAP Office 915 2nd Avenue MS W–406 Seattle WA 98174 or you can contact us at *http // www improveirs org* Due to limited conference lines notification of intent to participate in the telephone conference call meeting must be made with Mary Peterson O Brien Ms O Brien can be reached at 1–888–912–1227 or 206–220–6096

The agenda will include the following various IRS issues

Dated July 28 2005

Martha Curry,

Acting Director Taxpayer Advocacy Panel

[FR Doc 05–15361 Filed 8–2–05 8 45 am]

BILLING CODE 4830–01–P

of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

Issued on: May 7, 2009.

Marilena Amoni,

Associate Administrator, National Center for Statistics and Analysis, National Highway Traffic Safety Administration, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Washington, DC 20590.

[FR Doc. E9–13076 Filed 6–3–09; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2009–0106]

Petition for Declaratory Order by Fullington Trailways, LLC

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

ACTION: Notice of petition for declaratory order; request for comments.

SUMMARY: FMCSA invites all interested persons to comment on a petition submitted by Fullington Trailways, LLC (Fullington) for a declaratory order requesting that FMCSA find that certain regularly scheduled passenger bus service provided by Fullington is in interstate commerce and not subject to the jurisdiction of the Pennsylvania Public Utilities Commission.

DATES: *Initial comments* are due on or before August 3, 2009. In order to allow adequate time and notice for commenters to prepare reply comments, initial comments received after the deadline will not be considered.

Reply comments are due on or before September 2, 2009. The Agency will only consider reply comments responding directly to issues raised in the initial round of comments. Commenters may not use reply comments to raise new issues.

ADDRESSES: You may submit comments identified by the Federal Docket Management System (FDMS) Docket No. FMCSA–2009–0106, by any of the following methods. Do not submit the same comments by more than one method. However, to allow effective public participation before the comment period deadline, the Agency encourages use of the FDMS Web site that is listed first. It will provide the most efficient and timely method of receiving and processing your comments.

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Fax:* 1–202–493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations (M–30), Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590–0001.
- *Courier or in person:* West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., e.t., Monday through Friday, except Federal holidays.

Instructions: All submissions must include the Agency name and docket number for this regulatory action. Note that all comments received will be posted without change to *http://www.regulations.gov,* including any personal information provided. Refer to the Privacy Act heading on *http://www.regulations.gov* for further information.

Public Participation: The FDMS is available 24 hours each day, 365 days each year. You can find electronic submission and retrieval help and guidelines under the "help" section of the Web site. For confirmation that FMCSA received your comments, please include a self-addressed, stamped envelope or postcard, or print the acknowledgement page that appears after submitting comments on-line. Copies or abstracts of all documents referenced in this notice are in the Docket No. FMCSA–2009–0106. To read background documents or comments received in the docket, go to *http://www.regulations.gov* at any time, or visit Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., e.t., Monday through Friday, except Federal holidays. All comments received before the close of business on the comment closing dates indicated above will be considered and will be available for examination in the docket at the above address. Initial comments received after the initial comment closing date will not be considered.

FOR FURTHER INFORMATION CONTACT: Genevieve D. Sapir, (202) 366–7056, Office of the Chief Counsel (MC–CCR), Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue, SE., Washington, DC 20590.

SUPPLEMENTARY INFORMATION: Fullington Trailways, LLC currently provides passenger bus service along various routes in Pennsylvania. Along two such routes, Lewistown to Harrisburg and State College to Harrisburg, Fullington held intrastate authority from the Pennsylvania Public Utilities Commission (PPUC) and then subsequently obtained interstate authority along these same routes from the FMCSA. Fullington seeks to discontinue early morning service on the State College/Harrisburg route and raise rates for early morning service on the Lewistown/Harrisburg route. A regular passenger on Fullington's routes filed a complaint with the PPUC opposing these changes.

The PPUC concluded that, to the extent the State College/Harrisburg and Lewistown/Harrisburg routes were properly characterized as operations in interstate commerce under Federal law, it did not have jurisdiction over the complaint. However, the PPUC further concluded that it lacked jurisdiction to make this determination and that FMCSA had primary jurisdiction to determine whether the routes at issue were in fact interstate.

The PPUC instructed Fullington to seek a determination from FMCSA on the following three issues with respect to its State College/Harrisburg and Lewistown/Harrisburg routes: (1) Whether its operations are within the scope of its Federal operating authority; (2) whether PPUC regulation as to rates and schedules is preempted; and (3) whether Fullington's operations qualify as a "special operation" or "intrastate commuter bus operation" under 49 U.S.C. 13902.

On September 17, 2008, Fullington submitted a Petition for Declaratory Order to FMCSA seeking a determination on these issues. This Petition is available for review in the docket for this proceeding. Before making its determination on the matters raised in the Petition, the Agency invites public comment on these issues.

Issued on May 28, 2009.

Rose A. McMurray,

Acting Deputy Administrator.

[FR Doc. E9–13043 Filed 6–3–09; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement in Seattle, WA

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this Notice to advise the public, Tribes, and agencies that it intends to prepare a

Second Supplemental Draft Environmental Impact Statement (SSDEIS) for a proposed highway project to replace the Alaskan Way Viaduct (SR 99) in Seattle, King County, Washington. This Notice revises a Notice of Intent for the Alaskan Way Viaduct and Seawall Replacement Project, which was published on August 3, 2005 (70 FR 44716). Furthermore, this Notice rescinds the Notice of Intent published on July 16, 2008 (73 FR 40908). The 2008 Notice of Intent anticipated the preparation of an Environmental Impact Statement that would evaluate various transportation modes and systems between the south Seattle city limits and N. 85th Street and Elliott Bay and Lake Washington, in addition to replacing the Alaskan Way Viaduct and Seawall. Rather than pursuing this more broad, multi-agency proposal, this Notice re-establishes FHWA's intent to continue the process begun with the publication of a Notice of Intent on June 22, 2001 (66 FR 33602), as revised on September 26, 2003 (68 FR 55712), and again in 2005. That process has resulted in the issuance of a Draft Environmental Impact Statement in March 2004, and a Supplemental Draft Environmental Impact Statement in July 2006. The planned SSDEIS will build on these earlier documents and the alternatives evaluated therein. However, there are some important changes to the earlier proposal. The major change is that this proposal will now consider one or more alternatives that no longer include the seawall along the Elliott Bay shoreline, known as the Alaskan Way Seawall. The Seawall was the subject of a Notice of Intent issued by the U.S. Army Corps of Engineers on March 31, 2006 (71 FR 16293). The SSDEIS will also set forth a revised Purpose and Need for the proposed project, re-evaluate previous Viaduct replacement alternatives in light of the revised Purpose and Need, and introduce and evaluate at least one new build alternative—a bored tunnel.

FOR FURTHER INFORMATION CONTACT: Randy Everett, Major Projects Oversight Manager, Federal Highway Administration, Jackson Federal Building, 915 2nd Avenue, Room 3142, Seattle, WA 98174; telephone: (206) 220-7538; and e-mail: *Randolph.Everett@dot.gov*. The FHWA Washington Division's Oversight Manager's regular office hours are between 8 a.m. and 4:30 p.m. (Pacific Time).

SUPPLEMENTARY INFORMATION: FHWA, Washington State Department of Transportation (WSDOT), and the City of Seattle (City) will prepare a SSDEIS to document the environmental consequences of alternatives for the proposed replacement of the Alaskan Way Viaduct located in downtown Seattle, King County, Washington. The intent of the proposed project is to improve public safety by replacing the existing Alaskan Way Viaduct with a transportation facility with improved earthquake resistance that provides for the efficient movement of people and goods through downtown Seattle. The Alaskan Way Viaduct is at the end of its useful life and must be replaced to protect public safety. Mobility through downtown Seattle is vital to maintaining local, regional, and statewide economic health.

In March 2004 a draft EIS was published evaluating five build alternatives; rebuild, aerial, cut and cover tunnel, bypass tunnel, and surface (*http://www.wsdot.wa.gov/Projects/Viaduct/library-environmental.htm#deis*). A supplemental draft EIS was published in July 2006 extending the project north of Battery Street Tunnel (*http://www.wsdot.wa.gov/Projects/Viaduct/library-environmental.htm#sdeis*). This document reduced the number of alternatives from five to two, a cut-and-cover tunnel and an elevated structure, based on information presented in the Draft EIS, public comments, and further study and design, and also evaluated different approaches to construction and their likely impacts.

In an advisory ballot measure in March 2007, Seattle voters rejected both a cut-and-cover tunnel and an elevated structure. The vote caused the agencies to reassess the problem of replacing the aging Viaduct, and in doing so, they hoped they would find a solution that had not yet emerged. Therefore, WSDOT, the City and King County Department of Transportation with support from FHWA took a fresh look at the transportation systems surrounding the Viaduct, and considered whether a systems-level solution could be found. Concurrently, FHWA determined the portion of the Viaduct south of King Street was an independent project. A Finding of No Significant Impact for improvements to this portion of SR 99 was published in February 2009. (*http://www.wsdot.wa.gov/Projects/Viaduct/library-environmental.htm*)

As part of the reassessment, the agencies considered improvements to SR 99, Interstate 5, Seattle streets, transit service, and transportation demand and systems management programs. An advisory group of stakeholders representing a wide range of interests was formed to provide input to the agencies. Public meetings were also held periodically throughout the reassessment process. During the reassessment process a bored tunnel emerged as an alternative that merited further consideration.

This SSDEIS will focus on evaluating the bored tunnel alternative. In addition, other alternatives that emerged during the reassessment process will be reviewed. Further, the Purpose and Need for the project will be revised based on comments received on the previous environmental documents, and the issues that emerged during the reassessment process—providing through capacity for vehicles, avoiding extensive construction impacts, and reconnecting the waterfront with the downtown. In light of the revised Purpose and Need, previous alternatives considered will be re-evaluated. Finally, the southern terminus will be revised to connect to the Holgate to King Street project, which has completed its separate, independent environmental review, and is under construction.

DATES: Scoping meetings will be held on June 8, 2009, at Seattle City Hall, Bertha Knight Landes Room, 600 Fourth Avenue, Seattle, WA, from 5 to 7 p.m.; June 10, 2009, at Madison Middle School, 3429 45th Ave., SW., Seattle, WA from 6 to 8 p.m.; and June 11, 2009, at Leif Erikson Hall, 2245 NW. 57th St., Seattle, WA from 6 to 8 p.m. FHWA invites agencies, Tribes, and the public to comment on the process that has been conducted up to now, the revised Purpose and Need, the bored tunnel alternative, and any potentially reasonable alternatives not previously considered to replace the aging Viaduct structure.

In lieu of, or in addition to, providing comments at any of the scoping meetings, comments and questions concerning this action and the SSDEIS may be submitted to FHWA at the address provided above or provided via e-mail to *SDEIS2scopingcomments@wsdot.wa.gov*. FHWA requests that written comments be received by July 10, 2009.

Authority: 23 U.S.C. 771.

(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.)

Randy Everett,

Major Projects Oversight Manager.

[FR Doc. E9-12988 Filed 6-3-09; 8:45 am]

BILLING CODE 4910-RY-P