

Quitclaim Deed; thence north 11 degrees, 27 minutes, 46 seconds east, 5496.27 feet to the point of beginning containing 282 acres more or less.

Except: A part of Section 15 Township 7 North, Range 8 East, Center Township, Jennings County, Indiana, and more particularly described as follows: Commencing at the point of the intersection of the east right-of-way line of the C.C.C. & St. L. Railroad and east and west centerline of said Section 15 also being the point of beginning of the Quitclaim Deed in the Jennings County Deed Record 78 page 634 to 636; thence north 89 degrees, 26 minutes, 06 seconds east, 2134.3 feet to the point of beginning on the centerline of Jennings County Road 20 West; thence southerly on and along the centerline of Jennings County Road 20 West to a point being 700 feet abeam the extended centerline of Runway 15–33 at the North Vernon Municipal Airport; thence northwesterly on and along a line parallel to and 700 feet abeam the extended centerline of Runway 15–33 at the North Vernon Municipal Airport to a point on the east and west centerline of said Section 15; thence on and along said east and west centerline of said Section 15 to the point of beginning containing 13 acres more or less.

Except: A part of Section 22, Township 7 North, Range 8 East, Center Township, Jennings County, Indiana, and more particularly described as follows: Commencing at the point of the intersection of the east right-of-way line of the C.C.C. & St. L. Railroad and east and west centerline of said Section 15 also being the point of beginning of the Quitclaim Deed in the Jennings County Deed Record 78 page 634 to 636, thence north 89 degrees, 26 minutes, 06 seconds East, 2134.3 feet to a point on the centerline of Jennings County Road 20 West; thence southerly on and along the centerline of Jennings County Road 20 West to the point of beginning being 1000 feet abeam of the extended centerline of Runway 5–23 at the North Vernon Municipal Airport; thence continuing southerly on and along the centerline of Jennings County Road 20 West to a point on the south line of said Quitclaim Deed; thence westerly on and along said south line of said Quitclaim Deed to a point also being 1000 feet abeam the extended centerline of Runway 5–23 at the North Vernon Municipal Airport; thence northeasterly on and along a line parallel to and 1000 feet abeam the extended centerline of Runway 5–23 at the North Vernon Municipal Airport to the point of beginning containing 45 acres more or less.

Together containing 224 acres more or less, subject to all liens, encumbrances, easements, limitations, and restrictions of record.

Issued in Des Plaines, Illinois, on May 1, 2007.

James G. Keefer

Manager, Chicago Airports District Office, FAA, Great Lakes Region.

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DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement, Canyon and Ada Counties, ID I–84, Karcher Interchange to Five Mile Road Environmental Study

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Letter of Project Initiation; Notice of Intent to prepare an Environmental Impact Statement (EIS); and initiation of public and agency scoping for the addition of traffic lanes, interchange configuration improvements, structure widening, structure replacements and pavement reconstruction to Interstate 84 (I–84) from the Karcher Interchange in Canyon County to the Five Mile Road overpass in Ada County, Idaho.

SUMMARY: The FHWA hereby gives notice that it intends to prepare an EIS for the proposed addition of lanes and other reconstruction improvements to approximately 16 miles of I–84 between the Karcher Interchange in Canyon County and Five Mile Road in Ada County, Idaho. The environmental study will evaluate the potential impacts of design alternatives for future construction of the additional lanes and several associated staged improvement projects of this highway segment. This EIS is being prepared and considered in accordance with the National Environmental Policy Act (NEPA) of 1969, regulations of the Council on Environmental Quality (40 CFR parts 1500–1508), and FHWA regulations, guidance and policy.

Anticipated Federal approvals/actions needed for this project to be constructed include permits for Sections 401 and 404 of the Clean Water Act (U.S. Army Corps of Engineers) and compliance with Section 106 of the National Historic Preservation Act.

Cooperating Agencies: There are no cooperating agencies identified for this project.

DATES: Public comments and questions are welcome anytime during the NEPA

process and should be directed to the addresses listed below. Additional formal opportunities for public participation after the Public Scoping are tentatively scheduled as follows:

Review and comment of Draft EIS (including a public hearing): Early 2009.

Review of Final EIS: Summer of 2009.

Notices of availability for the Draft EIS, Final EIS and Record of Decision will be provided through direct mail, the **Federal Register** and other media. Notification also will be sent to Federal, State, local agencies, persons, and organizations that submit comments or questions. Precise schedules and locations for public meetings will be announced in the local news media. Interested individuals and organizations may request to be included on the mailing list for the distribution of meeting announcements and associated information.

FOR FURTHER INFORMATION CONTACT:

Edwin Johnson, Field Operations Engineer; Federal Highway Administration, 3050 Lake Harbor Lane, Suite 126, Boise, Idaho 83703, Telephone: (208) 334–9180; or Gwen Smith, GARVEE Public Involvement Coordinator, Idaho Transportation Department, P.O. Box 7129, Boise, Idaho 83707–1129, Telephone: (208) 334–4444.

SUPPLEMENTARY INFORMATION:

Electronic access

An electronic copy of this document may be downloaded using a modem and suitable communications software from the Government Printing Office's Electronic Bulletin Board Service at (202) 512–1661. Internet users may reach the Office of the Federal Register's home page at <http://nara.gov/fedreg> and the Government Printing Office's database at: <http://access.gpo.gov/nara>.

Background

The FHWA in cooperation with the Idaho Transportation Department (ITD) will prepare an EIS for the proposed addition of lanes and other staged associated reconstruction improvement projects to approximately 16 miles of I–84 between the Karcher Interchange in Canyon County (Mile Post 33) and Five Mile Road (Mile Post 49) in Ada County, Idaho. These associated projects could include reconstructing existing lanes, reconstructing interchanges at Meridian Road and Garrity Boulevard; replacing seven overpass structures at Five Mile Road, Cloverdale Road, Ten Mile Road, 11th Avenue, Franklin Boulevard, Northwest Boulevard and Karcher Boulevard; ramp modifications at the

Eagle Road Interchange, Franklin Boulevard, Meridian Road Interchange, and Karcher Interchange; two railroad structures; and six irrigation/canal structures. Three of these associated projects are currently identified in the Idaho State Transportation Improvement Program (STIP) for District 3, as projects funded through Connecting Idaho GARVEE. These projects are:

- The reconstruction and widening of the existing Garrity overpass to accommodate additional lanes on I-84.
- The reconstruction and widening of I-84 mainline from Franklin Boulevard to the Garrity Road Interchange.
- The reconstruction and widening of the Garrity Interchange to Meridian Interchange.

Another associated project that is anticipated to be added to the 2008 STIP is:

- The reconstruction of the east half of the Franklin Boulevard Interchange.

Additional associated projects have been identified through previous studies, the Community Planning Association of Southwest Idaho (COMPASS) MPO plan and other long range planning documents. These projects have been presented to the public through public meetings, workshops, and publicly distributed documents. These projects are not in the current STIP or may not be programmed for funding at this time, but have been identified as a needed improvement through these studies. These projects are:

- The rehabilitation of the bridge on the eastbound lane of the Karcher Boulevard Interchange.
- The rehabilitation of the I-84, UPRR overpass, westbound lanes.
- Widening I-84 mainline from Eagle Road to the Five Mile Overcrossing at Mile Post 49.
- Widening I-84 mainline from Ten Mile Road to Eagle Road.
- Widening I-84 mainline from Garrity Boulevard to Ten Mile Road.
- The Meridian Road Interchange improvement project.
- Reconstruction of the Garrity Boulevard Interchange.

Notice is hereby given that the public scoping process has been initiated to prepare an EIS that will address the impacts of and alternatives to the proposal. The purpose of the scoping process is to solicit public comment regarding the full spectrum of issues and concerns, including a suitable range of alternatives, and the nature and extent of potential environmental impacts and appropriate mitigation measures that should be addressed in the EIS process. The EIS will examine

the short and long-term impacts of a reasonable range of alternatives, including the no action alternative, on the natural, physical, and human environments. The impacts assessment will include, but not be limited to, impacts on wetlands, wildlife; social environment; changes in land use; noise, aesthetics; changes in traffic; and economic impacts. Environmental Justice (as outlined in Executive Order 12898) will also be addressed as part of the impact assessment. The EIS will also examine measures to mitigate adverse impacts resulting from the proposed action.

Comments are being solicited from Federal, State, and local agencies and from private organizations and citizens who have interest in this proposal. Public information meetings, including scoping meetings, will be held in the project area to discuss the potential alignments and alternatives. The draft EIS will be available for public and agency review, and a public hearing will be held to receive comments. Public notice will be given of the time and place of all meetings and hearings.

Comments and/or suggestions from all interested parties are requested, to ensure that the purpose and need for the project, the full range of all issues, and significant environmental issues in particular, are identified and reviewed. Comments or questions concerning this proposed action and/or its EIS should be directed to the FHWA, or ITD at the addresses listed previously.

(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 proposed action)

Authority: 23 U.S.C. 315; 23 CFR 771.123; 49 CFR 1.48.

Peter Hartman,

Idaho Division Administrator, FHWA.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Petition for Waiver of Compliance

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR), notice is hereby given that the Federal Railroad Administration (FRA) has received a request for a waiver of compliance from certain requirements of its safety standards. The individual petition is described below, including the party seeking relief, the regulatory

provisions involved, the nature of the relief being requested, and the petitioner's arguments in favor of relief.

Union Pacific Railroad Company

[Waiver Petition Docket Number FRA-2007-28454]

The Union Pacific Railroad Company (UP) seeks a waiver of compliance from certain provisions of 49 CFR Part 232, *Brake System Safety Standards for Freight and Other Non-Passenger Trains and Equipment*. Specifically, UP is seeking relief from the requirements for performing the single car air brake test as prescribed in § 232.305(b)(2), which states in part: "A car is on a shop or repair track, as defined in § 232.303(a), for any reason and has not received a single car air brake test within the previous 12-month period."

UP states that they are performing repairs and wheel change-outs to cars in-train on selected trains in their yards across their system, in order to reduce the number of impact wheels and satisfy the demands of their customers to move commodities. UP claims that the in-train repairs also greatly reduce the number of switching events that would otherwise be required to effect the repairs, further reducing the risk of injury and derailment. UP believes that reducing the number of impact wheels has helped reduce the number of derailments due to broken rails, joint bars, wheels and bearings. The majority of these trains are in coal service and the cars are privately owned. UP contends that these cars receive regular periodic maintenance, so they seldom approach the 5-year limit in which a single car air brake test would normally be required. In addition, UP states that their system automatically flags cars in the yard when they are listed on the Association of American Railroad's MA-63, which is a list that identifies cars within 90 days of the 5-year limit. UP states that they will continue to perform a single car air brake test in compliance with § 232.305 (b)(4-5), (c), (d), and (e). UP believes that this request will not have an adverse effect on safety.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA in writing before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver