

ramps located on the east side of YBI with new westbound on- and off-ramps that replicate the functional role of the current ramps and also address seismic, traffic safety requirements, and design standards. The feasibility of improving the geometric configuration of the current eastbound off-ramp on the eastern side of YBI to Hillcrest Road will also be included. The YBI Ramps Improvement Project is separate and independent of both the SFOBB East Span Seismic Safety Project currently under construction, and the Treasure Island and Yerba Buena Island (TI/YBI) Redevelopment Plan, which is currently undergoing its own environmental review process. The proposed new ramps would improve traffic and seismic safety of the ramps and provide connections between YBI and the transition structure of the new SFOBB. The proposed project is located between Post Mile (PM) 7.8 and 8.1 starting at the east portal of the YBI tunnel and ending before the SFOBB Transition Structure.

The purpose of the project is to address geometric and operational deficiencies of the existing on- and off-ramps, improve traffic operations to and from the SFOBB and improve traffic safety by increasing deceleration length for the eastbound and westbound off-ramps, and increasing merging distance for eastbound and westbound on-ramps. Preliminary alternatives under consideration for the EIS/EIR include:

- (1) No Build Alternative, which assumes that the existing on- and off-ramps would remain in place and no further action or improvements would occur;
- (2) Alternative 2B, which would include the removal of the existing westbound on- and off-ramps on the east side of YBI, construction of a westbound off-ramp to Macalla Court on the east side of YBI, construction of a westbound hook on-ramp from Macalla Court on the east side of YBI. The feasibility of incorporating improvements to the current eastbound off-ramp on the eastern side of YBI to Hillcrest Road will be studied; and,
- (3) Alternative 4, which would include the removal of the existing westbound on- and off-ramps on the east side of YBI, the construction of westbound on-ramp from Hillcrest Road, the construction of westbound off-ramp from Macalla Court on the east side of YBI. The feasibility of incorporating improvements to the current eastbound off-ramp on the eastern side of YBI to Hillcrest Road will be studied.

Anticipated Federal approvals or permits include, U.S. Fish and Wildlife

Service (USFWS) Section 7 Endangered Species Act, Consultation, Sections 401 and 404 of the Clean Water Act, Section 4(f) of the Transportation Act of 1966, Section 6(f) Land and Water Conservation Fund Act, Section 10 Army Corp of Engineers (ACOE), Section 9 Coast Guard, and determination of consistency with the Federal Coastal Zone Management Act by the San Francisco Bay Conservation and Development Commission.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State, participating agencies (including federally recognized Tribal governments, if any), local agencies, and private organizations and citizens who have previously expressed or are known to have interest in this proposal. The NEPA environmental process for the proposed project began in June 2008. A public scoping meeting is scheduled to be held at the Port of San Francisco office, in the Bayside Conference Room located at Pier 1, The Embarcadero, San Francisco, CA 94111 on Wednesday, September 24, 2008 from 6:30 to 8 p.m.

In addition, at least one public hearing will be held after the publication of the Draft EIS/EIR. Public notice will be given of the time and place of the meeting and hearing (as applicable). The Draft EIS/EIR will be available for public and agency review and comment prior to the public hearing.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comment or questions concerning this proposed action and the EIS should be directed to Eric Cordoba, Project Manager for the Authority, with a copy of comment sent to Melanie Brent, Caltrans Office Chief. Written comments must be received no later than 5 p.m. on October 6, 2008 and should be sent to Eric Cordoba at the Authority, with a copy of the comment sent to Melanie Brent at Caltrans at the addresses listed above.

(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.)

Issued on: September 5, 2008.

**Nancy E. Bobb,**

*Director, State Programs, Federal Highway Administration, Sacramento, California.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System or Relief From the Requirements of Title 49 Code of Federal Regulations Part 236

Pursuant to Title 49 Code of Federal Regulations (CFR) Part 235 and 49 U.S.C. 20502(a), the following railroad has petitioned the Federal Railroad Administration (FRA) seeking approval for the discontinuance or modification of the signal system or relief from the requirements of 49 CFR Part 236, as detailed below.

[Docket Number FRA-2008-0094]

*Applicant:* Wheeling & Lake Erie Railway Company, Mr. Dan Reinsel, Signal & Communications Supervisor, 100 East First Street, Brewster, OH 44613.

The Wheeling & Lake Erie Railway Company seeks approval of the proposed discontinuance of the signal system governing movements over the Maumee River turn span bridge at MP 2.38, Toledo, Ohio.

The reason given for the proposed changes is that a damaged mechanical circuit coupler located on the east end of the turn span is no longer in production and attempts to secure a replacement have been unsuccessful. Replacement of the entire system would be of excessive cost given the amount of rail traffic across the bridge.

Any interested party desiring to protest the granting of an application shall set forth specifically the grounds upon which the protest is made, and include a concise statement of the interest of the party in the proceeding. Additionally, one copy of the protest shall be furnished to the applicant at the address listed above.

FRA expects to be able to determine these matters without an oral hearing. However, if a specific request for an oral hearing is accompanied by a showing that the party is unable to adequately present his or her position by written statements, an application may be set for public hearing.

All communications concerning this proceeding should be identified by Docket Number FRA-2008-0094 and may be submitted by one of the following methods:

- *Web site:* <http://www.regulations.gov>. Follow the instructions for submitting comments on the DOT electronic site;
- *Fax:* 202-493-2251;
- *Mail:* Docket Management Facility, U.S. Department of Transportation, 1200

New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590; or

- **Hand Delivery:** Room W12-140 of the U.S. Department of Transportation West Building Ground Floor, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Communications received within 45 days of the date of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.-5 p.m.) at the above facility. All documents in the public docket are also available for inspection and copying on the Internet at the docket facility's Web site at <http://www.regulations.gov>.

FRA wishes to inform all potential commenters that 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://www.regulations.gov>.

Issued in Washington, DC on September 3, 2008.

**Grady C. Cothen, Jr.,**

*Deputy Associate Administrator for Safety Standards and Program Development.*

[FR Doc. E8-20758 Filed 9-5-08; 8:45 am]

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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.

### Burlington Junction Railway

[Waiver Petition Docket Number FRA-2008-0012]

The Burlington Junction Railway (BJRY) of Burlington, Iowa, has petitioned for a permanent waiver of compliance for one diesel-electric locomotive built in March 1951, model SW-8 and numbered BJRY 900, from the requirements of the Railroad Safety Glazing Standards, Title 49 CFR Part 223, which require certified glazing in all windows. The locomotive is presently located in Montgomery, Illinois. The railroad indicates that the locomotive is used to switch an industrial park next to the City of Rochelle, Illinois, over an approximately 3.0-mile long track surrounded by warehouses and underdeveloped rural agriculture fields. The top speed of operations is 10 mph.

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 Petition Docket Number FRA-2008-0012) and may be submitted by any of the following methods:

- **Web site:** <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- **Fax:** 202-493-2251.
- **Mail:** Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., W12-140, Washington, DC 20590.
- **Hand Delivery:** 1200 New Jersey Avenue, SE., Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Communications received within 45 days of the date of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.-5 p.m.) at the above facility. All documents in the public docket are also available for inspection and copying on the Internet at the docket facility's Web site at <http://www.regulations.gov>.

Anyone is able to search the electronic form of any written

communications and 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).

Issued in Washington, DC, on September 3, 2008.

**Grady C. Cothen, Jr.,**

*Deputy Associate Administrator for Safety Standards and Program Development.*

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**BILLING CODE 4910-06-P**

## 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.

### Squaw Creek Southern Railroad, Inc.

[Waiver Petition Docket Number FRA-2008-0020]

The Squaw Creek Southern Railroad, Inc. of Boonville, Indiana, has petitioned for a permanent waiver of compliance for one SD-38-2 model locomotive (numbered RRC-20) built by the Electromotive Division of General Motors from the requirements of the *Railroad Safety Glazing Standards*, 49 CFR Part 223, which requires certified glazing in all windows. The railroad indicates that it operates between Yankeetown and Lynnvill, Indiana, with trackage rights over approximately 21 miles of Norfolk Southern (NS) systems track owned, operated and maintained by NS. The railroad implies economic hardship for the replacement of existing glazing with FRA certified glazing per requirements of 49 CFR Part 223.

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