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Decided: December 7, 2009.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

**Kulunie L. Cannon,**  
Clearance Clerk.

[FR Doc. E9-29499 Filed 12-10-09; 8:45 am]

BILLING CODE 4915-01-P

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Environmental Impact Statement: Wayne and Oakland Counties, MI

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

**ACTION:** Notice of availability (NOA) of the Final Environmental Impact Statement (FEIS) for the Detroit Intermodal Freight Terminal (DIFT) and Section 4(f) Evaluation.

**SUMMARY:** This notice announces the availability of the Final Environmental Impact Statement (FEIS) and Section 4(f) Evaluation for the DIFT. This action is pursuant to the National Environmental Policy Act (NEPA) of 1969, 42 U.S.C. 4321 *et seq.*, as amended and the Council on Environmental Quality Regulations (40 CFR Parts 1500-1508). The FEIS identifies the Preferred Alternative to enhance the intermodal freight terminal at the Livernois-Junction Yard in Detroit, Michigan; describes the environmental impacts of the proposed project and proposed mitigation; and addresses comments received on the Draft Environmental Impact Statement and Section 4(f) Evaluation issued in April 15, 2005.

**DATES:** Any comments must be received on or before January 29, 2010. The FEIS waiting period ends 49 days after the U.S. Environmental Protection Agency publishes the DIFT's NOA in the **Federal Register** (currently scheduled to be published on December 11th).

#### ADDRESSES:

1. *Document Availability:* Copies of the FEIS are available for public inspection and review at the following locations:

- Ferndale Public Library, 222 E. Nine Mile, Ferndale, MI.
- Henry Ford Centennial Library, 16301 Michigan Ave., Dearborn, MI.
- Detroit Public Library, 5201 Woodward Ave., Detroit, MI.
- Bowen Branch of the Detroit Public Library, 3648 W. Vernor, Detroit, MI.

- MDOT Detroit Transportation Service Center, 1400 Howard St., Detroit, MI.
- MDOT Oakland Transportation Service Center, 2300 Dixie Hwy., Waterford, MI.
- MDOT Region Office, 18101 W. Nine Mile Rd., Southfield, MI.
- MDOT Bureau of Transportation Planning, 425 Ottawa St., Lansing, MI.

The document also may be viewed and commented on at [http://www.michigan.gov/mdot/0,1607,7-151-9621\\_11058\\_26215--,00.html](http://www.michigan.gov/mdot/0,1607,7-151-9621_11058_26215--,00.html).

Copies of the FEIS may be requested from Bob Parsons (Public Involvement and Hearings Officer) at the Michigan Department of Transportation, 425 W. Ottawa Street, P.O. Box 30050, Lansing, MI 48909 or by calling (517) 373-9534.

2. *Comments:* Send any comments on the FEIS to the Michigan Department of Transportation, c/o Bob Parsons (Public Involvement and Hearings Officer), 425 W. Ottawa Street, P.O. Box 30050, Lansing, MI 48909; *Fax:* (517) 373-9255; or *e-mail:* [parsonsb@michigan.gov](mailto:parsonsb@michigan.gov). Information regarding this proposed action is available in alternative formats upon request.

#### FOR FURTHER INFORMATION CONTACT:

Donald Cameron, Planning & Program Development Manager, at FHWA Michigan Division, 315 W. Allegan Street, Room 201; Lansing, MI 48933; by phone at (517) 702-1826, or e-mail at [Donald.Cameron@dot.gov](mailto:Donald.Cameron@dot.gov). David Williams, Environmental Program Manager, FHWA Michigan Division, 315 W. Allegan Street, Room 201; Lansing, MI 48933; by phone at (517) 702-1820; or e-mail at [David.Williams@dot.gov](mailto:David.Williams@dot.gov).

**SUPPLEMENTARY INFORMATION:** The DEIS for the DIFT was approved in April 2005. Since more than three years has passed since the signing of the DEIS, a re-evaluation of the DEIS was done in accordance with 23 CFR 771.129. This FEIS reflect the comments received during the public hearing process and updated data in all critical areas.

The goal of the project is to provide and/or improve regional intermodal facilities, owned and/or operated by the one or more of the DIFT Rail Related participants—Grand Trunk Western Railroad, Inc. (CN); Canadian Pacific Railway Company (CP); CSX Transportation, Inc. (CSX); Norfolk Southern Railway company (NS); and the Michigan Department of Transportation (MDOT)—with sufficient capacity and interconnectivity to provide for existing and future intermodal demand and to reduce time, monetary costs, and congestion to the support the economic competitiveness of Southeastern Michigan. This will be done by providing necessary intermodal

terminal capacity and improving the related rail and highway infrastructure within Wayne and Oakland counties.

The Detroit Intermodal Freight terminal Project Pre-Development Plan Agreement was established to further refine the understandings and intentions of the DIFT Rail Related Participants.

**Purpose and Need for the Project:** The purpose of the DIFT is to enhance intermodal operations and economic competitiveness of Southeast Michigan by improving freight transportation opportunities and efficiencies for business, industry, and the military. The need to enhance intermodal operations results from Detroit's need for greater intermodal capacity and improved connectivity.

**Preferred Alternative:** The Preferred Alternative involves consolidating intermodal operations of the CSX, NS, and CP railroads at the Livernois-Junction Yard in Southwest Detroit and improving external connectors to benefit all Class I railroads, including CN.

**Authority:** 42 U.S.C. 4321 *et seq.*, as amended and the Council on Environmental Quality Regulations (40 CFR Parts 1500-1508) 23 CFR 771.117; and 23 U.S.C. 139(1)(1).

Issued on: December 1, 2009.

**James J. Steele,**

*Division Administrator, Lansing, Michigan.*

[FR Doc. E9-29189 Filed 12-10-09; 8:45 am]

BILLING CODE 4910-22-P

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Tier 1 Final Environmental Impact Statement (FEIS) for the Placer Parkway Corridor Preservation Project

December 2009.

**AGENCY:** United States Department of Transportation, Federal Highway Administration.

**ACTION:** Notice of Availability (NOA) of the Tier 1 Final Environmental Impact Statement (FEIS) for the Placer Parkway Corridor Preservation Project and a Section 4(f) Evaluation.

**SUMMARY:** The Federal Highway Administration (FHWA) is issuing this notice to advise the public of the availability of a Tier 1 FEIS and Section 4(f) Evaluation for the Placer Parkway Corridor Preservation Project, a proposed transportation corridor in western Placer and eastern Sutter Counties, California. This action is pursuant to the National Environmental Policy Act (NEPA) of 1969, 42 U.S.C. 4321 *et seq.*, as amended and the

Council of Environmental Quality Regulations (40 CFR parts 1500–1508). The Tier 1 FEIS discusses the recommended alternative for the Placer Parkway Project between State Route (SR) 70/99, in southeastern Sutter County, and SR 65, in southwestern Placer County, California; describes the potential environmental and socioeconomic effects of the project and a framework for mitigation; and addresses comments received on the Tier 1 Draft Environmental Impact Statement (DEIS) circulated in June 2007 and the Partially Revised Tier 1 DEIS circulated in January 2009.

**DATES:** Any comments regarding the Tier 1 FEIS must be received on or before January 11, 2010.

**ADDRESSES:** Copies are available for public inspection and review on the project Web site at <http://www.pctpa.net/placerparkway/index.htm> and at the following locations:

Placer County Transportation Planning Agency 299 Nevada Street, Auburn, CA  
 Placer County Planning Department 3091 County Center Drive, Auburn, CA  
 Placer County Public Works Department 3091 County Center Drive, Auburn, CA  
 Placer County Library 350 Nevada Street, Auburn, CA  
 Placer County Library, Loomis 6050 Library Drive, Loomis, CA  
 Sutter County Library, Main Branch 7504 Forbes Avenue, Yuba City, CA  
 Sutter County Library, Pleasant Grove Branch 3093 Howsley Road, Pleasant Grove, CA  
 Sutter County Library, Browns Branch 1248 Pacific Avenue, Rio Oso, CA  
 Sacramento County Public Library 828 I Street, Sacramento, CA  
 California State University 6000 J Street, Sacramento, CA  
 Sutter County Planning Department 1130 Civic Center Blvd., Yuba City, CA  
 Sacramento County Planning Department, 827 7th Street, Room 230, Sacramento, CA  
 Roseville Public Library—Downtown 225 Taylor Street, Roseville CA  
 Roseville Public Library—Maidu 1530 Maidu Drive, Roseville CA  
 Rocklin Library 5400 Fifth Street, Rocklin, CA  
 Lincoln Library 590 Fifth Street, Lincoln, CA  
 Sierra College Library 5000 Rocklin Road, Rocklin, CA  
 Sacramento County Library, North Natomas, 2500 New Market Drive, Sacramento, CA

Sacramento County Library, North Highlands—Antelope 4235 Antelope Road, Antelope, CA

**FOR FURTHER INFORMATION CONTACT:** Gary Sweeten, North Team Leader, Local Agency Programs, FWA California Division, 650 Capitol Mall, Suite 4–100, Sacramento, CA 95814 or via e-mail at [gary.sweeten@dot.gov](mailto:gary.sweeten@dot.gov) or Ms. Celia McAdam, Executive Director, 299 Nevada St., Auburn, California 95603, or via e-mail to [pctpa@pctpa.net](mailto:pctpa@pctpa.net).

**SUPPLEMENTARY INFORMATION:** This proposed federal action is to preserve a corridor for the future construction of Placer Parkway, a new east-west roadway linking State Route (SR) 70/99 in Sutter County east to SR 65 in Placer County. Specifically, the action being considered and evaluated is to select and preserve a 500 to 1,000 foot-wide corridor in the project study area, within which the future four- or six-lane Placer Parkway may be constructed. Five or six interchanges were proposed, depending on the corridor alignment alternative. The Placer Parkway project is intended to reduce anticipated congestion on both the local and regional transportation system and to advance economic development goals in south Sutter County and southwestern Placer County.

Five corridor action alternatives and a no-action alternative were evaluated during the preparation of the Tier 1 EIS. Although the Parkway would be designed and construction-level impacts analyzed during the preparation of the Tier 2 EIS, for the purpose of the Tier 1 EIS, several assumptions have been made about potential design and configuration concepts. These assumptions would be subject to further development and refinement, and specific decisions about the design of the roadway would be made during the Tier 2 EIS process.

The Final Tier 1 EIS includes responses to the comments received on the Tier 1 Draft and Partially Revised Draft EIS/EIR and identifies Alternative 5 as the preferred corridor. The Parkway to be constructed in this corridor would be a high-speed, limited access roadway. Conceptually, interchanges would be located at SR 70/99 (at one-half mile north of Riego Road or at Sankey Road), one or two locations to be determined in southern Sutter County, Fiddymont Road, Foothills Boulevard, and SR 65 at Whitney Ranch Parkway. Access would be restricted for the 7-mile segment between Pleasant Grove Road and Fiddymont Road.

Issued On: December 2, 2009.

**Karen Bobo,**

*Director, Local Agency Programs, Federal Highway Administration, Sacramento, CA.*

[FR Doc. E9–29187 Filed 12–10–09; 8:45 am]

**BILLING CODE 4910–22–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice of Final Federal Agency Actions on Proposed Highways in the State of Utah—Geneva Road EIS and SR–262, Montezuma Creek to Aneth

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

**ACTION:** Notice of limitation on claims for judicial review of actions by FHWA.

**SUMMARY:** This notice announces actions taken by the FHWA that are final within the meaning of 23 U.S.C. 139(l)(1). The actions relate to various proposed highway projects in the State of Utah. Those actions grant approvals for the projects.

**DATES:** By this notice, the FHWA is advising the public of final agency actions subject to 23 U.S.C. 139(l)(1). A claim seeking judicial review of the Federal agency actions on any of the listed highway projects will be barred unless the claim is filed on or before June 9, 2010. If the Federal law that authorizes judicial review of a claim provides a time period of less than 180 days for filing such claim, then that shorter time period still applies.

**FOR FURTHER INFORMATION CONTACT:** For FHWA: Mr. Edward Woolford, Environmental Program Manager, Federal Highway Administration, 2520 West 4700 South, Suite 9A, Salt Lake City, Utah 84118; telephone: (801) 963–0182; e-mail:

[Edward.Woolford@DOT.gov](mailto:Edward.Woolford@DOT.gov). The FHWA Utah Division Office's normal business hours are 7:00 a.m. to 4:30 p.m. (Mountain Standard Time). For UDOT: Ms. Rebecca Stromness, Environmental Program Manager, Utah Department of Transportation, 4501 South 2700 West, Box 148450, Salt Lake City, Utah 84118–8450; telephone: (801) 965–4327; e-mail: [Rstromness@utah.gov](mailto:Rstromness@utah.gov).

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the FHWA has taken final agency action by issuing approval for the highway projects in the State of Utah that are listed below. The action by the Federal agency on a project, and the laws under which such actions were taken, are described in the documented environmental impact statement (EIS) issued in connection with the projects, and in other project records. The FEIS,