

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****Public Notice for Waiver of Aeronautical Land-Use Assurance; Rickenbacker International Airport, Columbus, OH**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice of intent of waiver with respect to land.

**SUMMARY:** The Federal Aviation Administration (FAA) is considering a proposal to change a portion of the Rickenbacker International Airport from aeronautical use to non-aeronautical use and to authorize the swap of the airport property. The proposal consists of the swap of improved land owned by the Columbus Regional Airport Authority (CRAA) for land owned by the United States Navy (Navy).

The CRAA has requested from FAA a "Release from Federal agreement obligated land covenants" to swap 18.320 acres of property acquired by the CRAA without Federal funding from the United States Air Force via Deed dated July 11, 2001, for 24.447 acres owned by the Navy.

The above mentioned land is not needed for aeronautical use, as shown on the Airport Layout Plan. There are no impacts to the airport by allowing the CRAA to dispose of the property. Approval does not constitute a commitment by the FAA to financially assist in the disposal of the airport property nor a determination of eligibility for grant-in-aid funding from the FAA. The disposition of proceeds from the disposal of the airport property will be in accordance with FAA's Policy and Procedures Concerning the Use of Airport Revenue, published in the **Federal Register** on February 16, 1999.

In accordance with section 47107(h) of title 49, United States Code, this notice is required to be published in the **Federal Register** 30 days before modifying the land-use assurance that requires the property to be used for an aeronautical purpose.

**DATES:** Comments must be received on or before May 23, 2012.

**ADDRESSES:** Documents reflecting this FAA action may be reviewed at the Detroit Airports District Office, 11677 South Wayne Road, Suite 107, Romulus, Michigan 48174.

**FOR FURTHER INFORMATION CONTACT:** Mr. David J. Welhouse, Program Manager, Detroit Airports District Office, 11677 South Wayne Road, Suite 107, Romulus, Michigan 48174. Telephone Number

(734) 229-2952/Fax Number (734) 229-2950.

**SUPPLEMENTARY INFORMATION:** Following is a legal description of the property located in the Township of Hamilton, Franklin County, Ohio, and described as follows:

**Description of Property Being Released (18.320 Acres)**

Situated in the State of Ohio, County of Franklin, Township of Hamilton, located in Sections 1 and 12, Township 3, Range 22, Congress Lands, being part of the property owned by United States of America, records of the Recorder's Office, Franklin County, Ohio said 18.320 acres being more fully bounded and described as follows:

Beginning for reference at RPA Mon. No. 13 found northeast of the centerline intersection of Tank Truck Road with 1st Street, thence South 65°00'21" East a distance of 141.62 feet to an iron pin found;

Thence North 45°36'04" East parallel and 60 feet southeast of said 1st Street, a westerly line of Rickenbacker Port Authority of record in Instrument No. 200001110008138, a distance of 1103.17 feet to the True Place of Beginning;

Thence North 45°36'04" East parallel and 60 feet southeast of said 1st Street a distance of 1066.95 feet to an iron pin set at a point of curvature;

Thence with an arc of a curve to the right having a radius of 115.00 feet, delta angle of 89°59'55", a chord bearing South 89°23'59" East a distance of 162.63 feet to an iron pin set 30 feet southwest of Club Road;

Thence South 44°24'01" East parallel and 30 feet southwest of said Club Road a distance of 566.60 feet to an iron pin set;

Thence South 45°34'28" West parallel and 75 feet northwest of 2nd Street a distance of 1181.17 feet to an iron pin found on the north line of said Rickenbacker Port Authority;

Thence North 44°27'55" West along the northerly line of said Rickenbacker Port Authority a distance of 473.04 feet to an iron pin found;

Thence North 45°40'41" East a distance of 65.84 feet to an iron pin found;

Thence North 44°19'19" West a distance of 72.72 feet to an iron pin found;

Thence South 45°40'41" West a distance of 66.02 feet to an iron pin found;

Thence North 44°27'55" West a distance of 136.38 feet to the True Place of Beginning containing 18.320 acres more or less, as calculated by the above courses. Subject however to all legal

highways, easements and restrictions of record.

Issued in Romulus, Michigan on April 4, 2012.

**John L. Mayfield, Jr.,**

*Manager, Detroit Airports District Office, FAA, Great Lakes Region.*

[FR Doc. 2012-9677 Filed 4-20-12; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION****Federal Highway Administration****Notice of Final Federal Agency Actions on Proposed Highways in Colorado**

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

**ACTION:** Notice of limitation on claims for judicial review of actions by FHWA and other Federal agencies.

**SUMMARY:** This notice announces actions taken by the FHWA and other Federal agencies 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 Colorado. Those actions grant licenses, permits, and 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 October 22, 2012. 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:** Stephanie Gibson, Environmental Program Manager, Federal Highway Administration Colorado Division, 12300 W. Dakota Avenue, Lakewood, Colorado 80228, 720-963-3013, [Stephanie.gibson@dot.gov](mailto:Stephanie.gibson@dot.gov) normal business hours are 8 a.m. to 4:30 p.m. (Mountain time); You may also contact Vanessa Henderson, NEPA Program Manager, Colorado Department of Transportation, 4201 E. Arkansas Avenue, Shumate Building, Denver, Colorado 80222, 303-757-9878, [Vanessa.henderson@dot.state.co.us](mailto:Vanessa.henderson@dot.state.co.us), normal business hours are 6:30 a.m. to 4 p.m. (Mountain time).

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the FHWA and other Federal agencies have taken final agency actions by issuing licenses, permits, and approvals for the highway projects in the State of Colorado that are listed below. The actions by the Federal

agencies on a project, and the laws under which such actions were taken, are described in the environmental assessment (EA) or environmental impact statement (EIS) issued in connection with the project and in other key project documents. The EA or EIS, and other key documents for the listed projects are available by contacting the FHWA or the Colorado Department of Transportation at the addresses provided above. The EA, Finding of No Significant Impact (FONSI), Final EIS, and Record of Decision (ROD) documents can be viewed and downloaded from the Web sites listed below.

This notice applies to all Federal agency decisions on the project as of the issuance date of this notice and all laws under which such actions were taken. This notice does not, however, alter or extend the limitation period of 180 days for challenges to final agency actions subject to previous notices published in the **Federal Register**, including notice given by the Federal Transit Administration on September 23, 2010 related to U.S. 36 (75 FR 58017).

This notice applies to all Federal agency decisions, actions, approvals, licenses and permits on the project as of the issuance date of this notice, including but not limited to those arising under the following laws, as amended:

1. *General*: National Environmental Policy Act [42 U.S.C. 4321–4347]; Federal-Aid Highway Act [23 U.S.C. 109].
2. *Air*: Clean Air Act, as amended [42 U.S.C. 7401–7671(q)].
3. *Land*: Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303]; Landscaping and Scenic Enhancement (Wildflowers) [23 U.S.C. 319].
4. *Wildlife*: Endangered Species Act [16 U.S.C. 1531–1544]; Fish and Wildlife Coordination Act [16 U.S.C. 661–667(e)]; Magnuson-Stevenson Fishery Conservation and Management Act of 1976, as amended [16 U.S.C. 1801 *et seq.*].
5. *Historic and Cultural Resources*: Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470f]; Archaeological Resources Protection Act of 1977 [16 U.S.C. 470aa–470mm]; Archaeological and Historic Preservation Act [16 U.S.C. 469–469c–2]; Native American Grave Protection and Repatriation Act [25 U.S.C. 3001–3013].
6. *Social and Economic*: Civil Rights Act of 1964 [42 U.S.C. 2000(d)–2000(d)(1)]; American Indian Religious Freedom Act [42 U.S.C. 1996]; Farmland Protection Policy Act [7 U.S.C. 4201–

4209]; the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended [42 U.S.C. 61].

7. *Wetlands and Water Resources*: Clean Water Act, 33 U.S.C. 1251–1377 [Section 404, Section 401, Section 319]; Land and Water Conservation Fund Act [16 U.S.C. 4601–4–4601–11]; Safe Drinking Water Act [42 U.S.C. 300f *et seq.*]; Rivers and Harbors Act of 1899 [33 U.S.C. 401–406]; TEA–21 Wetlands Mitigation [23 U.S.C. 103(b)(6)(m), 133(b)(11)]; Flood Disaster Protection Act [42 U.S.C. 4001–4129].

8. *Hazardous Materials*: Comprehensive Environmental Response, Compensation, and Liability Act [42 U.S.C. 9601–9675]; Superfund Amendments and Reauthorization Act of 1986 [Pub. L. 99–499]; Resource Conservation and Recovery Act [42 U.S.C. 6901–6992(k)].

9. *Executive Orders*: E.O. 11990 Protection of Wetlands; E.O. 11988 Floodplain Management; E.O. 12898 Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations; E.O. 11593 Protection and Enhancement of Cultural Resources; E.O. 13007 Indian Sacred Sites; E.O. 13287 Preserve America; E.O. 13175 Consultation and Coordination with Indian Tribal Governments; E.O. 11514 Protection and Enhancement of Environmental Quality; E.O. 13112 Invasive Species.

The projects subject to this notice are:

1. *U.S. 36 Corridor Project*. Project location: U.S. 36 from Denver to Boulder. Project reference number: NO 0361–070. Project type: The project's purpose is to improve mobility along the U.S. 36 corridor from Interstate 25 in Adams County to Foothills Parkway/ Table Mesa Drive in Boulder, a distance of approximately 18 miles. The project includes the reconstruction of U.S. 36 road surface, one buffer-separated managed lane in each direction, bus rapid transit (BRT) ramp stations, auxiliary lanes between most interchanges, a bikeway the entire length of the project, and alternative transportation strategies. FHWA NEPA documents: DEIS and Draft Section 4(f) Evaluation signed July 23, 2007, FEIS and Final Section 4(f) Evaluation signed October 30, 2009, ROD signed December 24, 2009. Department of the Army Permit No. 200380602. <http://www.coloradodot.info/projects/us36eis>.
2. *U.S. 6 and Wadsworth*. Project location: Lakewood, Jefferson County. Project reference number: STU 0062–019. Project type: Reconstruction of U.S. 6/Wadsworth Boulevard interchange with the existing clover leaf being

changed to a tight diamond with loop ramp in the northwest quadrant and the widening of Wadsworth between 1 4th and 4th Avenues with the addition of a travel lane in each direction. FHWA NEPA documents: EA and Draft Section 4(f) Evaluation signed June 29, 2009, FONSI and Final Section 4(f) Evaluation signed March 12, 2010. <http://www.coloradodot.info/projects/US6wadsworth/environmental-assessment-and-draft-4-f-evaluation.html>.

3. *Powers Boulevard (SH 21) between Woodman Road and SH 16*. Project location: Colorado Springs, El Paso County. Project reference number: STU R200–109. Project type: The proposed project would reconstruct the existing expressway as a 6-lane freeway for 11 miles between Woodmen Road and Milton E. Proby Parkway, build 11 new grade separated interchanges, and obtain right-of-way to accommodate future interchanges for a freeway on the existing 5.8-miles between Milton E. Proby Parkway and SH 16. The purpose of the project is to reduce current and future traffic congestion on Powers Boulevard between Woodmen Road and SH 16 and to accommodate connections with the region's planned transportation network. FHWA NEPA documents: EA signed May 4, 2010, FONSI signed January 4, 2011. <http://www.thepowerslink.com/>.

4. *I-70 East Eagle Interchange*. Project location: Town of Eagle, Eagle County. Project reference number: CC 0702–268. Project type: The proposed project is a new interchange located 1.8 miles east of the existing Eby Creek Road interchange in Eagle with a connector road to U.S. 6. The purpose of the project is to address problems with congestion, local road connectivity, safety, and to support local development plans. FHWA NEPA documents: EA signed September 3, 2010, FONSI signed May 24, 2011. <http://www.townofeagle.org/index.aspx?NID=106>.

5. *I-70 Mountain Corridor Programmatic EIS*. Project location: Garfield, Eagle, Summit, Clear Creek, and Jefferson Counties. Project Reference Number: IM 0703–244. Project type: This Tier 1 EIS process identified a multimodal solution which includes three main components: non-infrastructure components, an Advanced Guideway System, and highway improvements. The Federal actions covered by this notice include Tier 1 decisions that will be used by Federal agencies in subsequent proceedings, including decisions whether to grant licenses, permits and approvals for highway projects. Tier 1

decisions may also be relied upon by state and local agencies in proceedings on the project. Section 4 of the Introduction of the Tier 1 Final Programmatic EIS and Section A of the Record of Decision specify the decisions being made at this Tier 1 level. Challenges to these Tier 1 decisions must be made within 180 days of this notice or they will be barred. The purpose for transportation improvements is to increase capacity, improve accessibility and mobility, and decrease congestion for travel demand (projected to occur in 2050) to destinations along the Corridor as well as for interstate travel, while providing for and accommodating environmental sensitivity, community values, transportation safety, and ability to implement the proposed solutions for the Corridor. FHWA NEPA documents: Draft Programmatic EIS signed August 10, 2010, Final Programmatic EIS signed February 24, 2011, ROD signed June 16, 2011. <http://www.coloradodot.info/projects/i-70mountaincorridor>.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

**Authority:** 23 U.S.C. 139(l)(1).

**John M. Cater,**

*Division Administrator, Lakewood, Colorado.*

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**BILLING CODE 4910-22-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA-2000-7257; Notice No. 69]

#### Railroad Safety Advisory Committee (RSAC); Working Group Activity Update

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

**ACTION:** Announcement of Railroad Safety Advisory Committee (RSAC) Working Group Activities.

**SUMMARY:** The FRA is updating its announcement of the RSAC Working Group activities to reflect its current status.

**FOR FURTHER INFORMATION CONTACT:** Larry Woolverton, RSAC Designated Federal Officer/Administrative Officer, FRA, 1200 New Jersey Avenue SE., Mailstop 25, Washington, DC 20590, (202) 493-6212; or Robert Lauby, Acting Associate Administrator for Railroad

Safety/Chief Safety Officer, FRA, 1200 New Jersey Avenue SE., Mailstop 25, Washington, DC 20590, (202) 493-6474.

**SUPPLEMENTARY INFORMATION:** This notice serves to update FRA's last announcement of working group activities and status reports of November 28, 2011 (76 FR 72997). The 45th full RSAC meeting was held December 8, 2011, and the 46th meeting is scheduled for April 26, 2012, at the National Association of Home Builders, National Housing Center, located at 1201 15th Street NW., Washington, DC 20005.

Since its first meeting in April 1996, the RSAC has accepted 38 tasks. Status for each of the open tasks (neither completed nor terminated) is provided below:

#### Open Tasks

*Task 96-4-Tourist and Historic Railroads.* Reviewing the appropriateness of the agency's current policy regarding the applicability of existing and proposed regulations to tourist, excursion, scenic, and historic railroads. This task was accepted on April 2, 1996, and a working group was established. The working group monitored the steam locomotive regulation task. Planned future activities involve the review of other regulations for possible adaptation to the safety needs of tourist and historic railroads. *Contact: Robert Lauby, (202) 493-6474.*

*Task 03-01-Passenger Safety.* This task includes updating and enhancing the regulations pertaining to passenger safety, based on research and experience. This task was accepted on May 20, 2003, and a working group was established. Prior to embarking on substantive discussions of a specific task, the working group set forth in writing a specific description of the task. The working group reports planned activity to the full RSAC at each scheduled full RSAC meeting, including milestones for completion of projects and progress toward completion. At the first meeting, held on September 9-10, 2003, a consolidated list of issues was completed. At the second meeting, held on November 6-7, 2003, four task groups were established: Emergency Preparedness, Mechanical, Crashworthiness, and Track/Vehicle Interaction. The task forces met and reported on activities for working group consideration at the third meeting, held on May 11-12, 2004, and a fourth meeting was held October 26-27, 2004. The working group met on March 21-22, 2006, and again on September 12-13, 2006, at which time the group agreed to establish a task force on

General Passenger Safety. The full Passenger Safety Working Group met on April 17-18, 2007; December 11-12, 2007; November 13, 2008; and June 8, 2009. On August 5, 2009, the working group was requested to establish an Engineering Task Force (ETF) to consider technical criteria and procedures for qualifying alternative passenger equipment designs as equivalent in safety to equipment meeting the design standards in the Passenger Equipment Safety Standards. Consensus Tier III recommendations of the ETF were developed and were approved at a meeting on October 6-7, 2011, by the Passenger Safety Working Group, and these recommendations were approved by the full RSAC Committee by electronic vote on March 2, 2012. These recommendations address safety issues related to high-speed rail trainsets used in the United States. No additional meetings are currently scheduled. *Contact: Charles Bielitz, (202) 493-6314.*

*Engineering Task Force.* The Passenger Safety Working Group approved a request from FRA to establish an ETF under the Passenger Safety Working Group in August 2009. The mission of the task force is to produce a set of technical evaluation criteria and procedures for passenger rail equipment built to alternative designs. The technical evaluation criteria and procedures would provide a means of establishing whether an alternative design would result in performance at least equal to the structural design standards set forth in the Passenger Equipment Safety Standards (Title 49 Code of Federal Regulations (CFR) Part 238). The initial focus of this effort will be on Tier I standards. When completed, the criteria and procedures would form a technical basis for making determinations concerning equivalent safety pursuant to 49 CFR 238.201, and provide a technical framework for presenting evidence to FRA in support of any request for waiver of the compressive (buff) strength requirement, as set forth in 49 CFR 238.203. *See* 49 CFR Part 211, Rules of Practice. The criteria and procedures could be incorporated into Part 238 at a later date after notice and opportunity for public comment. The ETF was formed and a kickoff meeting was held on September 23-24, 2009. The group held follow-on meetings November 3-4, 2009; January 7-8, 2010; and March 9-10, 2010. A followup GoTo/Webinar meeting was held on July 12, 2010. The ETF developed a draft "Criteria and Procedures Report," that was approved by the Passenger Safety