

DEPARTMENT OF TRANSPORTATION**Federal Highway Administration****Federal Transit Administration****Environmental Impact Statement: City and County of Denver, CO**

AGENCY: Federal Highway Administration (FHWA) and Federal Transit Administration (FTA), Department of Transportation (DOT).

ACTION: Notice of intent.

SUMMARY: FHWA and FTA are issuing this notice to advise the public that an environmental impact statement/Section 4(f) Evaluation will be prepared for transportation improvements in the city and County of Denver, Adams County, and the City of Aurora, Colorado.

FOR FURTHER INFORMATION CONTACT:

Shaun Cutting, Senior Operations Engineer, FHWA, Colorado Division, 555 Zang Street, Room 250, Lockwood, CO, 80228, Telephone: (303) 969-6730 extension 369. Dave Beckhouse, Community Planner, FTA, 216 16th Street, Suite 650, Denver, CO, 80202, Telephone: (303) 844-3242. Sharon Lipp, Colorado Department of Transportation, Region 6, 2000 South Holly Street, Denver, CO, 80222, Telephone: (303) 984-5260. Mike Turner, Regional Transportation District, 1600 Blake Street, Denver, CO, 80202, Telephone: (303) 299-2366.

SUPPLEMENTARY INFORMATION: The FHWA and FTA in cooperation with the Colorado Department of Transportation (CDOT), Regional Transportation District (RTD), and the City and County of Denver (Denver) will prepare an environmental impact statement (EIS)/Section 4(f) Evaluation for transportation improvements on the Interstate 70 (I-70) Corridor (the Corridor) between Interstate 25 (I-25) and Pena Boulevard and a transit connection between downtown Denver and Denver International Airport (DIA).

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State, and local agencies. Project scoping will be accomplished through coordination with affected parties, stakeholders, organizations, Federal, State, and local agencies; agency scoping meetings; and through community outreach and public meetings in the project corridor. Agency scoping meetings will be conducted late summer, and public scoping meetings will be conducted this fall (2003). Information on the time and place of the public scoping meetings will be provided in the local newspapers. In

advance of the corridor-wide public scoping meetings this fall (2003), a variety of grassroots outreach techniques will be used including a door-to-door campaign for some of the neighborhoods, flyers, block and neighborhood meetings, and business and community-organization outreach meetings. To be placed on the public mailing list to receive additional project information, contact either Sharon Lipp or Mike Turner at the addresses previously provided.

To ensure that a full range of issues related to the proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS/Section 4(f). Evaluation should be directed to Shaun Cutting or Dave Beckhouse at the addresses previously provided.

The EIS/Section 4(f) Evaluation will evaluate improvement alternatives and the No-Action alternative based on the Purpose and Need. Alternatives will be developed through an extensive agency and community outreach process. A full range of potential alignments and corridors will be considered for both highway and transit alternatives.

The I-70 East Corridor EIS will result in a decision about which transportation projects, if any, will be built to improve safety and address congestion in the Corridor. The purpose of the proposed action is to improve safety, access, and mobility and to decrease congestion. Currently, the I-70 East Corridor is one of the most heavily traveled and congested corridors in the region and State. Downtown Denver is the center for rail and bus transit in the region. DIA is a critical link in the regional and national transportation network. Safety issues revolve around the age and design features of the interchanges and roadway.

The alternatives evaluated in the Draft EIS (DEIS) and Section 4(f) Evaluation will include, but not be limited to, variations of the horizontal and vertical alignment of I-70 as well as capacity and safety improvements. Existing and future interchanges will also be evaluated. Transit alternatives will include, but not be limited to, bus and rail technologies as well as evaluating rail transit along the Union Pacific Railroad corridor from downtown Denver to DIA. As part of the transit evaluations, station locations will be studied and identified as appropriate. The DEIS/Section 4(f) Evaluation will also fully evaluate the No-Action alternative.

FHWA and FTA will evaluate social, economic, and environmental impacts

of the various alternatives. A major concern is environmental justice. The Corridor passes through three older communities that have been affected by several actions on I-70 beginning with the initial construction of I-70 and subsequent actions including reconstruction of the I-70 viaduct and roadway widening on the western segment of the Corridor. Other major issues to be evaluated include air quality, noise, aesthetics, community cohesion impacts, and possible disruption of neighborhoods and business and commercial activities.

The DEIS will be available for public and agency review and comment. Information concerning the availability of the DEIS will be published.

(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)

Doug Bennett,

Assistant Division Administrator, Colorado Division, Federal Highway Administration, Lakewood, Colorado.

Lee O. Waddleton,

Regional Administrator, Federal Transit Administration, Denver, Colorado.

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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) received a request for a waiver of compliance with 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.

Long Island Rail Road

[Waiver Petition Docket Number FRA-2003-15638]

Long Island Rail Road (LIRR) seeks a waiver of compliance with the *Passenger Equipment Safety Standards*, 49 CFR 238.303 (e)(15)(i), for their fleet of "M-7-EMU" passenger locomotives, as it pertains to MU type locomotives equipped with dynamic brakes found not to be in operating condition during performance of the exterior calendar day inspection. LIRR states these EMU

locomotive braking systems operate differently than more traditional style MU equipment. The LIRR letter of request indicates that the braking system on this equipment utilizes axle mounted disk brakes which provide 80% of friction braking effort, tread brakes which provide 20% of friction braking effort, and additional dynamic braking effort to a speed of 3 mph. If the waiver is granted, LIRR would treat any failure of dynamic braking system on the EMU equipment as if it were a traditional locomotive with defective dynamic brakes [49 CFR 238.303(e)(15)(ii)].

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 (FRA-2003-15638) and must be submitted to the Docket Clerk, DOT Docket Management Facility, Room PL-401 (Plaza Level), 400 7th Street, SW., Washington, DC 20590. 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://dms.dot.gov>.

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). The Statement may also be found at <http://dms.dot.gov>.

Issued in Washington, DC, on August 12, 2003.

Michael J. Logue,

Deputy Associate Administrator for Safety Compliance and Program Implementation.

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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) received a request for a waiver of compliance with 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.

The Yreka Western Railroad Company

[Docket Number FRA-2003-15637]

The Yreka Western Railroad Company (YW) seeks a waiver of compliance from certain provisions of the Safety Glazing Standards, 49 CFR part 223, that require certified glazing for one locomotive. The YW is located in Yreka, California. The YW states that they operate over seven miles of track in extreme northern California. These seven miles of track have no exposure to any main highway and there is no record of vandalism or rock throwing. Furthermore, it hauls only wood chips and wood products and about eight to ten cars per trip.

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-2003-15637) and must be submitted to the Docket Clerk, DOT Docket Management Facility, Room PL-401 (Plaza Level), 400 7th Street, SW., Washington, DC 20590. 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://dms.dot.gov>.

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). The Statement may also be found at <http://dms.dot.gov>.

Issued in Washington, DC, on August 12, 2003.

Michael J. Logue,

Deputy Associate Administrator for Safety Compliance and Program Implementation.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA-2003-15145]

Notice of Public Hearing; Burlington Northern and Santa Fe Railway

The Burlington Northern and Santa Fe Railway has petitioned the Federal Railroad Administration (FRA) seeking approval of the proposed discontinuance and removal of the automatic block signal system, between Hettinger, North Dakota, milepost 926.0 and Terry, Montana, milepost 1078.9, on the Montana Division, Hettinger Subdivision, a distance of approximately 153 miles, and govern train movements by Track Warrant Control.

This block signal application proceeding is identified as Docket No. FRA-2003-15145.

The FRA has issued a public notice seeking comments of interested parties and has conducted its own field investigation in this matter. After examining the carrier's proposal and letters of protest, FRA has determined that a public hearing is necessary before a final decision is made on this proposal.

Accordingly, a public hearing is hereby set for 9 a.m. Mountain Daylight Time, on Thursday, September 18, 2003, in the Hettinger Research Extension Center, located at 102 Highway 12 West,