

*Public Comments Invited:* You are asked to comment on any aspect of this information collection, including: (1) Whether the proposed collection is necessary for the FHWA's performance; (2) the accuracy of the estimated burdens; (3) ways for the FHWA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized, including the use of electronic technology, without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

**Authority:** The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; and 49 CFR 1.48.

Issued on: October 23, 2007.

**James R. Kabel,**

*Chief, Management Programs and Analysis Division.*

[FR Doc. E7-21249 Filed 10-26-07; 8:45 am]

**BILLING CODE 4910-22-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice of Intent (for NEPA EIS); Environmental Impact Statement: Erie County, NY

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

**ACTION:** Notice of Intent.

**SUMMARY:** The FHWA is issuing this notice to advise the public that an environmental impact statement will be prepared for proposed highway project: NYS Route 198 (Scajaquada Expressway) Corridor, PIN 5470.22, I-190 to NYS Route 33, City of Buffalo, Erie County, New York.

**FOR FURTHER INFORMATION CONTACT:**

Alan E. Taylor, Regional Director, NYSDOT Region 5; 100 Seneca Street, Buffalo NY 14203, Telephone: 716-847-3238; or Amy Jackson-Grove, Acting Division Administrator, Federal Highway Administration, New York division, Leo W. O'Brien Federal Building, 9th Floor, Clinton Avenue and North Pearl Street, Albany, New York 12207, Telephone: (518) 431-4127.

**SUPPLEMENTARY INFORMATION:** The FHWA, in cooperation with the New York State Department of Transportation (NYSDOT) will prepare an environmental impact statement (EIS) on a proposal to improve NYS Route 198 in Erie County, New York. The proposed improvement would involve the rehabilitation or reconstruction of the existing route

between Interstate 190 and NYS Route 33 in the City of Buffalo for a distance of about 3.3 miles.

NYS Route 198 (the Scajaquada Expressway) is an Urban Principal Arterial Expressway on the National Highway System connecting Interstate 190 and NYS Route 33 with traffic volumes between 34,000 and 54,000 vehicles per day, a design speed of 55 mph, and grade separated interchanges. The expressway is subject to congestion (a poor Level of Service at several intersections) and accidents (higher than expected rates), with a portion of the corridor identified as having "severe safety needs." There are also areas of poor pavement conditions and failing drainage systems. The expressway facility is at odds with the context of the surrounding culturally rich community resources, including a nationally renowned art gallery, an historic Olmsted-designed park, an historic cemetery, historic buildings, higher education institutions and residential neighborhoods. The expressway acts as a barrier, dividing the park and hindering the use of these resources by the community including pedestrians and bicyclists. A transportation facility is needed that balances the need to be in harmony with the surrounding community character with the need to provide safe and efficient transportation service for all modes of transportation through the affected area.

The range of alternatives will include no action and give consideration to design components derived from a previous study that investigated changing the expressway character of the existing facility by eliminating grade separated interchanges and providing design elements appropriate to an arterial including at-grade intersections with signals or roundabouts. Alternatives studied may include rehabilitation of the existing roadway, as well as full reconstruction including new curbs, highway drainage, sidewalks, bicycle paths and shared-use facilities, improved highway lighting and signing, and landscape enhancements. Areas of concern emphasized in the study will include potential environmental impacts upon the adjacent neighborhoods, parks, cultural resources, air quality and surface waters from construction, traffic and traffic noise. Additional input from Participating and Cooperating Agencies, and from the public, will be necessary before a final decision will be made regarding the full range of alternatives to be studied.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State, and local

agencies, and to private organizations and citizens who have previously expressed interest in this proposal. A series of public information meetings will be held in the City of Buffalo between November 2007 and February 2010. In addition, a public hearing will be held. Public notice will be given of the time and place of the meetings and hearings. The draft EIS will be available for public and agency review and comment. A formal NEPA scoping meeting will be held in the lecture hall of the main building at Medaille College, 18 Agassiz Circle, Buffalo, NY 14214 on November 28 at 6 p.m.

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. Comments or questions concerning this proposed action and the EIS should be directed to the NYSDOT or FHWA at the addresses provided above.

(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 program.)

**Authority:** 23 U.S.C. 315; U.S.C. 771.123.

Issued on: October 17, 2007.

**Amy Jackson-Grove,**

*Acting Division Administrator, Federal Highway Administration, Albany, New York.*

[FR Doc. E7-21214 Filed 10-26-07; 8:45 am]

**BILLING CODE 4910-22-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice of Final Federal Agency Actions on Proposed Highway in North Carolina

**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 (I)(1). The actions relate to a proposed highway project, Wilmington Bypass, from U.S. 17 to U.S. 421 in New Hanover and Brunswick Counties, Wilmington, North Carolina. Those actions grant licenses, permits, and approvals for the project.

**DATES:** By this notice, the FHWA is advising the public of final agency actions subject to 23 U.S.C. 139 (I)(1). A claim seeking judicial review of the

Federal agency actions on the highway project will be barred unless the claim is filed on or before April 28, 2008. 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:**

Clarence W. Coleman, P. E., Operations Engineer, Federal Highway Administration, 310 New Bern Avenue, Ste 410, Raleigh, North Carolina, 27601-1418; Telephone: (919) 856-4350 extension 133; e-mail: [clarence.coleman@fhwa.dot.gov](mailto:clarence.coleman@fhwa.dot.gov). FHWA North Carolina Division Office's normal business hours are 8 a.m. to 5 p.m. (Eastern Time). You may also contact Gregory J. Thorpe, Ph.D., Project Development and Environmental Analysis Branch Manager, North Carolina Department of Transportation (NCDOT), 1 South Wilmington Street (Delivery), 1548 Mail Service Center, Raleigh, North Carolina 27699-1548; Telephone (919) 733-3141, [gthorpe@dot.state.nc.us](mailto:gthorpe@dot.state.nc.us). NCDOT—Project Development and Environmental Analysis Branch Office's normal business hours are 8 a.m. to 5 p.m. (Eastern 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 following highway project in the State of North Carolina: Wilmington Bypass, Federal Aid No. STPNHF-17(1), New Hanover and Brunswick Counties, North Carolina. The proposed action will construct 12.9 miles of a four-lane facility on new location from U.S. 17 to U.S. 421 in Wilmington, North Carolina. The actions by the Federal agencies, and the laws under which such actions were taken, are described in the Final Environmental Impact Statement (FEIS) for the project, approved on April 17, 2007, in the FHWA Record of Decision (ROD) issued on October 18, 2007, and in other documents in the FHWA administrative record. The FEIS, ROD, and other documents in the FHWA administrative record file are available by contacting the FHWA or NCDOT at the addresses provided above. The FHWA FEIS and ROD can be viewed at the NCDOT—Project Development and Environmental Analysis Branch, 1 South Wilmington Street, Raleigh, North Carolina; NCDOT—Division 3 Construction Engineers Office, 124 Division Drive, Wilmington, North Carolina and the Wilmington MPO Office, 305 Chestnut Street, Floor 4, Wilmington, North Carolina.

This notice applies to all Federal agency decisions as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. *General:* National Environmental Policy Act (NEPA) [42 U.S.C. 4321-4351]; Federal-Aid Highway Act [23 U.S.C. 109].
2. *Air:* Clean Air Act [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 and Section 1536], Marine Mammal Protection Act [16 U.S.C. 1361], Anadromous Fish Conservation Act [16 U.S.C. 757(a)-757(g)], Fish and Wildlife Coordination Act [16 U.S.C. 661-667(d)], Migratory Bird Treaty Act [16 U.S.C. 703-712], 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. 470(f) *et seq.*]; Archeological Resources Protection Act of 1977 [16 U.S.C. 470(aa)-11]; Archeological and Historic Preservation Act [16 U.S.C. 469-469(c)]; Native American Grave Protection and Repatriation Act (NAGPRA) [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 (FPPA) [7 U.S.C. 4201-4209].
7. *Wetlands and Water Resources:* Land and Water Conservation Fund (LWCF) [16 U.S.C. 4601-4604]; Safe Drinking Water Act (SDWA) [42 U.S.C. 300(f)-300(j)(6)]; Wild and Scenic Rivers Act [16 U.S.C. 1271-1287]; Emergency Wetlands Resources Act [16 U.S.C. 3921, 3931]; TEA-21 Wetlands Mitigation [23 U.S.C. 103(b)(6)(m), 133(b)(11)]; Flood Disaster Protection Act [42 U.S.C. 4001-4128].
8. *Hazardous Materials:* Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) [42 U.S.C. 9601-9675]; Superfund Amendments and Reauthorization Act of 1986 (SARA); Resource Conservation and Recovery Act (RCRA) [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.

(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 (I)(1).

Issued on: October 23, 2007.

**Clarence W. Coleman,**

*Operations Engineer, Raleigh, North Carolina.*  
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**DEPARTMENT OF TRANSPORTATION**

**National Highway Traffic Safety Administration**

**Reports, Forms and Record Keeping Requirements Agency Information Collection Activity Under OMB Review**

**AGENCY:** National Highway Traffic Safety Administration, DOT.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501, *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collections and their expected burden. The **Federal Register** Notice with a 60-day comment period was published on June 21, 2007 [72 FR 34348].

**DATES:** Comments must be submitted on or before November 28, 2007.

**FOR FURTHER INFORMATION CONTACT:** Ms. Deborah Mazyck at the National Highway Traffic Safety Administration, Office of International Policy, Fuel Economy and Consumer Programs, 1200 New Jersey Avenue, SE., West Building, Room W43-443, Washington, DC 20590. Ms. Mazyck's telephone number is (202-366-4139).

**SUPPLEMENTARY INFORMATION:**

**National Highway Traffic Safety Administration**

*Title:* 49 CFR Part 583-Automobile Parts Content Labeling.

*OMB Number:* 2127-0573.