

been held: On Wednesday, November 20, 2019, from 5:00 p.m. to 8:00 p.m. and on Wednesday, December 4, 2019 from 5:00 p.m. to 8:00 p.m.

**ADDRESSES:** The Wednesday, November 20, 2019 public scoping meeting was held at Norman P. Murray Community Center, 24932 Veterans Way, Mission Viejo, CA 92692. The Wednesday, December 4, 2019 public scoping meeting was held at the Ocean Institute, 24200 Dana Point Harbor Drive, Dana Point, CA 92629.

**FOR FURTHER INFORMATION CONTACT:** Caltrans District 12, 1750 East 4th Street, Santa Ana, CA 92705, Attn: Env/SCTRE Scoping. Formal scoping comments can also be submitted via email at [scoping@SCTRE.org](mailto:scoping@SCTRE.org). More information can also be found at the project website at <http://www.SCTRE.org>.

**SUPPLEMENTARY INFORMATION:** Effective July 1, 2007, the FHWA assigned, and Caltrans assumed, environmental responsibilities for this project pursuant to 23 U.S.C. 327. Caltrans as the assigned National Environmental Policy Act (NEPA) agency, in cooperation with the Foothill/Eastern Transportation Corridor Agency (F/ETCA), will prepare a Draft EIS on a proposal for a highway improvement project in Orange County and San Diego County, California. The proposed improvements intended to address north-south regional mobility and accommodation of travel demand include the extension of the tolled State Route (SR) 241 lanes to Interstate (I) 5, the extension of Crown Valley Parkway to SR 241, new connections between Ortega Highway, Antonio Parkway, Avery Parkway, and SR-73, new general purpose lanes on I-5, new managed lanes on I-5, or combinations of these preliminary alternatives. Currently, the following alternatives are being considered, ranging from approximately 4 to 22 miles in length:

- Alternative 1/No Build Alternative; taking no action.
- Alternative 13; connect SR 241 to I-5 via a connection from Los Patrones Parkway to La Novia Avenue, I-5 widening and improvements, and the addition of HOT lanes in each direction on I-5
- Alternative 17; connect SR 241 to I-5 via a connection from Los Patrones Parkway to Avenida Vaquero, I-5 widening and improvements, and the addition of HOT lanes in each direction on I-5
- Alternative 14; connect SR 241 to I-5 via a connection from Los Patrones Parkway to Avenida Pico, I-5 widening and improvements, and the

addition of HOT lanes in each direction on I-5

- Alternative 11; add I-5 general purpose lanes from I-405 to San Diego County
- Alternative 12; add I-5 HOT/toll lanes from I-405 to San Diego County
- Alternative 9; connect Ortega Highway and Antonio Parkway to Avery Parkway and SR 73
- Alternative 18; connect SR-241 to SR-73 and extend Crown Valley Parkway to SR 241
- Alternative 21; extend Los Patrones Parkway to Avenida La Pata and add HOT lanes in each direction on I-5
- Alternative 22; extend Los Patrones Parkway to Avenida La Pata
- Alternative 23; extend I-5 managed lanes from SR 73 to Basilone Road or from Avenida Pico to Basilone Road (depending on the design option)

Anticipated Federal approvals include permits under the National Pollutant Discharge Elimination System (NPDES), Clean Water Act (CWA) Section 401 Water Quality, CWA Section 404 Nationwide Permit from the United States Army Corps of Engineers (USACE), CWA Section 10 Permit from the USACE, California Fish and Game Code Section 1602 Lake or Streambed Alteration Agreement from the California Department of Fish and Wildlife (CDFW), Section 7 Consultation with the United States Fish and Wildlife Service (USFWS) for listed species under the Federal Endangered Species Act (FESA), CDFW 2080.1 Consistency Determination for listed species under the California Endangered Species Act (CESA), and Coastal Zone Management Act (CZMA) Consistency Determination from the California Coastal Commission (CCC).

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State, Participating Agencies, tribal governments, and local agencies, and to private organizations and citizens who have previously expressed or are known to have interest in this proposal. The public scoping process officially began in November 2019. In addition, a public hearing will be held once the Draft EIS is completed. Public notice will be given of the time and place of the meeting and hearing. The Draft EIS 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 are identified, and comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to Caltrans at the address provided 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: December 16, 2019.

**Tashia Clemons,**

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

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**BILLING CODE 4910-22-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice of Final Federal Agency Actions on Proposed Highway in California

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

**ACTION:** Notice of Limitation on Claims for Judicial Review of Actions by the California Department of Transportation (Caltrans) and U.S. Army Corps of Engineers (USACE).

**SUMMARY:** The FHWA, on behalf of Caltrans, is issuing this notice to announce actions taken by Caltrans and USACE that are final. The actions relate to a proposed highway project, I-10 Blythe Pavement Rehabilitation Project in the County of Riverside, California. Those actions grant licenses, permits, and approvals for the project.

**DATES:** By this notice, the FHWA, on behalf of Caltrans, is advising the public of final agency actions subject to 23 U.S.C. 139(j)(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 May 18, 2020. If the Federal law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such claim, then that shorter time period still applies.

**FOR FURTHER INFORMATION CONTACT:** For Caltrans: Antonia Toledo, Senior Environmental Planner, California Department of Transportation-District 8, 464 W 4th Street, MS-820, San Bernardino, CA 92401. Office Hours: 8:00 a.m.-5:00 p.m., Pacific Standard Time, telephone, (909) 806-2541 or email [Antonia.Toledo@dot.ca.gov](mailto:Antonia.Toledo@dot.ca.gov). For USACE: Veronica C. Li, Project Manager, U.S. Army Corp of Engineers, 915 Wilshire Blvd., Los Angeles, CA 90017. Office Hours: 9:00 a.m. to 5:00 p.m., Pacific Standard Time, telephone, (213) 452-3292 or email [veronica.c.li@usace.army.mil](mailto:veronica.c.li@usace.army.mil). For FHWA, contact

David Tedrick at (916) 498-5024 or email [david.tedrick@dot.gov](mailto:david.tedrick@dot.gov).

**SUPPLEMENTARY INFORMATION:** Effective July 1, 2007, the FHWA assigned, and the Caltrans assumed, environmental responsibilities for this project pursuant to 23 U.S.C. 327. Notice is hereby given that Caltrans and USACE have taken final agency actions subject to 23 U.S.C. 139(J)(1) by issuing licenses, permits, and approvals for the following highway project in the State of California: Rehabilitation of the existing asphalt concrete (AC) pavement on Interstate 10 from Post Mile (PM) R104.9 to PM R134.0. in the County of Riverside. Rehabilitation Activities include removal and replacement of existing inside and outside shoulders, guardrails, rumble strips, drainage inlets, and dikes, and installation of oversized drains. The project will also involve upgrades to ramp facilities for ADA compliance, installation of two temporary detour lanes in the existing median, extension of existing rock slope protection at bridge locations, and hydroseeding the median for erosion control and vegetation restoration. The primary purpose of this project is to restore and extend the life of existing pavement for a minimum of forty years, enhance trip reliability, and consequently minimize expenditures associated with future maintenance. The actions by the Federal agencies, and the laws under which such actions were taken, are described in the Final Environmental Assessment (FEA)/ Finding of No Significant Impact (FONSI) for the project, approved on November 8, 2019, and in other documents in Caltrans' project records. The FEA, FONSI and other project records are available by contacting Caltrans at the addresses provided above. The USACE decision are available by contacting USACE at the address provided above.

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. National Environmental Policy Act of 1969, as amended, 42 U.S.C. 4331(b)(2)
2. Federal Highway Act of 1970, U.S.C. 772
3. Federal Clean Air Act, as amended
4. Clean Water Act of 1977 and 1987
5. Federal Water Pollution Control Act of 1972
6. Safe Drinking Water Act of 1944, as amended
7. Endangered Species Act of 1973
8. Executive Order 11990, Protection of Wetlands

9. Executive Order 13112, Invasive Species
10. Fish and Wildlife Coordination Act of 1934, as amended
11. Migratory Bird Treaty Act
12. Title VI of the Civil Rights Act of 1964, as amended
13. Executive Order 12898, Federal Actions to Address Environmental Justice in Minority and Low-Income Populations
14. National Historic Preservation Act of 1966, as amended

(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(J)(1).

Issued on: December 16, 2019.

**Tashia J. Clemons,**

*Director, Planning and Environment, Federal Highway Administration, California Division.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Environmental Impact Statement in Erie County, NY

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

**ACTION:** Notice of intent.

**SUMMARY:** The FHWA is issuing this notice to advise the public that an Environmental Impact Statement (EIS) will be prepared for a proposed project known as the New York State (NYS) Route 5 (Buffalo Skyway) Project, in Erie County, New York.

#### FOR FURTHER INFORMATION CONTACT:

Frank Cirillo, Regional Director, New York State Department of Transportation, 100 Seneca Street, Buffalo, New York 14203, Telephone: (716) 847-3238; or Richard Marquis, Division Administrator, Federal Highway Administration, New York Division, Leo W. O'Brien Federal Building, 7th Floor, 11A Clinton Avenue, Albany, New York 12207, Telephone (518) 431-4127.

**SUPPLEMENTARY INFORMATION:** The New York State Department of Transportation (NYSDOT), in cooperation with FHWA, will prepare an EIS in accordance with the National Environmental Policy Act (NEPA) on a proposal to remove the Buffalo Skyway bridge and its approaches, including portions of NYS Route 5 along the Outer Harbor, and realign the transportation

network within the Buffalo Outer Harbor and South Buffalo areas.

NYS Route 5 serves as the primary vehicular route connecting Buffalo's downtown to its southern suburbs. In recent years, the Buffalo Inner and Outer Harbors have undergone substantial redevelopment with recreational/mixed-use improvements. It has become apparent that the portions of NYS Route 5 along the Buffalo Outer Harbor, including the Skyway Bridge, present both a physical and visual barrier to continued development within this area. Infrastructure removal is needed to accommodate existing and planned recreational, mixed-use, and waterfront development and support waterfront economic development initiatives. The project is also needed to improve the transportation network to safely and efficiently accommodate the traffic currently carried by the Skyway Bridge and to address the safety, operational, and capacity deficiencies of the highway connections that serve economic development areas and local communities within South Buffalo.

The purpose of the project is to realign the existing transportation network to support existing and planned recreational, mixed-use, and waterfront development in the Buffalo Outer Harbor area. The project will also address the safety, operational, and capacity deficiencies of the highway connections that serve economic development areas and local communities within South Buffalo.

A reasonable range of alternatives is currently being considered and will be evaluated during the NEPA scoping process in consideration of agency and public comments received. Letters describing the proposed action and soliciting comments have been sent to Cooperating and Participating Agencies. Public and agency outreach will include formal Public Scoping Meetings, a Public Hearing, and consultation with Cooperating and Participating Agencies. Public notice will be given of the dates, times, and locations of the Scoping Meetings and Public Hearing.

To assist in determining the scope of issues to be addressed and identifying the potential for significant issues related to the proposed action, the general public will have the opportunity to submit written comments at the Scoping Meetings and during a scoping comment period. A Draft EIS will be available for public and agency review and comment prior to the Public Hearing.

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