

“complementary” in the Preamble of this Final Policy Statement.

One commenter suggested that FTA should require recipients of Federal funds for pedestrian and bicycle improvements to certify that the projects will increase public transportation ridership as a result of the Federal investments.

*FTA Response:* The purpose of this Policy Statement is to improve access to public transportation stops and stations by simplifying the process for determining whether the improvements have a physical or functional relationship to public transportation. FTA grantees will not need to certify ridership figures for projects within the one-half mile walk shed and three mile bike shed set forth in this Policy Statement. Research indicates that improved access to a stop or station typically results in higher ridership. For improvements beyond these distances, a study indicating the likelihood of increased ridership would be a valid justification for the improvement.

## VII. Statement of Policy

### A. Background

In accordance with the goals, principles, and legal authority outlined in this notice, FTA encourages the use of its funds for pedestrian and bicycle amenities that expand the catchment area and utility of public transportation stops and stations. Therefore, FTA hereby establishes threshold catchment areas of one-half mile for pedestrian improvements and three miles for bicycle improvements near public transportation stops and stations.

A key requirement for determining the eligibility of a pedestrian or bicycle improvement is whether it has a functional relationship to a public transportation facility. FTA grantees can benefit from FTA determining the typical distances pedestrians and bicyclists can be expected to travel to access a public transportation stop or station. The purpose of this Policy Statement is to propose a radius around a public transportation stop or station within which FTA will consider pedestrian and bicycle improvements to have a *de facto* functional relationship to public transportation.

FTA's existing guidance on the eligibility of joint development improvements serves as the foundation for this proposed policy. According to that guidance, “the functional relationship test of activity and use permits the use of FTA funds for joint development improvements [including pedestrian and bicycle improvements] located outside the structural envelope

of a public transportation project, and may extend across an intervening street, major thoroughfare or unrelated property, [but] should not extend beyond the distance most people can be expected to safely and conveniently walk to use the transit service.”<sup>30</sup>

Relying on this guidance, in most circumstances FTA has considered pedestrian improvements within approximately 1,500 feet of a public transportation stop or station to be functionally related. Improvements beyond a 1,500 foot radius were considered functionally related to public transportation only if they satisfied a test of activity and use.

The distance stated in FTA's existing guidance is too short. “While distance is very important for pedestrians, on average they will walk further than the anecdotal rule of thumb of 400 meters used in many planning applications.”<sup>31</sup> Research indicates that pedestrians are willing to walk at least one-half mile to train stations or other forms of reliable public transportation when the environment surrounding the station is safe and well-designed.<sup>32</sup> A pedestrian may travel a distance of one-half mile during fifteen minutes at a pace of two miles per hour. A one-half mile catchment area is a conservative estimate of the distance a pedestrian is willing to travel to a public transportation stop or station. FTA has reason to believe that pedestrians are willing to spend more than fifteen minutes walking to public transportation stops and stations: A study published in the American Journal of Preventative Medicine concluded that Americans who use public transportation spend a median of nineteen minutes daily walking to and from public transportation; and people in high-density urban areas were more likely to spend approximately thirty minutes walking to and from public transportation daily.<sup>33</sup>

Applying the same timeframes to bicyclists yields at least a three mile catchment area. Bicycle paths may extend further than pedestrian walkways and still be functionally

related to public transportation because “bicyclists are willing to travel much longer distances than pedestrians, largely due to higher average speeds attainable by bicycle.”<sup>34</sup> Inasmuch as the average bicycle commuter travels at ten miles per hour,<sup>35</sup> FTA proposes a bicycle catchment area of three miles from public transportation stops and stations. The three mile catchment area equals the distance the average bicyclist could travel in fifteen minutes time.

### B. Final Policy

For purposes of determining whether a pedestrian or bicycle improvement has a physical or functional relationship to public transportation, regardless of whether it is funded as a capital project or public transportation enhancement, all pedestrian improvements located within one-half mile and all bicycle improvements located within three miles of a public transportation stop or station shall have a *de facto* physical and functional relationship to public transportation. Pedestrian and bicycle improvements beyond these threshold distances may be eligible for FTA funding if the improvement is within the distance that people could be expected to safely and conveniently walk or bicycle to use that particular transit stop or station.

Issued this 15th day of August, 2011.

**Peter M. Rogoff,**

*Administrator, Federal Transit Administration.*

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## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

#### Notice of Applications for Modification of Special Permit

**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

**ACTION:** List of Applications for Modification of Special Permits.

**SUMMARY:** In accordance with the procedures governing the application for, and the processing of, special permits from the Department of Transportation's Hazardous Material Regulations (49 CFR part 107, subpart

<sup>30</sup> FTA guidance on the Eligibility of Joint Development Improvements under Federal Transit Law, 72 FR 5790 (Feb. 7, 2007).

<sup>31</sup> Kevin J. Krizek, Ann Forsyth and Laura Baum, *Walking and Cycling International Literature Review*, Victoria Department of Transport, 2009, at 29.

<sup>32</sup> Schlossberg, M. *et al.* How Far, By Which Route, and Why? A Spatial Analysis of Pedestrian Reference, Mineta Transportation Institute, June 2007.

<sup>33</sup> L.M. Besser and A.L. Dannenberg, *Walking to Public Transit: Steps to Help Meet Physical Activity Recommendations*, Am. J. Prev. Med., November 2005, at 273.

<sup>34</sup> Kevin J. Krizek, Ann Forsyth and Laura Baum, *Walking and Cycling International Literature Review*, Victoria Department of Transport, 2009, at 18.

<sup>35</sup> League of American Bicyclists. Retrieved From: <http://www.bikeleague.org/resources/better/commuters.php>.

B), notice is hereby given that the Office of Hazardous Materials Safety has received the applications described herein. This notice is abbreviated to expedite docketing and public notice. Because the sections affected, modes of transportation, and the nature of application have been shown in earlier **Federal Register** publications, they are not repeated here. Requests for modification of special permits (*e.g.* to provide for additional hazardous materials, packaging design changes, additional mode of transportation, etc.) are described in footnotes to the application number. Application numbers with the suffix "M" denote a

modification request. These applications have been separated from the new application for special permits to facilitate processing.

**DATES:** Comments must be received on or before September 6, 2011.

**Address Comments To:** Record Center, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, Washington, DC 20590.

Comments should refer to the application number and be submitted in triplicate. If confirmation of receipt of comments is desired, include a self-addressed stamped postcard showing the special permit number.

**FOR FURTHER INFORMATION CONTACT:**

Copies of the applications are available for inspection in the Records Center, East Building, PHH-30, 1200 New Jersey Avenue, SE., Washington, DC or at <http://www.regulations.gov>.

This notice of receipt of applications for modification of special permit is published in accordance with Part 107 of the Federal hazardous materials transportation law (49 U.S.C. 5117(b); 49 CFR 1.53(b)).

Issued in Washington, DC, on August 08, 2011.

**Donald Burger,**

*Chief, General Approvals and Permits.*

**MODIFICATION SPECIAL PERMITS**

Application No.	Docket No.	Applicant	Regulation(s) affected	Nature of special permit thereof
10597-M	.....	Thermo King Corporation Minneapolis, MN.	49 CFR 177.834(1)(2)(i) ....	To modify the special permit to authorize a new series of heaters containing Class 3 liquids and/or Division 2.1 gases.
13601-M	.....	DS Containers, Inc. Batavia, IL.	49 CFR 173.306(b)(1) .....	To modify the special permit to authorize an alternative pressure relief device.

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**DEPARTMENT OF TRANSPORTATION**

**Pipeline and Hazardous Materials Safety Administration**

**Notice of Application for Special Permits**

**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

**ACTION:** List of Applications for Special Permits.

**SUMMARY:** In accordance with the procedures governing the application for, and the processing of, special permits from the Department of Transportation's Hazardous Material

Regulations (49 CFR part 107, subpart B), notice is hereby given that the Office of Hazardous Materials Safety has received the application described herein. Each mode of transportation for which a particular special permit is requested is indicated by a number in the "Nature of Application" portion of the table below as follows: 1—Motor vehicle, 2—Rail freight, 3—Cargo vessel, 4—Cargo aircraft only, 5—Passenger-carrying aircraft.

**DATES:** Comments must be received on or before September 19, 2011.

**Address Comments To:** Record Center, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, Washington, DC 20590.

Comments should refer to the application number and be submitted in

triplicate. If confirmation of receipt of comments is desired, include a self-addressed stamped postcard showing the special permit number.

**FOR FURTHER INFORMATION CONTACT:**

Copies of the applications are available for inspection in the Records Center, East Building, PHH-30, 1200 New Jersey Avenue, Southeast, Washington, DC or at <http://regulations.gov>.

This notice of receipt of applications for special permit is published in accordance with Part 107 of the Federal hazardous materials transportation law (49 U.S.C. 5117(b); 49 CFR 1.53(b)).

Issued in Washington, DC, on August 08, 2011.

**Donald Burger,**

*Chief, General Approvals and Permits.*

**NEW SPECIAL PERMITS**

Application No.	Docket No.	Applicant	Regulation(s) affected	Nature of special permits thereof
15388-N .....	.....	Alpine Air Alaska, Inc., Girdwood, AK.	49 CFR 172.101 Column (9B), 172.204(c)(3), 173.27(b)(2), 175.30(a)(1), 172.200, 172.300 and 172.400.	To authorize the transportation in commerce of certain hazardous materials by cargo aircraft in remote areas of the U.S. without being subject to hazard communication requirements and quantity limitations where no other means of transportation is available. (mode 4)
15392-N .....	.....	Brim Equipment Leasing, Inc. dba Brim Aviation, Ashland, OR.	49 CFR, 49 CFR Parts 106, 107, and 171-180.	To authorize the transportation in of certain hazardous materials by cargo aircraft including by external load in remote areas of the U.S. without being subject to hazard communication requirements and quantity limitations where no other means of transportation is available. (mode 4)