

extract mineable coal reserves between the towns of Delbarton and Belo, Mingo County, West Virginia. A joint development initiative would incorporate the approved highway project into the post-mining land use plan of CONSOL's proposed Buffalo Mountain Surface Mine, and it would allow future highway construction to occur on land disturbed by a surface mine operation. In addition, the opportunity to combine the adjacent King Coal Highway and the Buffalo Mountain Surface Mine project areas would limit the resource impacts from each project to one location as well as minimize highway construction costs. The joint development initiative requires the portion of the King Coal Highway Corridor between Delbarton and Belo to be shifted eastward beyond the previously approved corridor alignment, and requires the WVDOH and FHWA to re-evaluate the June 2000 King Coal Highway EIS.

The SEIS will review information from the King Coal Highway FEIS/ROD, incorporate new information, update the impacts analysis, and assess impacts not previously evaluated in the FEIS/ROD. To streamline federal processes, the SEIS will also include the USACE's NEPA evaluation of DA permit application LRH-2008-491-TUG.

2. Alternatives—Alternatives available to FHWA for the proposed project are the no-build alternative, highway construction on new alignment within the Original King Coal Highway Corridor (i.e., the selected alternative from the 2000 ROD), or a joint development initiative (i.e., construction of a new highway alignment within the Buffalo Mountain Surface Mine).

Alternatives available to the USACE for the proposed project are issue the permit, issue the permit with special conditions, or deny the permit.

3. Scoping and Review Process—Throughout the course of the project, scoping and public involvement efforts for the original King Coal Highway Project have included: (1) A formal scoping meeting on September 16, 1999; (2) agency resource meetings for the King Coal Highway Project on October 13, 1995, and January 29, 1997; and, (3) public information workshops/public hearings on November 9, 1992, November 10, 1992, November 17, 1992, November 24, 1992, May 18, 1998, May 20, 1998, May 27, 1998, February 28, 2000, February 29, 2000, March 2, 2000, March 13, 2000, March 14, 2000, and March 16, 2000.

There have also been several public outreach activities associated with the Buffalo Mountain Surface Mine. These

include multiple meetings with the Pigeon Creek Watershed Association between January 2007 and April 2008, a meeting with officials from the Town of Delbarton in October 2008, and agency coordination meetings with the USACE, U.S. Environmental Protection Agency (USEPA), FHWA, and West Virginia Department of Environmental Protection (WVDEP) between June 2008 and February 2010. In addition, information on the joint development initiative was presented at public meetings on December 11, 2008, and November 17, 2011.

Agency and public scoping meetings will be held during the development of the SEIS. The public scoping meeting will be announced a minimum of 15 days in advance of the meeting. The WVDOH will provide information for the public meeting, including date, time and location, on their Web site and by newspaper advertisement. The USACE will issuance the public meeting information via Public Notice.

4. Significant Issues—Based on preliminary information, the issues to be analyzed in the SEIS are likely to include, but are not limited to, the effects to surface water and groundwater resources, including aquatic habitat, water quantity and quality; wetlands; effects on the immediate and adjacent property owners and nearby communities; downstream hydraulics and hydrology; geologic resources; vegetation and forestland; fish and wildlife; threatened and endangered species; socioeconomics; land use; transportation impacts; and cumulative and secondary effects.

5. Additional Review and Consultation—The SEIS will comply with other Federal and State requirements including, but not limited to, the *Safe, Accountable, Flexible, Efficient Transportation Act: A Legacy for Users* (SAFETEA-LU); State water quality certification under Section 401 of the CWA; protection of water quality under the *West Virginia/National Pollutant Discharge Elimination System*; protection of air quality under the *West Virginia Air Pollution Control Act*; protection of endangered and threatened species under Section 7 of the *Endangered Species Act*; and protection of cultural resources under Section 106 of the *National Historic Preservation Act*.

6. Availability of the Draft SEIS—A Draft SEIS will be available for public review and comment. Individuals interested in obtaining a copy of the Draft SEIS for review should contact either the FHWA or USACE. Comments will also be accepted through the

WVDOH Web site at the URL provided above.

**Authority:** 23 U.S.C. 315; 49 CFR 1.48; 33 CFR Part 325.

(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: January 18, 2012.

**Thomas J. Smith,**

*Division Administrator, Federal Highway Administration, Charleston, West Virginia.*

**Robert D. Peterson,**

*Colonel, Corps of Engineers, Commanding.*

[FR Doc. 2012-1495 Filed 1-24-12; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA-2011-001-N-16]

#### Proposed Agency Information Collection Activities; Comment Request

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

**ACTION:** Notice and request for comments.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Requirements (ICRs) abstracted below have been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICRs describe the nature of the information collections and their expected burdens. The **Federal Register** notice with a 60-day comment period soliciting comments on the following collections of information was published on November 16, 2011 (76 FR 221).

**DATES:** Comments must be submitted on or before February 24, 2012.

**FOR FURTHER INFORMATION CONTACT:** Ms. Janet Wylie, Office of Planning and Administration, RPD-3, Federal Railroad Administration, 1200 New Jersey Ave. SE., Mail Stop 20, Washington, DC 20590 (telephone: (202) 493-6353), or Ms. Kimberly Toone, Office of Information Technology, RAD-20, Federal Railroad Administration, 1200 New Jersey Ave. SE., Mail Stop 35, Washington, DC 20590 (telephone: (202) 493-6132). (These telephone numbers are not toll-free.)

**SUPPLEMENTARY INFORMATION:** The Paperwork Reduction Act of 1995 (PRA), Public Law 104–13, Section 2, 109 Stat. 163 (1995) (codified as revised at 44 U.S.C. 3501–3520), and its implementing regulations, 5 CFR part 1320, require Federal agencies to issue two notices seeking public comment on information collection activities before OMB may approve paperwork packages. 44 U.S.C. 3506, 3507; 5 CFR 1320.5, 1320.8(d)(1), 1320.12. On November 16, 2011, FRA published a 60-day notice in the **Federal Register** soliciting comments on an ICR that the agency was seeking OMB approval. 76 FR 221. FRA received no comments after issuing this 60-day notice. Accordingly, DOT announces that these information collection activities have been re-evaluated and certified under 5 CFR 1320.5(a) and forwarded to OMB for review and approval pursuant to 5 CFR 1320.12(c).

Before OMB decides whether to approve these proposed collections of information, it must provide 30 days for public comment. 44 U.S.C. 3507(b); 5 CFR 1320.12(d). Federal law requires OMB to approve or disapprove paperwork packages between 30 and 60 days after the 30-day notice is published. 44 U.S.C. 3507 (b)–(c); 5 CFR 1320.12(d); *see also* 60 FR 44978, 44983, Aug. 29, 1995. OMB believes that the 30-day notice informs the regulated community to file relevant comments and affords the agency adequate time to digest public comments before it renders a decision. 60 FR 44983, Aug. 29, 1995. Therefore, respondents should submit their respective comments to OMB within 30 days of publication to best ensure having their full effect. 5 CFR 1320.12(c); *see also* 60 FR 44983, Aug. 29, 1995.

The summaries below describe the nature of the information collection requirements (ICRs) and the expected burden. The revised requirements are being submitted for clearance by OMB as required by the PRA.

**Title:** Railroad Rehabilitation and Improvement Financing Program.

**OMB Control Number:** 2130–0548.

**Type of Request:** Revision of a currently approved collection.

**Affected Public:** State and local governments, government sponsored authorities and corporations, railroads, and joint ventures that include at least one railroad.

**Abstract:** Title V of the Railroad Revitalization and Regulatory Reform Act of 1976 (Act), 45 U.S.C. 821 *et seq.*, authorized the Federal Railroad Administration (FRA) to provide railroads financial assistance through the purchase of preference shares, and

the issuance of loan guarantees. This program is referred to as the Railroad Rehabilitation and Improvement Financing (“RRIF Program”). Under the RRIF program, direct loans and loan guarantees may be provided to State and local governments, certain interstate compacts, government sponsored authorities and corporations, railroads, joint ventures that include at least one railroad, and solely for the purpose of constructing a rail connection between a plant or facility and a second rail carrier, limited option rail freight shippers that own or operate a plant or other facility that is served by no more than a single railroad.

**Form Number(s):** FRA F–216, RRIF Program Loan Application and FRA F–217, Categorical Exclusion Worksheet.

**Annual Estimated Burden Hours:** 29,539.4 hours.

**Addressee:** Send comments regarding this information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 Seventeenth Street NW., Washington, DC 20503, Attention: FRA Desk Officer. Alternatively, comments may be sent via email to the Office of Information and Regulatory Affairs (OIRA), Office of Management and Budget, at the following address:  
*oira\_submissions@omb.eop.gov.*

**Comments are invited on the following:** Whether the proposed collections of information are necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department’s estimates of the burden of the proposed information collections; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the collections of information on respondents, including the use of automated collection techniques or other forms of information technology.

A comment to OMB is best assured of having its full effect if OMB receives it within 30 days of publication of this notice in the **Federal Register**.

**Authority:** 44 U.S.C. 3501–3520.

Issued in Washington, DC, on January 18, 2012.

**Rebecca Pennington,**

*Director, Office of Financial Management, Federal Railroad Administration.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

[Docket No. FTA–2010–0009]

#### Notice of Availability of Proposed New Starts/Small Starts Policy Guidance

**AGENCY:** Federal Transit Administration (FTA), DOT.

**ACTION:** Notice of availability; request for comments.

**SUMMARY:** This notice announces the availability of the Federal Transit Administration’s (FTA) Proposed Policy Guidance on New Starts/Small Starts and requests your comments on it. This document compliments the Notice of Proposed Rulemaking for Major Capital Investment Projects by describing the detailed measures proposed for evaluation of projects seeking New Starts and Small Starts funding and the way these measures would be used in project ratings if adopted. The proposed regulations and appendix are intended to act as a framework for the project evaluation and rating process, and the proposed policy guidance fills in the details.

**DATES:** Comments must be received on or before March 26, 2012. Late filed comments will be considered to the extent practicable.

**ADDRESSES:** *Comments:* You may submit comments identified by docket number (FTA–2010–0009) by any of the following methods:

*Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

*U.S. Mail:* U.S. Department of Transportation, Docket Operations, West Building, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.

*Hand Delivery:* U.S. Department of Transportation, Docket Operations, West Building, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

*Fax:* (202) 493–2251.

*Instructions:* You must include the agency name (Federal Transit Administration) and the docket number (FTA–2010–0009) or the Regulatory Identification Number (2132–AB02) for this rulemaking at the beginning of your comments. All comments received will be posted, without change and including any personal information provided, to <http://www.regulations.gov>, where they will be available to internet users. *Please see*, the Privacy Act.