

County, Texas. This project will construct four elevated SH 35 main lanes in the median and intersection improvements at FM 528 and Wheeler Rd. The project will also reconstruct the existing SH 35 lanes to serve as frontage roads. The length of the project is approximately 1.33 mile. The actions by TxDOT and Federal agencies and the laws under which such actions were taken are described in the Categorical Exclusion Determination issued on November 25, 2024, and other documents in the TxDOT project file. The Categorical Exclusion Determination and other documents in the TxDOT project file are available by contacting the TxDOT Houston District Office at 7600 Washington Avenue, Houston, Texas 77007; telephone: (713) 802-5000.

10. FM 2100 from Huffman-Cleveland Road (North) to SH 99 (Grand Parkway), Harris County, Texas. The 5.6-mile-long project will expand the roadway from two lanes to a four-lane divided highway with a sidewalk on one side and a shared use path on the other. Part of the road will be realigned on new location. The actions by TxDOT and Federal agencies and the laws under which such actions were taken are described in the Final Environmental Assessment (EA), the Finding of No Significant Impact (FONSI) issued on September 13, 2024, and other documents in the TxDOT project file. The EA, FONSI and other documents in the TxDOT project file are available by contacting the TxDOT Houston District Office at 7600 Washington Avenue, Houston, TX 77007; telephone: (713) 802-5000.

11. FM 6 from SH 78 to FM 1777, Collin County, Texas. The project includes reconstruction to an ultimate phase of six 12-foot-wide travel lanes (three lanes in each direction), with an interim phase of four 12-foot-wide lanes (two lanes in each direction). The roadway facility will also include shoulders, dedicated turn lanes, and shared use paths. The shared use paths will be included along both the south and north sides of the roadway alignment. This project is approximately 7.88 miles in length. The actions by TxDOT and Federal agencies and the laws under which such actions were taken are described in the Final Environmental Assessment (EA), Finding of No Significant Impact (FONSI) issued on October 16, 2024, and other documents in the TxDOT project file. The EA, FONSI, and other documents in the TxDOT project file are available by contacting the TxDOT Dallas District Office at 4777 E.

Highway 80, Mesquite, TX 75150; telephone: (214) 320-4480.

12. FM 1387 from North Midlothian Parkway to FM 664, Ellis County, Texas. The project will include the expansion of the current two-lane roadway to an interim four-lane roadway (ultimate six-lane roadway). The improvements consist of 11- to 12-foot-wide travel lanes with a 10-foot-wide shared use path in the westbound direction and a 5-foot-wide sidewalk in the eastbound direction with a variable-width, raised median. This project is approximately 5.8 miles in length. The actions by TxDOT and Federal agencies and the laws under which such actions were taken are described in the Final Environmental Assessment (EA), Finding of No Significant Impact (FONSI) issued on November 13, 2024, and other documents in the TxDOT project file. The EA, FONSI, and other documents in the TxDOT project file are available by contacting the TxDOT Dallas District Office at 4777 E. Highway 80, Mesquite, TX 75150; telephone: (214) 320-4480.

13. SL 390/US 59 Relief Route (Future I-369), from 0.7 mile north of US 80 to I-20, Harrison County, Texas. The project will construct a controlled access roadway with two southbound 12-foot main lanes and two northbound 12-foot main lanes separated by a grassy median. One-way frontage roads will be constructed on either side of the proposed roadway and will consist of two 12-foot travel lanes offset from the main lanes by a grassy median. On- and off-ramps will be constructed throughout the length of the proposed roadway. The actions by TxDOT and Federal agencies and the laws under which such actions were taken are described in the Final Environmental Assessment (EA), the Finding of No Significant Impact (FONSI) issued on November 20, 2024, and other documents in the TxDOT project file. The EA, FONSI, and other documents in the TxDOT project file are available by contacting the TxDOT Atlanta District Office at 701 E. Main Street, Atlanta, Texas 75551; telephone: (903) 796-2851.

*Authority:* 23 U.S.C. 139(l)(1)

**Michael T. Leary,**

*Director, Planning and Program Development,  
Federal Highway Administration.*

[FR Doc. 2024-29756 Filed 12-16-24; 8:45 am]

**BILLING CODE 4910-22-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

### Federal Railroad Administration

### Federal Transit Administration

[Docket No.: FHWA-2024-0078]

### Section 139 Efficient Environmental Reviews for Project Decisionmaking and One Federal Decision Interim Final Guidance

**AGENCY:** Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), Federal Transit Administration (FTA), U.S. Department of Transportation (DOT).

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

**SUMMARY:** This notice requests comments on FHWA, FRA, and FTA's (collectively the "Agencies") revised Section 139 Efficient Environmental Reviews for Project Decisionmaking and One Federal Decision Interim Final Guidance (Interim Final Guidance). This Interim Final Guidance explains the environmental review process and best management practices for the surface transportation projects to which the Section 139 environmental review process applies. This Interim Final Guidance supersedes and replaces the SAFETEA-LU Environmental Review Process Final Guidance, jointly issued by FHWA and FTA in 2006. This Interim Final Guidance reflects statutory amendments to the Section 139 environmental review process and includes information on the FRA and railroad projects.

**DATES:** This Interim Final Guidance is effective on December 17, 2024.

Comments must be received on or before February 18, 2025. Late-filed comments will be considered to the extent practicable.

**ADDRESSES:** To ensure that you do not duplicate your docket submissions, please submit comments by only one of the following means:

- *Federal eRulemaking Portal:* [www.regulations.gov](http://www.regulations.gov). This website allows the public to enter comments on any **Federal Register** notice issued by any agency. Follow the online instructions for submitting comments.

- *Mail:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590-0001.

- *Hand Delivery:* U.S. Department of Transportation, Docket Operations, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE,

Washington, DC 20590 between 9 a.m. and 5 p.m., ET, Monday through Friday, except Federal holidays. The telephone number is (202) 366–9329.

- **Instructions:** You should identify the agency name (Federal Highway Administration, Federal Railroad Administration or Federal Transit Administration) and the docket number at the beginning of your comments. Late comments will be considered to the extent practicable. Note that all comments received will be posted without change to [www.regulations.gov](http://www.regulations.gov), including any personal information provided.

**FOR FURTHER INFORMATION CONTACT:** For the FHWA: Ms. Damaris Santiago, Office of Project Development and Environmental Review, (202) 494–2862, [damaris.santiago@dot.gov](mailto:damaris.santiago@dot.gov), or Ms. Diane Mobley, Office of Chief Counsel, (202) 366–1366, [Diane.Mobley@dot.gov](mailto:Diane.Mobley@dot.gov). For FRA: Ms. Marlys Osterhues, Office of Environmental Program Management, (202) 493–0413, [marlys.osterhues@dot.gov](mailto:marlys.osterhues@dot.gov), or Mr. Faris Mohammed, Office of Chief Counsel, (202) 493–7064, [faris.mohammed@dot.gov](mailto:faris.mohammed@dot.gov). For FTA: Ms. Megan Blum, Office of Environmental Policy and Programs, (202) 366–0463, [Megan.Blum@dot.gov](mailto:Megan.Blum@dot.gov), or Mr. Mark Montgomery, Office of Chief Counsel, (202) 366–1017, [mark.montgomery@dot.gov](mailto:mark.montgomery@dot.gov). Office hours are from 9:00 a.m. to 5:00 p.m., ET, Monday through Friday, except Federal Holidays.

**SUPPLEMENTARY INFORMATION:**

**Electronic Access**

A copy of the Interim Final Guidance is available for download and public inspection through [www.regulations.gov](http://www.regulations.gov) using the docket number listed above, and on the FHWA, FRA and FTA websites, respectively: [www.fhwa.dot.gov](http://www.fhwa.dot.gov), [www.railroads.dot.gov](http://www.railroads.dot.gov), and [www.transit.dot.gov](http://www.transit.dot.gov). Electronic retrieval assistance and guidelines are also available at [www.regulations.gov](http://www.regulations.gov). An electronic copy of this document also may be downloaded from the Office of the Federal Register’s website at: [www.FederalRegister.gov](http://www.FederalRegister.gov) and the U.S. Government Publishing Office’s website at: [www.GovInfo.gov](http://www.GovInfo.gov).

**Background**

Section 6002 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA–LU), (Pub. L. 109–59), codified at 23 U.S.C. 139, prescribed changes to: FHWA and FTA procedures for implementing the National Environmental Policy Act of 1969 (NEPA), as amended; the Council on Environmental Quality’s (CEQ)

implementing regulations, 40 CFR parts 1500–1508; and FHWA’s and FTA’s NEPA procedures, 23 CFR part 771. Section 6002 was intended to make the FHWA and FTA environmental review processes more efficient and to protect environmental and community resources.

On November 16, 2006, FHWA and FTA jointly issued guidance (71 FR 66576), titled SAFETEA–LU Environmental Review Process Final Guidance (2006 Guidance). Since the 2006 Guidance, there have been statutory amendments to the Section 139 environmental review process as a result of the following: subtitle c of the Moving Ahead for Progress in the 21st Century Act (MAP–21), (Pub. L. 112–141); section 1304 of the Fixing America’s Surface Transportation Act (FAST Act) (Pub. L. 114–94); section 11301 of the Infrastructure Investment and Jobs Act (IIJA) (Pub. L. 117–58, also known as the “Bipartisan Infrastructure Law” (BIL)); and amendments to NEPA in section 321 of the Fiscal Responsibility Act (Pub. L. 118–5).

The MAP–21 amended the Section 139 environmental review process by promoting accelerated project delivery through the increased use of categorical exclusions, programmatic approaches and planning and environment linkages.<sup>1</sup> The FAST Act further amended the Section 139 environmental review process by institutionalizing best practices for accelerating complex infrastructure projects without undermining critical environmental laws or opportunities for public engagement. In addition, section 11503 of the FAST Act required FRA to apply the Section 139 environmental review process to railroad projects to the greatest extent feasible. 49 U.S.C. 24201. The BIL further amended the Section 139 environmental review process by codifying the One Federal Decision process for major projects.<sup>2</sup>

In 2023, section 321 of the Fiscal Responsibility Act amended NEPA. However, the Fiscal Responsibility Act did not amend the Sec. 139 environmental review process. The Agencies have harmonized the NEPA amendments and the Sec. 139 environmental review process to the maximum extent possible in the Interim Final Guidance. In a few instances, the

<sup>1</sup> On March 13, 2015, FHWA and FTA published a notice of availability and accepted public comments on proposed revisions to the guidance to reflect the provisions of MAP–21. However, the proposed guidance was not finalized. All comments received were considered by the Agencies in drafting this Interim Final Guidance.

<sup>2</sup> The term “major project” is defined in 23 U.S.C. 139(a)(7).

Sec. 139 environmental review process provides specific procedural instructions that control for certain types of projects, and these are pointed out in the guidance.

The Agencies are jointly issuing interim final guidance on the Section 139 environmental review process that reflects amendments to 23 U.S.C. 139, including the addition of FRA and applicability to railroad projects, and NEPA, as amended by the Fiscal Responsibility Act. This Interim Final Guidance, currently effective, supersedes and replaces the 2006 Guidance. This Interim Final Guidance will remain in effect until final guidance is issued or this interim final guidance is rescinded. This Interim Final Guidance does not supersede guidance and regulations promulgated by the Agencies under NEPA, including 23 CFR part 771.

**Summary of Previous Comments Received**

The FHWA and FTA published a proposed revised guidance following enactment of MAP–21 for public comment on March 13, 2015 (80 FR 13458). While the 2015 proposed guidance was never finalized, the Agencies considered all comments in developing this Interim Final Guidance. The Agencies received 11 comments from: one Federal agency (U.S. Department of the Interior), three State departments of transportation (New York, Texas, and Wisconsin), three transit authorities (San Francisco Bay Area Rapid Transit District, San Francisco Municipal Transportation Agency, and Tri-County Metropolitan Transportation District of Oregon), one State agency (State of Arizona Game and Fish Department), and three professional associations (American Public Transportation Association, American Association of State Highway and Transportation Officials, and the American Road & Transportation Builders Association). Seven of the 11 commenters offered general support for the draft guidance, but all 11 commenters suggested revisions to specific questions or answers found in the draft guidance. The Agencies considered all comments in developing this Interim Final Guidance but note that some comments were superseded by the enactment of the FAST Act or other statutory amendments. All comments can be found at: <https://www.regulations.gov/docket/FHWA-2015-0001/comments>.

**Request for Comments**

The Agencies request comments on this Interim Final Guidance, which is

available in the docket for this notice and on FHWA's, FTA's and FRA's websites. The Agencies will consider any substantive comments received on the Interim Final Guidance and will either revise this interim guidance based on comments received or will finalize this interim guidance.

*Authority:* 23 U.S.C. 139; Pub. L. 112–141, 126 Stat. 405; Pub. L. 114–94, 129 Stat. 1312; Pub. L. 117–58, 135 Stat. 429; Pub. L. 118–5, 137 Stat. 10; 23 CFR part 771; 40 CFR parts 1500–1508.

**Kristin White,**

*Acting Administrator, Federal Highway Administration.*

**Amitabha Bose,**

*Administrator, Federal Railroad Administration.*

**Veronica Vanterpool,**

*Deputy Administrator, Federal Transit Administration.*

[FR Doc. 2024–29637 Filed 12–16–24; 8:45 am]

**BILLING CODE 4910–22–P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Transit Administration**

[FTA–2021–0010]

**Notice of Availability of Final Policy Guidance for the Capital Investment Grants Program**

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

**ACTION:** Notice of availability of final policy guidance for the Capital Investment Grants program.

**SUMMARY:** The Federal Transit Administration (FTA) is making available the agency's final policy guidance for the Capital Investment Grants (CIG) program. This version amends FTA's Initial CIG Policy Guidance published in January 2023, and incorporates feedback FTA received from the public comment on its proposed Policy Guidance published in the **Federal Register** in April 2024. The final guidance has been placed in the docket and posted on the FTA website. The policy guidance complements FTA's regulations that govern the CIG program.

**DATES:** This final policy guidance is effective January 16, 2025. Companion documents to the CIG Policy Guidance such as reporting instructions, CIG reporting templates, and standard cost category worksheets will be updated on the FTA website prior to the effective date.

**FOR FURTHER INFORMATION CONTACT:** Elizabeth Day, FTA Office of Planning

and Environment, telephone (202) 366–5159 or [Elizabeth.Day@dot.gov](mailto:Elizabeth.Day@dot.gov).

**SUPPLEMENTARY INFORMATION:** This final policy guidance document contains binding obligations, which 49 U.S.C. 5334(k) defines as “a substantive policy statement, rule, or guidance document issued by the Federal Transit Administration that grants rights, imposes obligations, produces significant effects on private interests, or effects a significant change in existing policy.” Under 49 U.S.C. 5334(k), FTA may issue binding obligations if it follows notice and comment rulemaking procedures under 5 U.S.C. 553. Prior to making the amendments announced today, FTA followed such procedures. The policy guidance that FTA periodically issues for the CIG program complements the FTA regulations that govern the CIG program, codified at 49 CFR part 611. The regulations set forth the process that grant applicants must follow to be considered for discretionary funding under the CIG program, and the procedures and criteria FTA uses to rate and evaluate projects to determine their eligibility for discretionary CIG program funding. The policy guidance provides a greater level of detail about the methods FTA uses and the sequential steps a sponsor must follow in developing a project.

Pursuant to 49 U.S.C. 5309(g)(5), FTA is required to publish policy guidance on the CIG program each time the agency makes significant changes to the review and evaluation process and criteria, but not less frequently than once every two years. In April 2024, FTA published a notice in the **Federal Register** (89 FR 24086), seeking comment on proposed changes to FTA's Initial CIG Policy Guidance issued in January 2023 (88 FR 2166), which were informed by feedback FTA received in response to its Request for Information published in the **Federal Register** in July 2021 (86 FR 37402). The amended Final CIG program policy guidance is being made available today on the agency's public website at <https://www.transit.dot.gov/funding/grant-programs/capital-investments/capital-investment-grants-program-regulations-guidance>, and in the docket at <https://www.regulations.gov/docket/FTA-2021-0010/>. Additionally, FTA's response to the comments received on the proposed changes are available in the docket.

FTA is exempting certain projects from following the new amended Final CIG Policy Guidance. Specifically, projects already in the Project Development or Engineering phases of the CIG program as of the date of publication of this notice that have been

evaluated and rated at least once by FTA under the January 2023 CIG Policy Guidance and that meet the requirements for receipt of a CIG construction grant award by the end of calendar year 2025 are exempt from following the new amended Final CIG Policy Guidance. These projects may continue to follow the January 2023 Initial CIG Policy Guidance. To demonstrate a project has met the requirements for receipt of a construction grant award by the end of calendar year 2025, the project sponsor must submit a complete construction grant application to FTA no later than September 1, 2025. If a project sponsor desires to have an exempt project evaluated and rated under the new amended Final CIG Policy Guidance rather than the prior January 2023 Initial CIG Policy Guidance, the sponsor may notify FTA of this desire.

**Veronica Vanterpool,**

*Deputy Administrator.*

[FR Doc. 2024–29616 Filed 12–16–24; 8:45 am]

**BILLING CODE 4910–57–P**

**DEPARTMENT OF TRANSPORTATION**

[Docket Number: DOT–OST–2024–0120]

RIN 2105–AF17

**USDOT Federal Flood Risk Management Standard (FFRMS) Interim Guidelines**

**AGENCY:** Office of the Secretary, DOT.

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

**SUMMARY:** The impacts of flooding affect the environment, economic prosperity, and public health and safety across the Nation. The Federal Flood Risk Management Standard (FFRMS) seeks to improve the resilience of communities and Federal assets against the impacts of flooding from extreme events and climate change. DOT has developed these FFRMS Interim Guidelines to advance the goals of the FFRMS and to outline the steps DOT is taking to implement the FFRMS across the Department.

**DATES:** Comments due by February 18, 2025.

**ADDRESSES:** You may send comments, identified by docket number DOT–OST–2024–0120 by the following method:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for sending comments.

**FOR FURTHER INFORMATION CONTACT:**

Heather Holsinger, 202–366–6263, [Heather.Holsinger@dot.gov](mailto:Heather.Holsinger@dot.gov).

**SUPPLEMENTARY INFORMATION:**