

Agenda

August 12, 2008
10:00 am – 12:00 pm

Caltrans
Division of Training (Horizon room)
1616 29th Street
Sacramento, CA 95816

Contact: Abhijit Bagde
(916) 654-3638

Meeting called by: Muhaned Aljabiry
Facilitator: Abhijit Bagde
Recorder/Time Keeper: Penny Gray

Agenda Topics

Item	Description	Time	Presenter
1	Topics/Agenda/Introductions	10:00	Abhijit Bagde
2	Ground Rules	10:05	Abhijit Bagde
3	Approval of the 07/01/08 CFPG meeting minutes	10:10	Abhijit Bagde
4	Announcements and updates <ul style="list-style-type: none"> • TRB Conference – Ross McKeown (Handout No. 1) • FHWA Conformity Training - Joseph Vaughn/Steve Luxenberg 	10:15	All
5	Follow-Up Items from last meeting: <ul style="list-style-type: none"> • FHWA Webinar on Financial Templates – Please respond to Steve Luxenberg by July 11 if you want to request an additional webinar. • Conformity Training – Please respond to Joseph Vaughn, FHWA, (Joseph.Vaughn@fhwa.dot.gov) if interested in attending. • Website link for 2008 Discretionary Projects – Caltrans to forward link to CFPG members – Item completed 	10:25	Caltrans
6	Emergency Relief Program (Handout No. 2)	10:35	Teresa McWilliam/ Scott Mchenry
7	2009 FSTIP Schedule – Update	11.05	Muhaned Aljabiry
8	Update on Public Participation Process for the FSTIP	11:10	Cathy Gomes/Joanne McDermott
9	Amending projects into the new and the existing FTIPs	11:15	Muhaned Aljabiry
10	Task Force Discussions – Update	11:20	José Luis Cáceres/Sri Srinivasan/ Muhaned Aljabiry
11	CMAQ – Update (Handout No. 3)	11:30	Cathy Gomes
12	Programming of projects from the state managed programs	11:35	Abhijit Bagde
13	<ul style="list-style-type: none"> • Follow-Up Items • Open Forum • Future Agenda Items 	11:40	All

14	Future meeting dates and locations: September 30 – Caltrans, Sacramento (10:00 am – 12:00 pm) November 18 – MTC, Sacramento (10:30 am – 12:30 pm) January 6, 2009 – FHWA, Sacramento (10:30 am – 12:30 pm)	11:50	All

**CALIFORNIA FEDERAL PROGRAMMING GROUP (CFPG)
MEETING MINUTES –August 12, 2008**

The CFPG meeting was held at Caltrans in the Training Center, 1616 29th Street, Sacramento, from 10:00 a.m. to 12:00 p.m.

1. Topics/Agenda/Introduction:

The meeting started with the self-introduction of attendees.

2. Ground Rules:

Abhijit Bagde, Caltrans, Federal Programming, gave a brief overview of ground rules for the meeting. Here are the full ground rules:

- Since there are phone participants, everyone who speaks should state his/her name and agency.
- Keep comments as brief as possible.
- Stick to the current agenda item. Additional items not in the agenda will be added to the end and will be discussed if time permits.
- Turn off cell phones and limit interruptions.
- This is a forum to hear everyone's concerns, comments and suggestions. Please make sure your voice is heard.
- Facilitator to ask before moving on to the next item if anyone on the phone has any additional comments on the item, then pause for a few seconds.
- Respond to follow-up items and meeting notices by the deadlines.
- Except for follow-up items, the minutes will include discussions that take place during the meeting only. If you do not want what you say during the meeting included in the minutes, state "off the record."
- When not speaking, phone participants to keep their phones on mute if possible.
- Do not place conference call on hold. Please hang up and redial if you must take another call.

3. Approval of 7/01/08 CFPG meeting minutes:

The meeting minutes for July 1, 2008, were approved with no changes.

4. Announcements and updates:

- TRB Conference – The Transportation Research Board Conference will be held September 3-5, 2008 in Atlanta, Georgia. The Conference includes a session on financial constraint and other SAFETEA-LU requirements. Ross McKeown, MTC will be attending.
- FHWA Conformity Training – FHWA will be providing a 1 ½ day training on conformity September 16-17 at the Sacramento FHWA Office, (650 Capitol Mall). The training can accommodate 35 people. Requests for the training must be submitted to FHWA (Anh Chau or Joseph Vaughn) by Friday, August 15.
- Stu Sodenberg has joined the California Division FHWA Planning Team. He will be the FHWA liaison for MTC, and air quality contact for the San Joaquin Valley MPOs. (Cathy/Muhaned – do you have correct info on Stu?)

- CTIPS Training – The CTIPS training has been rescheduled to September 30. Jody Tian will be forwarding additional information shortly.

5. Follow-Up Items from last meeting:

A.	FHWA Webinar on Financial Templates – Sufficient interest was not expressed to justify providing an additional webinar.
B.	Conformity Training – The training is scheduled for September 16-17 at the FHWA Office in Sacramento – see Announcements and Updates above.

6. Emergency Relief Program – Handout #2:

Teresa McWilliam, Caltrans Local Assistance, provided information on the Emergency Relief (ER) program. The purpose of the ER program is contained in 23 USC 125(a) "...repair or reconstruction of highways, federal aid roads, and trails...that have suffered serious damage..." Please remember the damage must be as a result of either a natural disaster such as flood, hurricane or catastrophic failures from any external cause, and requires a Governor's Proclamation or Presidential Declaration. ER projects are not required to be programmed in the FTIP/FSTIP unless: 1) they are capacity increasing; 2) change the functionality of the route; or 3) contains major route relocation. The ER program is not intended to cover all repairs, relieving maintenance costs, or for non federal-aid highways. Teresa also emphasized that you should take pictures of the damage prior to beginning work. For additional information you may contact Teresa McWilliam at (916) 653-0328 or Scott McHenry, FHWA, at (916) 498-5854. Information on the ER program may also be found at the following website: <http://www.fhwa.dot.gov/reports/erm/index.cfm>

7. 2009 FSTIP Schedule - Update

Muhaned Aljabiry thanked everyone for submitting their FTIPs on time. The schedule for the FSTIP approval is as follows: Public Review is scheduled for August 22 – September 20. FSTIP submittal to FHWA/FTA is scheduled for October 1. Approval by FHWA/FTA is anticipated November 1.

8. Public Participation Plan - Update:

The Public Participation Plan was finalized in June and is now available at the following website: <http://www.dot.ca.gov/hq/transprog/federal/ppp.htm>

9. Amending Projects into the New and the Existing FTIPs:

When amending a project that is contained in both the existing 2007 FTIP/FSTIP and the new 2009 FTIP/FSTIP, remember that amendments must be processed for both FTIPs/FSTIPs. In order for an amendment to the 2009 FTIPs be included in the initial 2009 FSTIP, it must be submitted to Caltrans Programming Division no later than August 15. Amendments received after that date will not be processed until after FHWA/FTA approval of the 2009 FSTIP is received. Additional information on amending projects in both 2007 and 2009 FTIPs will be covered at the CTIPS training. Please remember that the 2007 FSTIP is still valid until the 2009 FSTIP has received federal approval.

Ken Kochevar, FHWA, has requested a meeting with Caltrans regarding delivery of Safety projects. The meeting should also include Yin-Ping Li, Caltrans Local Assistance.

10. CFPG Task Force Discussion:

Jose Luis Caceres provided a brief update on the progress the task force has made in identifying and exploring various options related to FTIP/FSTIP amendments and best practices. The task force is continuing to meet and will provide additional information at the next CFPG meeting.

11. CMAQ Update (Handout No. 3):

Cathy Gomes discussed the FHWA Notice of Request for Renewal of a Previously Approved Information Collection – Notice and Request for Comments. This notice concerns the current tracking mechanism used by FHWA for the CMAQ annual report. The notice has changed the date information is required to be submitted to FHWA to March 1 of each year. The required submittal is for prior federal fiscal year information. Caltrans will be preparing a response. Agencies may respond directly or submit comments to Cathy for inclusion as part of Caltrans response. Comments must be received by September 12 in order to be included as part of Caltrans response. If agencies submit individual comments, please provide a copy to Cathy.

12. Programming Projects from the State Managed Programs:

Please remember that when programming projects from state managed programs, project information, including year of proposed obligation and amounts, must be consistent with information provided by the program manager.

13. Follow Up Items, Open Forum, Future Agenda Items

- Follow Up Items
 - Jody Tian will provide updated information on the CTIPS training scheduled for September 30.
 - Comments on the FHWA Notice of Request for Renewal of a Previously Approved Information Collection must be submitted to Cathy Gomes by September 12 in order to be included as part of Caltrans response.
 - SACOG requested Caltrans follow up with FTA regarding the use of EPSP.
 - Request guidance from FTA on how to program carry over funds.
 - Submit items to be discussed with FTA to Abhijit by August 15.
 - Ken Kochevar will schedule a meeting with Caltrans to discuss safety project delivery.

- Future Agenda Items:
 - How to Update and Amend HBP projects – will invite HBP office to next CFPG Meeting
 - Reauthorization Updates
 - Financial Tables – how to estimate project costs for transit
 - CFPG Task Force Updates

- Meeting dates and locations for Future Meetings
 - September 30 – Caltrans Training Center, 1616 29th Street ,Sacramento (10:00 am – 12:00 pm)

- November 18 – FHWA, Sacramento (10:30 am – 12:30 pm)
- January 6, 2009 – Caltrans, Sacramento (10:30 am – 12:30 pm)

No. 1. Handout For Item No. 4
(TRB Conference)



Join transportation professionals from across the country to share innovations, tools, and techniques used to meet the planning requirements in Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU).

The conference will begin Wednesday morning with several workshops and a series of sessions on statewide travel demand forecasting. The first plenary session of the conference will be Wednesday afternoon and the conference will run through Friday afternoon. The conference will include sessions on:

- a general overview of planning issues in SAFETEA-LU
- incorporating safety into the planning process
- congestion management (including operations and management)
- statewide travel demand forecasting models
- environmental considerations
- fiscal issues in planning
- emerging issues such as climate change and changes in funding

TRB CONFERENCE REGISTRATION

Will be available late February 2008. Visit www.trb.org/calendar.

HOTEL INFORMATION

TRB has secured a special conference room rate of \$129.00 single or \$154.00 double (per room/right, plus 15% tax) at The Omni Hotel at CNN Center. This rate is available until Friday, July 25, 2008 or until the block of rooms is sold out. Rooms are subject to availability and may be at a higher rate after this date. The hotel may not be able to provide rooms at the group rate after the block of rooms is sold.

For additional information please contact: Kimberly M. Fisher at kfisher@nas.edu or 202-334-2968.

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TRB Meeting Federal Surface Transportation Requirements in Statewide and Metropolitan Transportation Planning: A Conference
September 3-5, 2008
Omni Hotel at CNN Center
Atlanta, Georgia

Wednesday, September 3, 2008

8:30 A.M. – 10:00 A.M.

CONCURRENT SESSION/WORKSHOP

- TDF Session 1 – Statewide Planning Applications - Practical Approaches to Staying Sane and Having Fun
- Environmental Consultation and Resource Information for Long Range Planning Workshop

10:30 A.M. – Noon

CONCURRENT SESSION/WORKSHOP

- TDF Session 2 – New Statewide Models: What They Can and Cannot Do
- Visualization Techniques for Public Involvement Workshop

2:30 P.M. – 4:00 P.M.

CONCURRENT SESSION/WORKSHOP

- TDF Session 3 – My Model is Better Than Your Model
- A Framework for Collaborative Decision Making Workshop

4:30 P.M. – 6:00 P.M.

PLENARY SESSION – Overview of the Changes in SAFETEA-LU

Thursday, September 4, 2008

8:30 A.M. – 10:30 A.M.

CONCURRENT SESSIONS

- TDF Session 4 – 8 Miles High - Issues, Corridors and Models
- Safety 1 – Foundations for Fighting Fatalities: Transportation Safety Planning in Practice
- Fiscal Issues in Planning – 1 Resource Prediction and Revenue Estimation

10:30 A.M. – Noon

CONCURRENT SESSIONS

- TDF Session 5 – Special Report 288 Metropolitan Travel Forecasting: Current Practice and Future Directions Panel Discussion: We Will Rock You
- Safety 2 – Curtailing Casualties – Transportation Safety in Action
- Fiscal Issues in Planning 2 – Needs Assessment and Operations/Maintenance Needs

2:30 P.M. – 4:00 P.M.
CONCURRENT SESSIONS

- Environment 1 – Linking Planning and NEPA
- Fiscal Issues in Planning 3 – Cost Estimation and Risk Analysis
- Congestion 1 – Congestion Management Processes

4:30 P.M. – 6:00 P.M.
CONCURRENT SESSIONS

- Environment 2 – Discussing Potential Environmental Mitigation
- Fiscal Issues in Planning 4 – Fiscal Constraint for the Long Range Plan and Transportation Improvement Program
- Congestion 2 – Incorporating Operations in Planning

Friday, September 5, 2008

8:30 A.M. – Noon

CLOSING SESSION – Looking Beyond SAFETEA-LU: Issues Shaping Planning Into the Future

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Omni Hotel at CNN Center  
 100 CNN Center  
 Atlanta, GA 30303  
 Reservations 1-888-444-6664  
**(ask for the TRB rate)**  
 Direct: 404-659-0000

**TRB special rate of \$129.00 plus the current tax of 15%. This rate is available until Tuesday, August 05, 2008.**

**Supporters**

Federal Highway Administration  
 Federal Transit Administration

**Co-Sponsors**

American Association of State Highway and Transportation Officials  
 Association of Metropolitan Planning Organizations  
 National Association of County Engineers  
 National Association of Development Organizations  
 National Association of Regional Councils

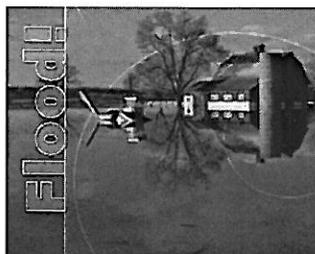
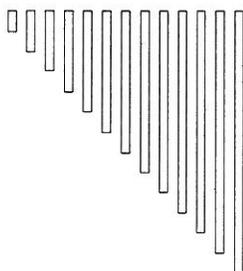
For complete details about this conference visit the TRB website at: <http://trb.org/calendar/>

**No. 2. Handout for Item No. 6  
(Emergency Relief Program)**

FHWA

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## EMERGENCY RELIEF PROGRAM

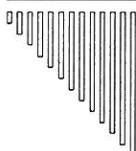


**Teresa McWilliam- CT 916-653-0328**  
**Scott McHenry- FHWA 916-498-5854**

1

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## ER Purpose



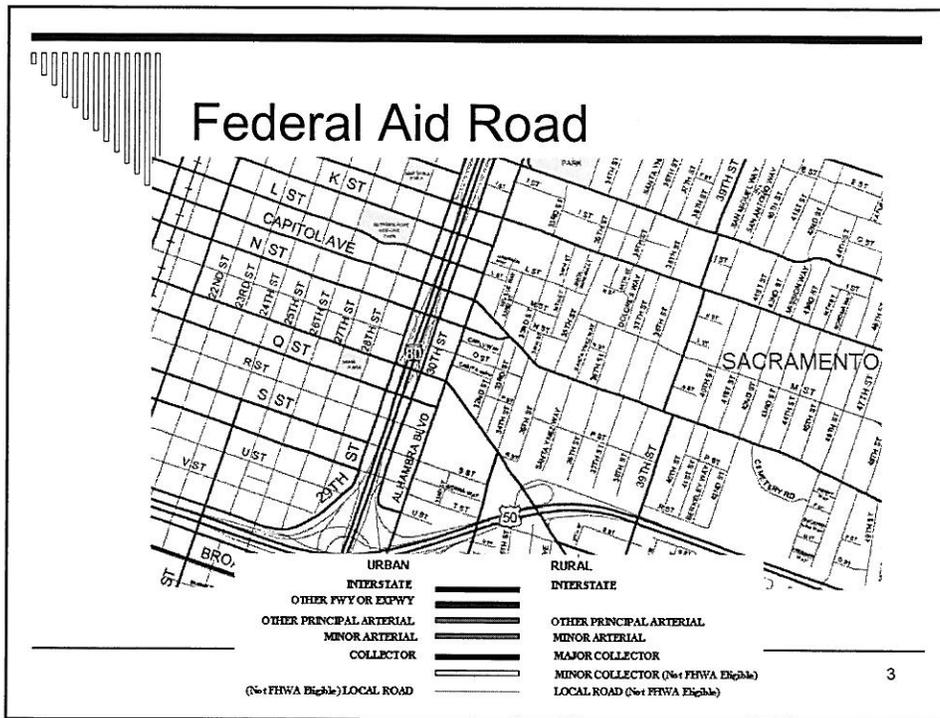
### □ 23 USC 125(a)

- ... repair or reconstruction of highways, federal aid roads, and trails ... that have suffered serious damage ...



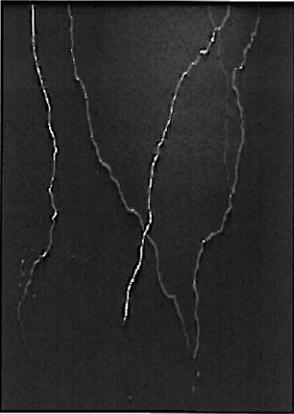
[Pgs. 6 & 7]

2

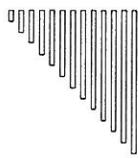


## Definition

- 23 USC 125(a)
  - ... result of (1) natural disaster over a wide area such as by floods, hurricanes, ...
  - ... or (2) catastrophic failures from any external cause ...



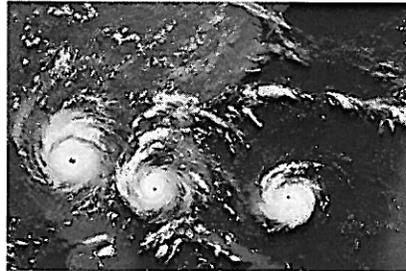
4



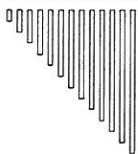
## Natural Disaster

### □ 23 CFR 668.103(f)

- ... sudden and unusual natural occurrence  
... which causes serious damage.



5



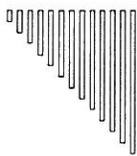
## Catastrophic Failure

### □ 23 CFR 668.103(b)

- ... sudden failure of a MAJOR element or segment of the highway system due to external causes.
- ... not primarily attributable to gradual and progressive deterioration.



6



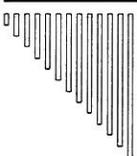
## Funding the Program



- \$100 Million Annual Set-aside, from the Highway Trust Fund for nationwide coverage is any single year.
- \$100 Million per Event per State
- The Secretary of Transportation can increase the \$100 Million cap
- Minimum of \$700,000 in damages per event

[P. 7]

7



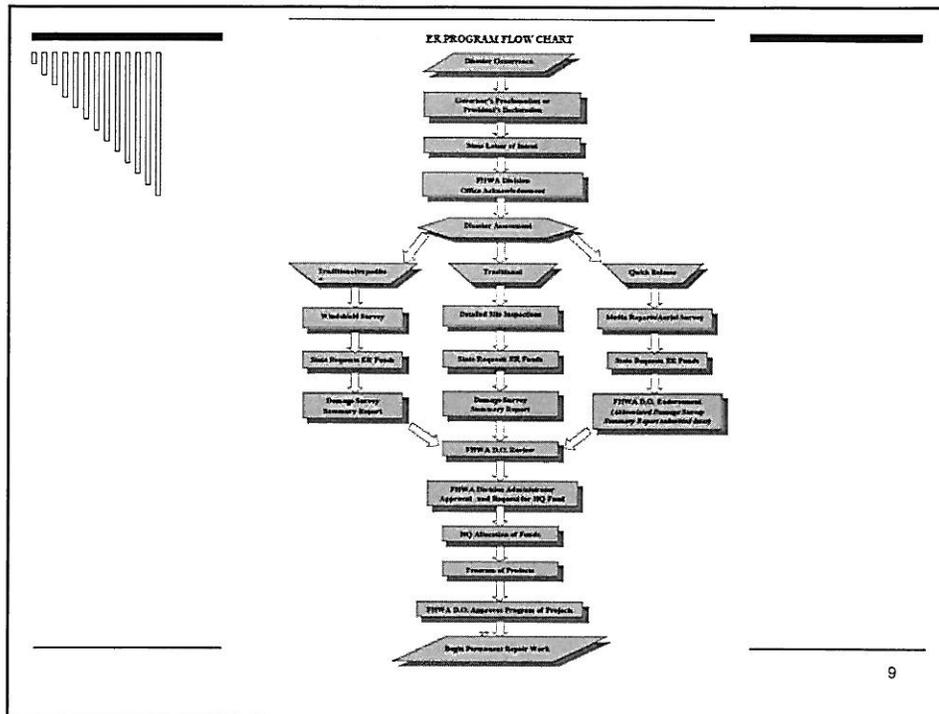
## Site Eligibility Minimums



| <u>State</u> | <u>County</u> | <u>City</u> |          |
|--------------|---------------|-------------|----------|
| \$5,000      | \$5,000       | \$5,000     | per Site |
| \$15,000     | \$9,000       | \$5,000     | Per Mile |

[Pg. 20]

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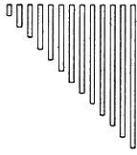


## Application Process

- Governor's Proclamation or Declaration
- State Letter of Intent to FHWA
- FHWA Letter of Acknowledgement
- FHWA Positive Eligibility Finding
- Damage Assessment Forms (DAFs) for each damaged site submitted to FHWA= Program of Projects



[Pgs. 38 & 39 for description  
Pgs. 65 thru 69 for examples]
10



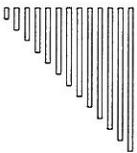
## Quick Release



- 1-2 days for FHWA finding
- State Prepares Damage Survey Summary Report (DSSR) after the FHWA finding
- Reserved for disasters where extensive damage is readily evident
- ER resources can be quickly announced
- DAFs inspections are completed ASAP for site eligibility and a program of projects is approved

[Pgs. 34 & 35]

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## Emergency Opening (EO) defined

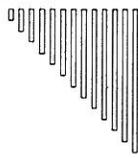
- Meeting any one of the following 3 requirements qualifies as EO:
  1. Restore Essential Traffic
  2. Minimize the extent of damage
  3. Protect remaining facility

➤EO is reimbursed at 100% for 180 days after the initial Proclamation, then drops to the pro-rata share (88.53%)



[Pgs. 23-25]

12



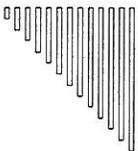
## Permanent Restoration (PR) defined

- Restoring the Fed-aid route to it's pre-disaster condition
- Construction **REQUIRES** prior FHWA E-76 approval
- Normal Fed funded procedures
- Reimbursed at the pro-rata share (88.53% for Local Agencies)



[Pgs. 25-32]

13



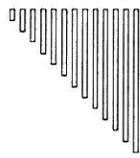
## ER Programming

### □ ER Projects only have to be programmed if:

- They are capacity increasing
- Change the functionality of the route
- If there is a major route relocation



14



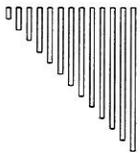
## The ER program is not intended for:



- Covering all repairs
- Relieving maintenance costs
  - FHWA is closely looking at any site that has culvert repairs, for poor maintenance
- Non Federal-aid highways
  - Non Fed-aid routes fall under OES/FEMA jurisdiction

[Pg. 7]

<sup>15</sup>

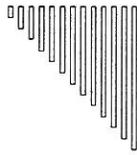


## Eligible Items

- Engineering (PE &CE) & R/W
- Detours
- Traffic Damage\*
- Overlays
- Raising Grades
- Work on Active Const. Sites
- Toll Facilities



[Pgs. 10-20]<sup>16</sup>

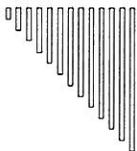


## Eligible Items cont'd

- Traffic Control Devices
- Landscaping
- Roadside Appurtenances
- Timber & Debris removal
- TSM Strategies
- NEPA requirements
- Outside of the R/W\*



[Pgs. 10-20]<sup>17</sup>

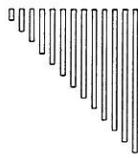


## Ineligible Items

- Heavy Maintenance
- Damage Estimated under \$5,000
- Traffic Damage\*
- Frost Heaving
- Stockpiled materials
- Erosion
- Programmed Work



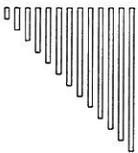
[Pgs. 20-23]<sup>18</sup>



## Ineligible Items cont'd

- Mining/Underground subsidence
- Snow & Ice removal
- Emergency/Medical Transport Services
- Mitigation/Preventive work prior to an Event
- Pre-existing conditions

[Pgs. 20-23]<sup>19</sup>



## Non-Eligible Routes

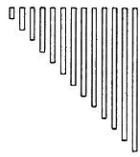
- NO Local Roads
- NO Rural Minor Collectors
- Use Functional Classification Maps to determine if the damaged route is a Fed-aid route



[http://www.dot.ca.gov/hq/tsip/hseb/crs\\_maps/](http://www.dot.ca.gov/hq/tsip/hseb/crs_maps/)

<http://www.dot.ca.gov/hq/tsip/hpms/page1.php>

[Pg. 6]<sup>20</sup>



## FHWA ER Web Info.

- Interim Update- August 2003

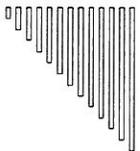
FHWA ER Manual Web address:

<http://www.fhwa.dot.gov/reports/erm/index.cfm>

Other helpful FHWA ER web info@:

<http://www.fhwa.dot.gov/cadiv/other/emergency.htm>

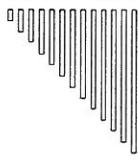
21



## Advanced Construction

- AC is used on ER projects when FHWA has not yet funded that disaster.
  - EO work does not have to get an E-76 prior to starting work.
- Local agencies haven't used AC on a project that required Programming

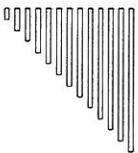
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## FHWA on-line training modules

- |                        |                                                                                                                |
|------------------------|----------------------------------------------------------------------------------------------------------------|
| 1. Pre-training Quiz   | 1. <a href="http://fhwa.acrobat.com/erquiz">http://fhwa.acrobat.com/erquiz</a>                                 |
| 2. Program Overview    | 2. <a href="http://fhwa.acrobat.com/caeroverview">http://fhwa.acrobat.com/caeroverview</a>                     |
| 3. Application Process | 3. <a href="http://fhwa.acrobat.com/caerapplicationprocess">http://fhwa.acrobat.com/caerapplicationprocess</a> |
| 4. EO vs. PR           | 4. <a href="http://fhwa.acrobat.com/caereovspr">http://fhwa.acrobat.com/caereovspr</a>                         |
| 5. Eligibility         | 5. <a href="http://fhwa.acrobat.com/caereligibility">http://fhwa.acrobat.com/caereligibility</a>               |
| 6. DAF                 | 6. <a href="http://fhwa.acrobat.com/caerdaf">http://fhwa.acrobat.com/caerdaf</a>                               |
| 7. ER Specifics        | 7. <a href="http://fhwa.acrobat.com/caerspecifics">http://fhwa.acrobat.com/caerspecifics</a>                   |
| 8. ER examples         | 8. <a href="http://fhwa.acrobat.com/caerexamples">http://fhwa.acrobat.com/caerexamples</a>                     |

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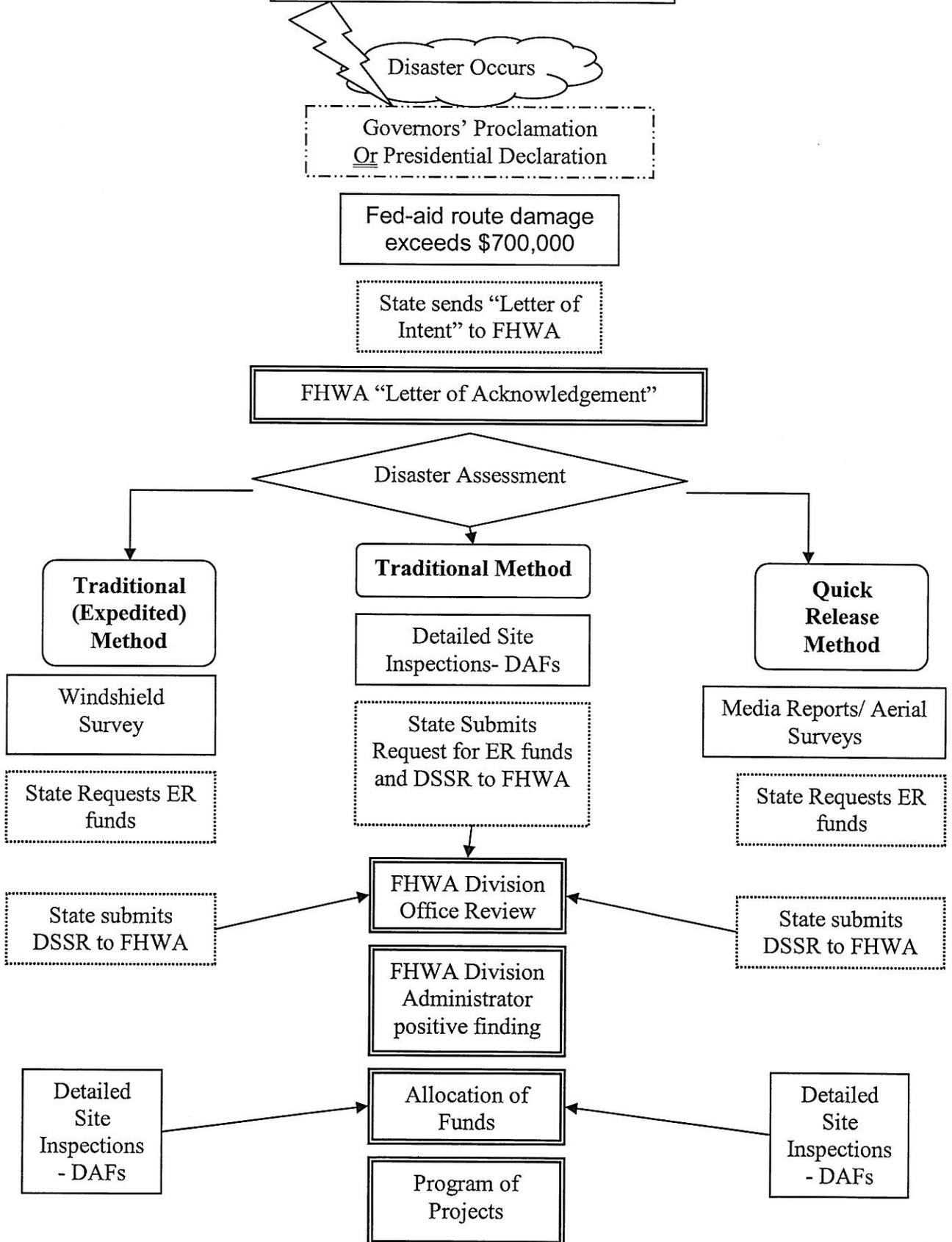


## Questions?



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# ER Program Flow Chart



**No. 3. Handout for Item No. 11  
(CMAQ - Update)**

**DEPARTMENT OF TRANSPORTATION****Federal Highway Administration**

[Docket No. FHWA-2008-0113]

**Agency Information Collection  
Activities: Notice of Request for  
Renewal of a Previously Approved  
Information Collection****AGENCY:** Office of the Secretary (OST).**ACTION:** Notice and request for comments.

**SUMMARY:** The OST invites public comments about our intention to request the Office of Management and Budget's (OMB) approval for renewal of a previously approved information collection that is summarized below under **SUPPLEMENTARY INFORMATION**. We are required to publish this notice in the **Federal Register** by the Paperwork Reduction Act of 1995.

**DATES:** Please submit comments by September 30, 2008.

**ADDRESSES:** You may submit comments identified by DOT DMS Docket Number FHWA-2008-0113 by any of the following methods:

*Web Site:* <http://dms.dot.gov>. Follow the instructions for submitting comments on the DOT electronic docket site.

*Fax:* 1-202-493-2251.

*Mail:* Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Washington, DC 20590.

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

*Docket:* For access to the docket to read background documents or comments received, go to <http://dms.dot.gov> at any time or to U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

**FOR FURTHER INFORMATION CONTACT:** Michael Koontz, 202-366-2076, Office of Natural and Human Environment, Federal Highway Administration, Department of Transportation, 1200 New Jersey Avenue, Washington, DC, 20590. Office hours are from 8 a.m. to 5 p.m., Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:**

*OMB:* 2125-0614.

*Title:* Annual Reporting for the Congestion Mitigation and Air Quality Improvement (CMAQ) Program.

*Background:* Section 1808 of the Safe, Accountable, Flexible, Efficient

Transportation Equity Act: A Legacy for Users of 2005 (SAFETEA-LU) calls for an *Evaluation and Assessment of CMAQ Projects*. The statute calls for the identification and analysis of a representative sample of CMAQ projects and the development and population of a database that describes the impacts of the program both on traffic congestion levels and air quality. To establish and maintain this database, the FHWA is requesting States to submit annual reports on their CMAQ investments that cover projected air quality benefits, financial information, a brief description of projects, and several other factors outlined in the Interim Program Guidance for the CMAQ program. States are requested to provide the end of year summary reports via the automated system provided through FHWA by the first day of March of each year, covering the prior Federal fiscal year.

*Respondents:* 51; each State DOT, and Washington, DC.

*Frequency:* Annually.

*Estimated Average Burden per Response:* 125 hours per annual report.

*Estimated Total Annual Burden*

*Hours:* 6,375 hours.

*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: July 25, 2008.

**Judith Kane,**

*Team Leader, Management Programs and Analysis Division.*

[FR Doc. E8-17673 Filed 7-31-08; 8:45 am]

**BILLING CODE 4910-22-P**

**DEPARTMENT OF TRANSPORTATION****Federal Railroad Administration****Petition for Waiver of Compliance**

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR), notice is hereby given that the Federal Railroad Administration (FRA) received

a request for a waiver of compliance with certain requirements of its safety standards. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, the nature of the relief being requested, and the petitioner's arguments in favor of relief.

**Connecticut Department of  
Transportation**

[Waiver Petition Docket Number FRA-2008-0088]

The Connecticut Department of Transportation (CDOT) in conjunction with the National Railroad Passenger Corporation (Amtrak) seeks a waiver of compliance from certain provisions of 49 CFR Part 238, *Passenger Equipment Safety Standards*. Specifically, § 238.309(d)(2), which provide the clean, oil, test, and stencil (COT&S) requirements for air brake valves.

In the aftermath of the events surrounding Hurricane Katrina, the Federal Emergency Management Agency (FEMA) has identified a need to have passenger car equipment readily available for emergency evacuation purposes. CDOT has responded by making 10 demotored SPV passenger cars that have been identified and are currently in storage available to support this effort. In order to expedite the return of this equipment for immediate service, CDOT requests relief from the COT&S requirements.

The range of dates in which these cars last had a COT&S performed is July 2001, to May 2006. The regulation requires a COT&S every 1,476 days. Prior to being placed in-service, CDOT will contract Amtrak to perform a single car air brake test on each car to ensure the integrity of the air brake system. Additionally, Amtrak will ensure the integrity of all safety critical systems, as outlined in §§ 238.303, 238.305 and 238.311 and will be the custodian of the cars while in emergency stand-by status.

FRA reserves the right to issue a temporary interim waiver if an emergency arises or other conditions warrant before the comment period ends for this waiver request.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the