

in preparing the draft supplemental EA. The purpose of this Notice is to inform the public and local, State, and Federal government agencies of the availability of the draft supplemental EA. It also provides interested parties with an opportunity to present to the FAA their opinions, comments, information, or other relevant observations relating to the alternatives and potential environmental impacts of these proposals.

To maximize the opportunities for public participation in this environmental process, the FAA has mailed copies of the draft supplemental EA (DSEA), the two NPRMs, and the Notice of Route Availability and graphic to those individuals and agencies listed in Appendix I of the DSEA. The graphic containing the proposed route changes and airspace modifications is not being published in today's **Federal Register** due to the detail on the charts. Again these proposed actions represent concepts presently under consideration by the FAA and DOI.

Issued in Washington, DC on July 2, 1999.

William J. Marx,

*Manager, Environmental Programs Division,
Office of Air Traffic Airspace Management.*

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DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

[Docket No. FTA-99-5929]

A Study of the Section 5307 Urbanized Area Formula Program and the Transit Needs of Small Urbanized Areas

AGENCY: Federal Transit Administration, DOT.

ACTION: Request for comments; notice of meeting.

SUMMARY: Section 3033 of the Transportation Equity Act for the 21st Century requires the Federal Transit Administration to study whether the formula 49 U.S.C. 5336 for apportioning funds to urbanized areas accurately reflects the transit needs of certain small urbanized areas that have unusually intensive transit service for their size. This document announces the commencement of this study, and solicits comments and suggestions on its design and aims. The results of this study will be sent to Congress along with FTA's suggestions on whether the formula should be changed to reflect the transit need of small urbanized areas.

DATES: Written comments on this notice should be submitted by September 7,

1999. Two outreach sessions to discuss the study design will also be held on July 7, 1999, and July 14, 1999. See addresses for meeting locations.

ADDRESSES:

- (1) July 7, 1999, 10:00 AM to 12:00 noon (local time), at the Radisson Hotel, 500 Leisure Lane, Sacramento, CA. This meeting will be held in conjunction with the APTA/AASHTO/CTAA State Affairs Conference.
- (2) July 14, 1999, 10:00 AM to 12:00 noon (local time), at the U.S. Department of Transportation, 400 7th Street SW, Washington, DC, in Room 6332-36.

Written comments and suggestions regarding the proposed study must refer to the docket number appearing above and must be submitted to the United States Department of Transportation, Central Dockets Office, PL-401, 400 Seventh Street SW, Washington, DC 20590. All comments received will be available for inspection at the above address from 10 a.m. to 5 p.m., Monday through Friday, except Federal holidays. Those desiring the agency to acknowledge receipt of their comments should include a stamped, self-addressed postcard. Written material submitted at the workshops will also be placed in the docket.

FOR FURTHER INFORMATION CONTACT:

Darren Timothy, Office of Policy Development, FTA, (202) 366-0177. Email: darren.timothy@fta.dot.gov.

SUPPLEMENTARY INFORMATION:

- I. Electronic Access
- II. Background
- III. Research Questions

I. Electronic Access

An electronic copy of this document may be downloaded using a modem and suitable communications software from the Government Printing Office's Electronic Bulletin Board Service at (202) 512-1661. Internet users may reach the **Federal Register's** home page at <http://www.nara.gov/fedreg> or the Government Printing Office's database at <http://www.access.gpo.gov/nara>.

II. Background

The Urbanized Area Formula Grants Program, section 5307 of Title 49 of the United States Code allocates funds to urbanized areas for capital, operating, and planning costs associated with mass transit; however, the actual apportionment formula is found in 49 U.S.C. 5336. The formula allocates section 5307 funds through a series of hierarchical tiers. The first division establishes two separate tiers of urbanized areas: (1) 9.32% is allocated

to small urbanized areas (population 50,000 to 199,999); (2) 90.68% is allocated to large urbanized areas (population 200,000 and above).

For small urbanized areas, the formula apportionments are based solely on two factors: (1) Population; and (2) Population times population density.

For larger urbanized areas, however, the formula again breaks down into two tiers:

(1) The Fixed Guideway Tier (33.29%). The formula for this tier includes three factors: (A) Fixed guideway route miles; (B) Fixed guideway revenue-vehicle; and (C) Fixed guideway passenger-miles weighted by passenger-miles per dollar of operating cost (the fixed guideway incentive tier)

(2) The Bus Tier (66.71%). 90.8% of this tier is allocated based on three factors: (A) Population; (B) Population times population density; and (C) Bus revenue-vehicle miles.

This portion of the bus tier is further divided between urbanized areas with more than and less than 1 million in population. The remaining 9.2% of the bus tier is allocated based on bus passenger-miles weighted by bus passenger-miles per dollar of operating cost (the bus incentive tier).

There are two other important distinctions between small and large cities in the formula program. The first lies in the method of funds allocation to the urbanized areas. Large urbanized areas receive their formula apportionments directly from the federal government, through a designated recipient agency within the urbanized area. Small urbanized areas that are not in a transportation management area do not receive federal formula funds directly, however. Instead, the governor of their respective state acts as the designated recipient, and receives an apportionment based on formula allocations for all the small urbanized areas within the state. The second distinction between large and small urbanized areas is that formula funds for small urbanized areas may be used for operating costs, while this option is no longer available to larger urbanized areas.

While most small urbanized areas have transit system characteristics which are substantially different from those of large urbanized areas, this does not hold universally. Certain small, transit-intensive cities provide a level of service that is substantially greater than their size and density characteristics might indicate. Given the tier structure of the section 5307 formula, however, this service level is not reflected in the

governors' apportionments for small cities.

In light of this fact, section 3033 of the Transportation Equity Act for the 21st Century (TEA-21) (Pub. L. 105-178) calls for the Secretary of Transportation to "conduct a study to determine whether the formula for apportioning funds to urbanized areas * * * accurately reflects the transit needs of the urbanized areas and, if not, whether any changes should be made either to the formula or through some other mechanism to reflect the fact that some urbanized areas with a population between 50,000 and 200,000 have transit systems that carry more passengers per mile or per hour than the average of those transit systems in urbanized areas with a population over 200,000." This report is to be submitted to the House Transportation and Infrastructure Committee and the Senate Banking, Housing, and Urban Affairs Committee by December 31, 1999, and is to contain both the results of this study and any suggested changes to the formula program.

III. Research Questions

The FTA is interested in receiving any comments or suggestions for conducting the study that interested parties might have. In particular, we would like to solicit comment on the following questions:

A. Formula Apportionment Factors

The section 5336 formulas use population and population weighted by population density as factors for both large and small urbanized areas. As described above, the formulas also use transit service factors (route-miles and revenue-vehicle miles) and operating factors (the incentive tier) for urbanized areas over 200,000 in population. Our questions on this topic include—

(1) Are population and population density adequate factors for use in apportioning funds to small urbanized areas? Are there specific reasons why other factors shouldn't be applied to these small cities?

(2) Should service factors also be applied to small urbanized areas in apportioning formula funds? In particular, should bus revenue-vehicle miles be applied to small urbanized areas as well? Should bus passenger miles and operating costs used in the incentive tier be applied to small urbanized areas?

It should be noted that small transit systems face different reporting requirements under the National Transit Database program than do their counterparts in larger systems and cities. For example, transit systems with

fewer than 10 buses are not required to report annual bus revenue-vehicle miles. Passenger-mile data is also collected and reported less frequently for small cities: urbanized areas under 200,000 in population are only required to sample passenger-miles every 5 years, as opposed to every 3 years for areas between 200,000 and 500,000 in population and annually for most cities over 500,000.

B. Other Transit Funding Sources

Section 3033 of TEA-21 directs us to look at both formula changes and "other mechanisms" to reflect the needs of small, transit-intensive cities. For example, other sources of intergovernmental aid are aid available to local transit operators in small urbanized areas in addition to the section 5307 program. Our questions are—

(1) Would examining these other aid sources available to small urbanized areas be a useful and informative exercise?

(2) What other mechanisms besides changing the formula might be practical and useful in order to assist small transit-intensive cities?

Issued on: July 2, 1999.

Gordon J. Linton,
Administrator.

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33751]

Grand Trunk Western Railroad Incorporated and The Baltimore and Ohio Chicago Terminal Railroad Company—Joint Relocation Project Exemption—in Harvey, IL

Grand Trunk Western Railroad Incorporated (GTW), a subsidiary of Canadian National Railway Company, and The Baltimore and Ohio Chicago Terminal Railroad Company (B&OCT), a subsidiary of CSX Transportation, Inc., have jointly filed a notice of exemption under 49 CFR 1180.2(d)(5) to enter into a project to relocate lines of railroad in Harvey, IL.¹ The joint relocation project will facilitate more efficient operations and allow for the removal of

¹ A redacted version of a Trackage Rights Agreement and a Supplement to Interlocking Agreement between GTW and B&OCT were filed with the notice of exemption. The full version of the agreements was concurrently filed under seal along with a motion for a protective order. The motion was granted and a protective order was served in this proceeding on June 21, 1999.

unnecessary and duplicative trackage. The transaction was expected to be consummated on or after June 18, 1999, the effective date of the exemption.

GTW connects with the Illinois Central Railroad Company's (IC) main line adjacent to Markham Yard at Harvey. GTW and IC plan to improve their connection by constructing an additional connection within the existing right-of-way. B&OCT has a line parallel to GTW's line adjacent to the yard, crossing it just west of IC's line and running underneath IC's line. In order to construct the additional connection between GTW and IC, a segment of B&OCT's line will need to be removed. The carriers will construct the necessary connections between their lines to permit B&OCT trains to move from B&OCT's line onto GTW's line.

Under the joint project, GTW and B&OCT agree to the following: (1) GTW will grant B&OCT the right to operate, in non-exclusive overhead freight service, its trains and equipment with its own crews over the segment of GTW's railroad lines from GTW milepost 23.7 to milepost 22.5, South Bend Division; (2) GTW will grant B&OCT the right to use the new wye connection between GTW and IC for the purpose of B&OCT's access to IC; (3) B&OCT will abandon its line between mileposts 4.0 and milepost 2.6, Chicago Heights Subdivision, and grant to GTW a perpetual easement to the underlying right-of-way between B&OCT mileposts 3.6 and 3.1 for GTW's construction of a new connection to Markham Yard; (4) GTW will install turnouts and connecting tracks east of the current GTW/B&OCT rail crossing from GTW's south main line west of Vincennes Road, near GTW milepost 23.7, South Bend Division, to the GTW/B&OCT property line, as well as west of the current GTW/B&OCT rail crossing from GTW's north main line west of 150th Street in Harvey, near GTW milepost 22.5, South Bend Division, to the GTW/B&OCT property line; (5) B&OCT will realign its trackage east of the current GTW/B&OCT rail crossing west of Vincennes Road, at or near B&OCT milepost 4.0, Chicago Heights Subdivision, to the GTW/B&OCT property line, and west of the current GTW/B&OCT rail crossing west of 150th Street, at or near B&OCT milepost 2.6, Chicago Heights Subdivision, to the GTW/B&OCT property line.

The Board will exercise jurisdiction over the abandonment or construction components of a relocation project, and require separate approval or exemption, only where the removal of track affects service to shippers or the construction of new track involves expansion into a