



# **Appendix A: Notice of Intent**

The remainder of the project is referred to as the No Capacity Improvement Area. The total project length is approximately 40 miles. The actions by the FHWA and the laws under which such actions were taken are described in the Environmental Assessment (EA) and in the Finding of No Significant Impact (FONSI) issued on April 18, 2013, and are available at <http://sr40pde.com/>.

2. Project Location: Baldwin, Duval County, SR 200/US 301. Federal-Aid Project Number: 3115-025-P. Project type: The SR 200/US 301 Baldwin Bypass proposes a 4.1 mile four-lane divided highway on new alignment to serve as an alternate route for S.R. 200/ U.S. 301 to bypass the Town of Baldwin. The project includes two railroad overpasses and one Rails-to-Trails overpass. The project will connect with the existing U.S. 301 on the south and the north sides of Baldwin and will intersect with U.S. 90. The actions by the FHWA and the laws under which such actions were taken are described in the Environmental Assessment (EA) and in the Finding of No Significant Impact (FONSI) issued on May 24, 2013, and are available at <http://www.us301northflorida.com/Pages/Home.aspx>.

3. Project Location: Crestview, Okaloosa County, PJ Adams Parkway. Financial Project Number: 421997-1-28-01. Project type: The PJ Adams Parkway, on existing and new alignment, will provide system linkage, needed capacity, and safety improvements from SR 85 to US 90 as a western route around the City of Crestview, FL. The actions by the FHWA and the laws under which such actions were taken are described in the Environmental Assessment (EA) and in the Finding of No Significant Impact (FONSI) issued on August 28, 2013, and are available by contacting Peggy Kelley, with the FDOT Environmental Management Office at (850) 330-1517, or [peggy.kelley@dot.state.fl.us](mailto:peggy.kelley@dot.state.fl.us).

4. Project Location: Martin and Palm Beach Counties, SR 710. Financial Project Number: 419348-2-22-01 and 419348-1-22-01. Project type: The SR 710 project proposes to add capacity to SR 710 in Martin and Palm Beach Counties, and provide a new urban interchange at Northlake Boulevard. The actions by the FHWA and the laws under which such actions were taken are described in the Environmental Assessment (EA) and in the Finding of No Significant Impact (FONSI) issued on January 6, 2014, and are available at <https://etdmpub.fla-etat.org/est/>, ETDM #7151.

5. Project Location: Miami, Miami-Dade County, SR 968/SW 1st Street.

Federal-Aid Project Number: 6158011U. Project type: The SR 968/SW 1st Street Bridge project proposes bridge replacement with improved clearance from underlying roads, improved travel lines for boat traffic, improved bumper widths at boat travel lane, improved height over mean high water level, and updated bascule mechanisms. The actions by the FHWA and the laws under which such actions were taken are described in the Environmental Assessment (EA) and in the Finding of No Significant Impact (FONSI) issued on December 9, 2013, and are available at <https://etdmpub.fla-etat.org/est/>, ETDM #11240.

6. Project Location: Starke, Bradford County, US 301. Federal-Aid Project Number: 3114-018-P. Project type: The Starke Bypass US 301 project proposes to provide a 4 lane limited-access highway facility that will provide a 7.3 mile bypass around the City of Starke in Bradford County. The actions by the FHWA and the laws under which such actions were taken are described in the EIS and Record of Decision (ROD) issued on February 12, 2014, and available at <http://www.us301northflorida.com/Pages/Home.aspx>.

7. Project Location: Port St. Lucie, St. Lucie County, Crosstown Parkway. Federal-Aid Project Number: 7777-087-A. Project type: The Crosstown Parkway project proposes to provide a New Bridge Crossing of the North Fork of the St. Lucie River on the Crosstown Parkway from Manth Lane to US 1. The actions by the FHWA and the laws under which such actions were taken are described in the EIS and Record of Decision (ROD) issued on February 24, 2014, and are available at <https://etdmpub.fla-etat.org/est/>, ETDM #8247.

8. Project Location: Clay and St. Johns Counties, new road—St. Johns River Crossing. Federal-Aid Project Number: SFTL 264 R. Project Type: The first segment starts as a four-lane facility at the intersection of Brannan Field-Chaffee Road and SR 21 in Clay County, crosses Black Creek, and continues southeast to US 17, where it becomes as a 6-lane facility crossing the St. Johns River with a replacement of the Shands Bridge. The project continues east to 16A where it transitions back to a 4-lane facility in St. Johns County to its terminus at I-95. The actions by the FHWA and the laws under which such actions were taken are described in the EIS and Record of Decision (ROD) issued on April 7, 2014, and are available at <http://firstcoastexpressway.com/SJRBridge/documents-and-publications.shtml>.

(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.)

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

Issued on: May 28, 2014.

**James C. Christian,**

*Division Administrator, Federal Highway Administration.*

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**BILLING CODE 4910-RY-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Environmental Impact Statement for the Baltimore & Potomac (B&P) Tunnel Project Along the Northeast Corridor (NEC) in Baltimore, MD

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

**ACTION:** Notice of Intent to Prepare an Environmental Impact Statement (EIS).

**SUMMARY:** FRA is issuing this notice to advise the public that an EIS for the B&P Tunnel Project (Project) is being prepared pursuant to the National Environmental Policy Act of 1969 (NEPA). The Project is intended to address transportation deficiencies associated with the existing rail tunnel and is located on the NEC in the area of Baltimore that surrounds the existing B&P Tunnel. The EIS will evaluate the potential environmental impacts of alternatives that address transportation deficiencies.

To ensure significant issues are identified and considered, the public and all interested parties are invited to comment on the proposed scope of environmental review, the project purpose and need, alternatives to be considered, environmental effects to be considered and evaluated, and methodologies to be used for evaluating effects.

**DATES:** An open house for the public will be held on Thursday, June 19, 2014, between 5:00 p.m. and 8:00 p.m. Written comments should be provided to FRA by July 30, 2014 using the email address or physical mailing address listed below. Comments may also be provided orally or in writing at the June 19, 2014 public meeting.

**ADDRESSES:** The public and other interested parties are encouraged to comment on-line at the B&P Tunnel Project's Web site ([www.bptunnel.com](http://www.bptunnel.com)), via email at [info@bptunnel.com](mailto:info@bptunnel.com), in

person or by hard copy during the June 19, 2014 public meeting at Coppin State University, Talon Center, 2nd floor Atrium, 2500 West North Avenue, Baltimore, MD 21216 or by mailing hard copy comments to the **FOR FURTHER INFORMATION CONTACT** noted below.

**FOR FURTHER INFORMATION CONTACT:** Michelle W. Fishburne, Environmental Protection Specialist, USDOT Federal Railroad Administration, Office of Program Delivery, 1200 New Jersey Avenue SE., MS-20, Washington, DC 20590; (202) 294-0398.

**SUPPLEMENTARY INFORMATION:** The Maryland Department of Transportation (MDOT) in cooperation with the National Railroad Passenger Corporation (Amtrak) was awarded a grant from FRA to complete an engineering and environmental study (Study) for the B&P Tunnel as part of the High-Speed Intercity Passenger Rail (HSIPR) Program. The B&P Tunnel opened in 1873 and is approaching the end of its useful life. The tunnel currently serves Amtrak passenger rail and Maryland Commuter Rail (MARC) trains, as well as Norfolk Southern freight trains. The purpose of the Study is to develop and evaluate alternatives that would improve the deficient tunnel and related rail infrastructure, which significantly hampers train movement and creates a low-speed bottleneck on this high traffic section of the NEC. The area for the Study includes the existing B&P Tunnel in Central Baltimore and will encompass an area needed to identify potential alternatives and the evaluation of potential environmental effects.

FRA as the lead federal agency will be responsible for the environmental review of alternatives and the EIS process in coordination with MDOT as the grantee, Amtrak as the owner of the B&P Tunnel, and other stakeholders. The EIS will evaluate alternatives based on project needs, potential environmental impacts, and input received from the public and all interested parties. The EIS will be developed in accordance with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321 *et. seq.*), the Council on Environmental Quality (CEQ) regulations (40 CFR parts 1500-1508), FRA Procedures for Considering Environmental Impacts (64 **Federal Register** [FR] 28545, [May 26, 1999]), and FRA's Update to NEPA Implementing Procedures (78 FR 2713, [January 14, 2013]).

#### **Purpose and Need**

The B&P Tunnel is important not only for Baltimore, but also the NEC, which connects the five major metropolitan

areas of Boston, New York, Philadelphia, Baltimore and Washington, DC. The NEC is the most active passenger rail corridor in the nation and carries intercity passenger, commuter, and freight trains. FRA is preparing NEC FUTURE: A Rail Investment Plan for the Northeast Corridor, which is a comprehensive planning effort to define, evaluate and prioritize future investments in the NEC and is available at [www.necfuture.com](http://www.necfuture.com).

Amtrak and MARC operate approximately 140 daily passenger trains through the B&P Tunnel, including Acela Express and Northeast Regional service. As intercity travel demand increases within the region, there will be additional need for passenger service on the NEC. The potential for future high speed rail on the NEC is also an important consideration for improvements to the B&P Tunnel, as well as support of freight service. The B&P Tunnel hosts approximately 5 to 10 through-freight trains daily, serving ports in Baltimore.

The B&P Tunnel is comprised of a series of three sequential, two-track tunnels: The John Street Tunnel, the Wilson Street Tunnel, and the Gilmore Street Tunnel. According to the NEC Infrastructure and Operations Advisory Commission's report, *Critical Infrastructure Needs on the Northeast Corridor* (2013), the B&P Tunnel's tight curvature and aged structural conditions limit train speeds to 30 mph (down from 60 mph or higher on its approach tracks).

Previous studies and plans examined the broader railroad network and identified the B&P Tunnel as a primary chokepoint in Baltimore. In November 2001, Congress requested that FRA conduct a comprehensive study to assess problems in the freight and passenger rail infrastructure in the vicinity of Baltimore, Maryland. The study comprised two reports: *Baltimore's Railroad Network: Challenges and Alternatives* (2005) and *Baltimore's Railway Network: Analysis and Recommendations* (2011). The 2005 and 2011 reports assessed Baltimore's railroad network, identified the need to improve deficient track geometry and tunnel conditions, and reviewed multiple alternatives associated with the B&P Tunnel. The *Northeast Corridor Infrastructure Master Plan* (2010), prepared by the NEC Master Plan Working Group, states that the B&P Tunnel has exceeded its useful life and is a major chokepoint for intercity, commuter, and freight operations in the northeast. The 2005 and 2011 reports and the 2010 Master Plan are available on the project Web site at

[www.bptunnel.com](http://www.bptunnel.com). Additional need elements for the project will be documented and evaluated as part of the NEPA process.

#### **Alternatives To Be Considered**

Alternatives will be developed based on the purpose of and need for the project, information obtained through the scoping process, and previous reports. The EIS will consider a range of reasonable alternatives based on the need to improve capacity and travel time through the corridor, improve reliability, and maintain safety for commuter, freight and intercity passenger rail services on the NEC. Alternatives will include the No Action Alternative as well as Build Alternatives such as rehabilitation of the existing tunnel and a new tunnel at a different location.

#### **Possible Effects**

FRA in coordination with MDOT will evaluate direct, indirect, and cumulative changes to the human and natural environment resulting from the alternatives, including: Land use and socioeconomics, Environmental Justice, public safety, cultural resources, recreational resources, ecological resources (including terrestrial and aquatic habitat and species), wetland areas, water quality, flood hazards and floodplain management, hazardous contamination, transportation, construction issues, air quality, noise and vibration, and aesthetics. The analysis and environmental review will be documented in the EIS consistent with NEPA, CEQ regulations, Section 106 of the NHPA, the Endangered Species Act, the Clean Air Act, the Clean Water Act, FRA Environmental Procedures, Executive Order 12898 and USDOT Order 5610.2(a) on Environmental Justice, and Section 4(f) of the USDOT Act of 1966, along with other applicable Federal and State regulations.

#### **Scoping Process**

The FRA and MDOT are inviting comments and suggestions from the public and all interested parties regarding the scope of the EIS to ensure that all relevant issues, applicable planning efforts, constraints, and reasonable alternatives are addressed in the EIS. FRA and MDOT will directly contact appropriate Federal, State, and local agencies, Native American tribes and private organizations that have previously expressed or that are known to have an interest in this Project.

Public meetings, open houses, and other public involvement initiatives, including newsletters and outreach, will

be held and used throughout the course of this Study. Dates, times and locations for the scoping meetings and other opportunities for public participation will be announced on the B&P Tunnel Project's Web site ([www.bptunnel.com](http://www.bptunnel.com)) and through mailings, public notices, advertisements and press releases.

Comments will be accepted on the scope of the EIS at the public meeting, through the project Web site ([www.bptunnel.com](http://www.bptunnel.com)) and by submitting written comments to Michelle Fishburne according to **FOR FURTHER INFORMATION CONTACT** above. The formal comment period for scoping will be as described in **DATES** above.

**Authority:** National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321 *et. seq.*)

Issued in Washington, DC, on June 4, 2014.

**Corey W. Hill,**

Director, Office of Program Delivery.

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**DEPARTMENT OF TRANSPORTATION**

**Surface Transportation Board**

[Docket No. EP 682 (Sub-No. 5)]

**2013 Tax Information for use in the Revenue Shortfall Allocation Method**

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice.

**SUMMARY:** The Board is publishing, and providing the public an opportunity to comment on, the 2013 weighted average

state tax rates for each Class I railroad, as calculated by the Association of American Railroads (AAR), for use in the Revenue Shortfall Allocation Method (RSAM).

**DATES:** Comments are due by July 9, 2014. If any comment opposing AAR's calculation is filed, AAR's reply will be due by July 29, 2014. If no comments are filed by the due date, AAR's calculation of the 2013 weighted average state tax rates will be automatically adopted by the Board, effective July 10, 2014.

**ADDRESSES:** Comments may be submitted either via the Board's e-filing format or in traditional paper format. Any person using e-filing should attach a document and otherwise comply with the instructions at the E-FILING link on the Board's Web site at <http://www.stb.dot.gov>. Any person submitting a filing in the traditional paper format should send an original and 10 copies referring to Docket No. EP 682 (Sub-No. 5) to: Surface Transportation Board, 395 E Street SW., Washington, DC 20423-0001.

**FOR FURTHER INFORMATION CONTACT:** Marc Lerner, (202) 245-0390. Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at (800) 877-8339.

**SUPPLEMENTARY INFORMATION:** The RSAM figure is one of three benchmarks that together are used to determine the reasonableness of a challenged rate under the Board's *Simplified Standards for Rail Rate Cases*, EP 646 (Sub-No. 1)

(STB served Sept. 5, 2007),<sup>1</sup> as further revised in *Simplified Standards for Rail Rate Cases—Taxes in Revenue Shortfall Allocation Method*, EP 646 (Sub-No. 2) (STB served Nov. 21, 2008). RSAM is intended to measure the average markup that the railroad would need to collect from all of its “potentially captive traffic” (traffic with a revenue-to-variable-cost ratio above 180%) to earn adequate revenues as measured by the Board under 49 U.S.C. 10704(a)(2) (i.e., earn a return on investment equal to the railroad industry cost of capital). *Simplified Standards—Taxes in RSAM*, slip op. at 1. In *Simplified Standards—Taxes in RSAM*, slip op. at 3, 5, the Board modified its RSAM formula to account for taxes, as the prior formula mistakenly compared pre-tax and after-tax revenues. In that decision, the Board stated that it would institute a separate proceeding in which Class I railroads would be required to submit the annual tax information necessary for the Board's annual RSAM calculation. *Id.* at 5-6.

In *Annual Submission of Tax Information for Use in the Revenue Shortfall Allocation Method*, EP 682 (STB served Feb. 26, 2010), the Board adopted rules to require AAR—a national trade association—to annually calculate and submit to the Board the weighted average state tax rate for each Class I railroad. *See* 49 CFR 1135.2(a). On May 30, 2014, AAR filed its calculation of the weighted average state tax rates for 2013, listed below for each Class I railroad:

**WEIGHTED AVERAGE STATE TAX RATES**  
[In percent]

Railroad	2013 (percent)	2012 (percent)	% Change
BNSF Railway Company .....	5.510	5.567	-0.057
CSX Transportation, Inc .....	5.486	5.588	-0.102
Grand Trunk Corporation .....	8.066	8.078	-0.012
The Kansas City Southern Railway .....	5.762	5.877	-0.115
Norfolk Southern Combined .....	5.821	5.891	-0.070
Soo Line Corporation .....	7.289	7.351	0.062
Union Pacific Railroad Company .....	5.929	5.970	-0.041

Any party wishing to comment on AAR's calculation of the 2013 weighted average state tax rates should file a comment by July 9, 2014. *See* 49 CFR 1135.2(c). If any comments opposing AAR's calculations are filed, AAR's reply will be due by July 29, 2014. *Id.* If any comments are filed, the Board will review AAR's submission, together with the comments, and serve a

decision within 60 days of the close of the record that either accepts, rejects, or modifies AAR's railroad-specific tax information. *Id.* If no comments are filed by July 9, 2014, AAR's submitted weighted average state tax rates will be automatically adopted by the Board, effective July 10, 2014. *Id.*

This action will not significantly affect either the quality of the human

environment or the conservation of energy resources.

Decided: June 4, 2014.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

**Derrick A. Gardner,**

Clearance Clerk.

[FR Doc. 2014-13381 Filed 6-6-14; 8:45 am]

**BILLING CODE 4915-01-P**

<sup>1</sup> *Aff'd sub nom. CSX Transp., Inc. v. STB*, 568 F.3d 236 (D.C. Cir. 2009), and vacated in part on

*reh'g, CSX Transp., Inc. v. STB*, 584 F.3d 1076 (D.C. Cir. 2009).