



DEPARTMENT OF TRANSPORTATION

[4910-RY]

Federal Highway Administration

Notice of Final Federal Agency Actions on Proposed Highway in California

AGENCY: Federal Highway Administration (FHWA), Department of Transportation (DOT).

ACTION: Notice of Limitation on Claims for Judicial Review of Actions by the California Department of Transportation (Caltrans).

SUMMARY: The FHWA, on behalf of Caltrans, is issuing this notice to announce actions taken by Caltrans that are final. The actions relate to the proposed highway project, Merced Seismic Retrofit Project, which is a seismic retrofit project of seven bridges on State Route 59, 140 and 152 in the County of Merced, California. Those actions grant licenses, permits, and approvals for the project.

DATES: By this notice, the FHWA, on behalf of Caltrans, is advising the public of final agency actions subject to 23 U.S.C. §139(f)(1). A claim seeking judicial review of the Federal agency actions on the highway project will be barred unless the claim is filed on or before **[Insert date 150 days after publication in the Federal Register]**. If the Federal law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such claim, then that shorter time period still applies.

FOR FURTHER INFORMATION CONTACT: For Caltrans: Jennifer Lugo, Branch Chief, Central Sierra Environmental Analysis Branch, 855 M Street, Suite 200, Fresno, CA 93721, weekdays from 7:30 a.m. to 4:15 p.m.,

jennifer.lugo@dot.ca.gov, telephone 559-445-6172. For FHWA, contact David Tedrick at (916) 498-5024 or email david.tedrick@dot.gov.

SUPPLEMENTARY INFORMATION: Effective July 1, 2007, the FHWA assigned, and the Caltrans assumed, environmental responsibilities for this project pursuant to 23 U.S.C. 327. Notice is hereby given that the Caltrans has taken final agency actions subject to 23 U.S.C. 139(l)(1) by issuing licenses, permits, and approvals for the following highway project in the State of California: Merced Seismic Retrofit Project on State Routes 59, 140, and 152 in Merced County. The project would seismically retrofit seven bridges to bring them to current standard. A Draft Initial Study/Environmental Assessment was circulated, which proposed to bring the Bear Creek Bridge on State Route 59, the Los Banos Creek Bridge and the San Joaquin Bridge on State Route 140, and the San Joaquin (Santa Rita) Bridge and the Eastside Bypass Bypass Channel on State Route 152 to current seismic standards. The actions by the Federal agencies, and the laws under which such actions were taken, are described in the Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) for the project, approved on March 2, 2020, and in other documents in the FHWA project records. The EA, FONSI, and other project records are available by contacting Caltrans at the addresses provided above. The Caltrans EA and FONSI can be viewed and downloaded from the project website at <https://dot.ca.gov/caltrans-near-me/district-10>, or due to the current COVID 19 pandemic, please contact David Farris at david.farris@dot.ca.gov for a printed version of this document.

This notice applies to all Federal agency decisions as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. National Environmental Policy Act (NEPA)
2. Fixing America's Surface Transportation Act (Fast Act)
3. Clean Air Act
4. Federal-Aid Highway Act
5. Clean Water Act
6. Historic Sites Act
7. Section 106 of the National Historic Preservation Act
8. Archeological Resources Protection Act
9. Archeological and Historic Preservation Act
10. Antiquities Act
11. Endangered Species Act
12. Migratory Bird Treaty Act
13. Fish and Wildlife Coordination Act
14. Magnuson-Stevens Fishery Conservation and Management Act
15. Section 4(f) of the Department of Transportation Act
16. Civil Rights Act, Title VI
17. Farmland Protection Policy Act
18. Uniform Relocation Assistance and Real Property Acquisition Policies Act
19. Rehabilitation Act
20. Americans with Disabilities Act

21. Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)

22. Resource Conservation and Recovery Act (RCRA)

23. Safe Drinking Water Act

24. Occupational Safety and Health Act

25. Atomic Energy Act

26. Toxic Substances Control Act

27. Federal Insecticide, Fungicide and Rodenticide Act

28. E.O. 11990 Protection of Wetlands; E.O. 11988 Floodplain Management

29. E.O. 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations

30. E.O. 12088, Federal Compliance with Pollution Control Standards

(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)

Rodney Whitfield,
Director, Financial Services,
Federal Highway Administration,
California Division.