

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### 23 CFR Part 180

#### Office of the Secretary

#### 49 CFR Part 80

### Federal Railroad Administration

#### 49 CFR Part 261

### Federal Transit Administration

#### 49 CFR Part 640

### Maritime Administration

#### 49 CFR Part 1700

[Docket No. DOT-OST-2009-0004]

RIN 2105-AD70

### Credit Assistance for Surface Transportation Projects

**AGENCIES:** Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), Federal Transit Administration (FTA), Maritime Administration (MARAD), Office of the Secretary of Transportation (OST), Department of Transportation (DOT).

**ACTION:** Withdrawal of notice of proposed rulemaking (NPRM) and request for comments.

**SUMMARY:** This notice withdraws DOT's proposed changes to its regulations implementing the Transportation Infrastructure Finance and Innovation Act (TIFIA). The NPRM is being withdrawn in order to allow the Obama Administration to review the program and decide what, if any changes, it may wish to propose.

**DATES:** February 25, 2009.

**FOR FURTHER INFORMATION CONTACT:** Mr. Mark Sullivan, TIFIA Joint Program Office (202) 366-5785, or Mr. Steven Rochlis, Office of the Chief Counsel (202) 366-1395, Federal Highway

Administration, 1200 New Jersey Avenue, SE., Washington, DC 20590.

**SUPPLEMENTARY INFORMATION:** On Wednesday, January 21, 2009, DOT published a NPRM (74 FR 3487) concerning the Transportation Infrastructure Finance and Innovation Act (TIFIA) to implement recent statutory changes and to incorporate certain other changes to the rule. In addition, the NPRM sought comment on policy issues with potentially significant impact on the TIFIA project selection process. This withdrawal will allow the Obama Administration to review the program and decide what, if any changes, it may wish to propose. We believe that the public will benefit from withdrawal of the proposal early in the comment period before comments have been drafted and filed pending review of the program by the new administration.

Issued in Washington, DC on February 16, 2009.

**Ray LaHood,**  
*Secretary of Transportation.*

[FR Doc. E9-3975 Filed 2-24-09; 8:45 am]

BILLING CODE 4910-9X-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 622

RIN 0648-XN22

### Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Bottom Longline Petition

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Announcement of receipt of petitions for rulemaking; request for comments.

**SUMMARY:** NMFS announces the receipt of two petitions for rulemaking from several non-governmental organizations (NGOs). These petitions request NMFS take specific actions to address sea turtle interactions in the bottom longline component of the commercial reef fish fishery.

**DATES:** Comments will be accepted through March 27, 2009.

**ADDRESSES:** You may submit comments on the proposed rule, identified by "0648-XN22" by any of the following methods:

- Electronic Submissions: Submit all electronic public comments via the Federal e-Rulemaking Portal: <http://www.regulations.gov>.
- Fax: 727-824-5308; Attention: Peter Hood.
- Mail: Peter Hood, Southeast Regional Office, NMFS, 263 13<sup>th</sup> Avenue South, St. Petersburg, FL 33701.

Instructions: All comments received are a part of the public record and will generally be posted to <http://www.regulations.gov> without change. All Personal Identifying Information (for example, name, address, etc.) voluntarily submitted by the commenter may be publicly accessible. Do not submit Confidential Business Information or otherwise sensitive or protected information.

To submit comments through the Federal e-Rulemaking Portal: <http://www.regulations.gov>, enter "NOAA-NMFS-2009-0031" in the keyword search, then select "Send a Comment or Submission." NMFS will accept anonymous comments (enter N/A in the required fields, if you wish to remain anonymous). You may submit attachments to electronic comments in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only.

Copies of the petitions may be obtained from Peter Hood at the address specified above.

**FOR FURTHER INFORMATION CONTACT:** Peter Hood, telephone 727-824-5305, fax 727-824-5308, e-mail [Peter.Hood@noaa.gov](mailto:Peter.Hood@noaa.gov).

**SUPPLEMENTARY INFORMATION:** Oceana has petitioned the Gulf of Mexico Fishery Management Council (Council) and NMFS to implement emergency regulations for the bottom longline component of the Gulf of Mexico (Gulf) reef fish fishery to mitigate the high levels of loggerhead sea turtle bycatch in the fishery and to implement appropriate long-term actions, through an amendment to the Fishery Management Plan for Reef Fish Resources of the Gulf of Mexico (FMP), to ensure adequate protection for the loggerhead sea turtle populations. The Oceana petition specifically requests NMFS prohibit the use of reef fish bottom longline gear in waters shallower than 55 fathoms (100m) in the