

Comments: Comments may be submitted by going to <https://www.regulations.gov> and following the online instructions for submitting comments.

Instructions: All submissions must include the agency name and the applicable docket number. The relevant PTC docket number for this host railroad is Docket No. FRA-2010-0030. For convenience, all active PTC dockets are hyperlinked on FRA's website at <https://railroads.dot.gov/research-development/program-areas/train-control/ptc/railroads-ptc-dockets>. All comments received will be posted without change to <https://www.regulations.gov>; this includes any personal information.

FOR FURTHER INFORMATION CONTACT: Gabe Neal, Staff Director, Signal, Train Control, and Crossings Division, telephone: 816-516-7168, email: Gabe.Neal@dot.gov.

SUPPLEMENTARY INFORMATION: In general, title 49 United States Code (U.S.C.) section 20157(h) requires FRA to certify that a host railroad's PTC system complies with title 49 Code of Federal Regulations (CFR) part 236, subpart I, before the technology may be operated in revenue service. Before making certain changes to an FRA-certified PTC system or the associated FRA-approved PTCSP, a host railroad must submit, and obtain FRA's approval of, an RFA to its PTCSP under 49 CFR 236.1021.

Under 49 CFR 236.1021(e), FRA's regulations provide that FRA will publish a notice in the **Federal Register** and invite public comment in accordance with 49 CFR part 211, if an RFA includes a request for approval of a material modification of a signal or train control system. Accordingly, this notice informs the public that, on May 30, 2024, MBTA submitted an RFA to its PTCSP for its Advanced Civil Speed Enforcement System II (ACSES II), which seeks FRA's approval to update its PTC OBC to Software Version 11.6 to address known functional errors in the OBC software. That RFA is available in Docket No. FRA-2010-0030.

Interested parties are invited to comment on MBTA's RFA to its PTCSP by submitting written comments or data. During FRA's review of MBTA's RFA, FRA will consider any comments or data submitted within the timeline specified in this notice and to the extent practicable, without delaying implementation of valuable or necessary modifications to a PTC system. See 49 CFR 236.1021; see also 49 CFR 236.1011(e). Under 49 CFR 236.1021, FRA maintains the authority to approve, approve with conditions, or deny a

railroad's RFA to its PTCSP at FRA's sole discretion.

Privacy Act Notice

In accordance with 49 CFR 211.3, FRA solicits comments from the public to better inform its decisions. DOT posts these comments, without edit, including any personal information the commenter provides, to <https://www.regulations.gov>, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <https://www.transportation.gov/privacy>. See <https://www.regulations.gov/privacy-notice> for the privacy notice of regulations.gov. To facilitate comment tracking, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. If you wish to provide comments containing proprietary or confidential information, please contact FRA for alternate submission instructions.

Issued in Washington, DC.

Carolyn R. Hayward-Williams,

Director, Office of Railroad Systems and Technology.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket No. FRA-2024-0045]

Notice of Availability of a Final General Conformity Determination for the California High-Speed Rail System, Palmdale to Burbank Project Section

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

ACTION: Notice.

SUMMARY: FRA is issuing this notice to advise the public that it is making a Final General Conformity Determination for the Palmdale to Burbank Project Section of the California High-Speed Rail (HSR) System.

FOR FURTHER INFORMATION CONTACT: Lana Lau, Supervisory Environmental Protection Specialist, Environmental Policy, Office of Environmental Program Management, telephone: (202) 923-5314, email: Lana.Lau@dot.gov.

SUPPLEMENTARY INFORMATION: Pursuant to 23 U.S.C. 327 (section 327), the California High-Speed Rail Authority (CHSRA or Authority) has assumed FRA's environmental review responsibilities under the National Environmental Policy Act (NEPA; 42 U.S.C. 4321 *et seq.*). However, under

section 327, FRA remains responsible for compliance with the Clean Air Act General Conformity requirements. In compliance with NEPA and the California Environmental Quality Act (CEQA), the Authority published a Final Environmental Impact Record/Final Environmental Impact Statement (EIR/EIS) for the Palmdale to Burbank Project Section of the California High-Speed Rail (HSR) System on May 24, 2024.

FRA prepared a Draft General Conformity Determination, pursuant to 40 CFR part 93, subpart B, which establishes the process for complying with the General Conformity requirements of the Clean Air Act. FRA published a notice in the **Federal Register** on April 2, 2024 at 89 FR 22766, advising the public of the availability of the Draft Conformity Determination for a 30-day review and comment period. The Draft Conformity Determination was published at <http://www.regulations.gov>, Docket No. FRA-2024-0045. The comment period of the Draft Conformity Determination closed on May 2, 2024. FRA received one non-substantive comment on the Draft General Conformity Determination that was not germane to FRA's air quality analysis or determination.

FRA prepared the Final General Conformity Determination pursuant to 40 CFR part 93 subpart B and based on the Authority's coordination with the U.S. Environmental Protection Agency (USEPA) and South Coast Air Quality Management District (SCAQMD). The Authority has also consulted with the USEPA on the overall approach to General Conformity. FRA's analysis of the Project's potential emissions, completed in close collaboration with CHSRA, found that construction period emissions would exceed the General Conformity *de minimis* threshold for nitrogen oxides (NO_x) and carbon monoxide (CO) in certain calendar years. However, operation of the Project would result in an overall reduction of regional emissions of all applicable air pollutants and would not cause a localized exceedance of an air quality standard (during operations). Consistent with the General Conformity Rule, the Authority will ensure all remaining emissions that exceed *de minimis* thresholds, after implementation of impact avoidance and minimization features and onsite mitigation measures will be completely mitigated to zero through agreements with the applicable air districts. In addition, FRA concluded the Project would conform to the approved state implementation plan (SIP), based on localized CO modeling that shows that construction emissions exceeding the CO *de minimis* thresholds

will not result in a violation of the National Ambient Air Quality Standards. Based on this commitment and the localized CO modeling, FRA determined the Project will conform to the requirements in the approved SIP.

The Final General Conformity Determination is available at <http://www.regulations.gov>, Docket No. FRA-2024-0045, and FRA's website at <https://railroads.dot.gov/environment/environmental-reviews/clean-air-act-california-general-conformity-determinations>.

Issued in Washington, DC.

Marlys Ann Osterhues,

Director, Office of Environmental Program Management.

[FR Doc. 2024-12646 Filed 6-7-24; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

Public Transportation on Indian Reservations Program; Tribal Transit Program; Response to Comments

AGENCY: Federal Transit Administration (FTA), Department of Transportation (DOT).

ACTION: Responses to the request for comments and in-person and virtual consultations.

SUMMARY: This notice summarizes and responds to comments the Federal Transit Administration (FTA) received in response to an August 15, 2023, **Federal Register** notice, a September 25, 2023, in-person consultation session, and a November 2, 2023, virtual consultation session regarding how the FTA Tribal Transit competitive program and technical assistance should be provided to Tribes.

DATES: *Applicable date:* June 10, 2024.

FOR FURTHER INFORMATION CONTACT: Elan Flippin-Jones, Office of Program Management, (202) 366-3800 or email TribalTransit@dot.gov. A TDD is available at 1-800-877-8339 (TDD/FIRS).

SUPPLEMENTARY INFORMATION:

Table of Contents

- A. Program Overview
- B. Outreach and Consultation Schedule in 2023
- C. Changes to the Tribal Transit Competitive Program: Comments and Responses
- D. Tribal Transit Technical Assistance Improvements

A. Program Overview

Federal public transportation law (49 U.S.C. 5338(a)(2)(F) and 49 U.S.C.

5311(j)), as amended by the Infrastructure Investment and Jobs Act (Pub. L. 117-58, the Bipartisan Infrastructure Law or BIL), authorizes the Public Transportation on Indian Reservations Program (the Tribal Transit Program or TTP) for Fiscal Years (FY) 2022-2026. The TTP is funded as a takedown from the FTA's Formula Grants for Rural Areas Program under 49 U.S.C. 5311. Eligible direct recipients are federally recognized American Indian Tribes and Alaskan Native Villages, groups and communities providing public transportation in rural areas, as identified by the U.S. Department of the Interior (DOI) Bureau of Indian Affairs (BIA) and published in the **Federal Register** (89 FR 944). The TTP funds are allocated for grants to eligible recipients for any purpose eligible under 49 U.S.C. 5311 including capital, operating, and planning projects. The TTP includes a formula component and a competitive component. BIL authorizes a total of \$229 million over five years, of which \$183.3 million is for the TTP formula program, and \$45.8 million for the TTP competitive grant program.

Based on the published solicitation of comments, and in-person and virtual consultations referenced in this notice, FTA is announcing certain policy changes to the TTP competitive program that may significantly affect Tribes. Pursuant to USDOT Order 5301.1A Department of Transportation Tribal Consultation Policy and Procedures, (<https://www.transportation.gov/mission/department-transportation-tribal-consultation-policy-and-procedures>) FTA, as an operating administration (OA) of the United States Department of Transportation (USDOT), is committed to fostering and facilitating positive government-to-government consultations with federally recognized Indian Tribes before implementing any changes to FTA policies, programs, or services that may have Tribal implications.

This notice is consistent with the policies and directives of Executive Order (E.O.) 13175, Consultation and Coordination with Indian Tribal Governments (65 FR 67249). The Federal Government's commitment to implement E.O. 13175 is reaffirmed in the Biden Administration's January 26, 2021, Presidential Memo on Tribal Consultation and Strengthening Nation-to-Nation Relationships (<https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/26/memorandum-on-tribal-consultation-and-strengthening-nation-to-nation-relationships/>) and the November 30, 2022, Presidential Memo on Uniform

Standards for Tribal Consultation (<https://www.whitehouse.gov/briefing-room/presidential-actions/2022/11/30/memorandum-on-uniform-standards-for-tribal-consultation/>).

The TTP has been administered under the results of the previous consultation for over a decade. During this time frame, funding and the number of Tribes participating in the TTP has increased, and Tribes have dealt with unforeseen circumstances related to the COVID-19 pandemic, supply chain disruptions, and increases in the cost of goods and services. For example, with the authorization of BIL, the funding amount made available under the TTP competitive program increased by 83 percent over levels authorized under the Fixing America's Surface Transportation (FAST) Act. Furthermore, since FY 2013, the number of Tribes receiving funding under the TTP formula program has grown from 110 Tribes to 132 Tribes in FY 2024. Therefore, in light of these changing circumstances, FTA consulted with Tribal recipients to ensure the TTP policies are being administered in effective and beneficial ways.

B. Outreach and Consultation Activities in 2023

1. Outreach and Meetings

An in-person consultation was held in conjunction with the National Transportation in Indian Country Conference (NTICC) in Anchorage, Alaska on September 25, 2023.

Additionally, a virtual consultation was on held on November 2, 2023. Tribes that are eligible recipients of FTA's TTP were encouraged to attend one or both of these meetings. Comments made at these meetings informed FTA's decision-making.

2. Consultation Activities in 2023

- In-Person listening session at the Department of Transportation Tribal Transit Symposium held in Oklahoma City: May 24-25, 2023.

- Publication of a **Federal Register** notice with proposed program changes to the TTP competitive program: August 15, 2023 at 88 FR 55498.

- In-person consultation meeting at the NTICC: September 25, 2023.

- Virtual outreach meeting: November 2, 2023.

C. Changes to the Competitive Program: Comments and Responses

A total of \$45,812,610 is authorized for FY 2022-2026 for the TTP competitive grant program. Funds may be awarded to federally recognized Indian Tribes for any purpose authorized by 49 U.S.C. 5311. The