

Room, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the plan also will be available for inspection and copying at the principal offices of Amex, BSE, CBOE, ISE, FINRA, NYSE Arca and the Phlx. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number 4-551 and should be submitted on or before November 30, 2007.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>14</sup>

**Florence E. Harmon,**  
*Deputy Secretary.*

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**BILLING CODE 8011-01-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Environmental Impact Statement: Worcester County, MD

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice of intent.

**SUMMARY:** The FHWA is issuing this notice to advise the public that an Environmental Impact Statement will be prepared for a proposed bridge project in Worcester County, Maryland. The purpose of the EIS is to provide information and analyses for decisions on the project in accordance with the policies and purposes of the National Environmental Policy Act.

**FOR FURTHER INFORMATION CONTACT:** Mr. Daniel W. Johnson, Environmental Program Leader, Federal Highway Administration, City Crescent Building, 10 South Howard Street, Suite 2450, Telephone: (410) 779-7154.

**SUPPLEMENTARY INFORMATION:** The FHWA, in cooperation with the Maryland State Highway Administration, U.S. Army Corps of Engineers, US Environmental Protection Agency, US Coast Guard, Maryland Department of the Environment, US Fish and Wildlife Service, and National Marine Fisheries Service will prepare an Environmental Impact Statement (EIS) for roadway improvements which address operational inadequacies, safety concerns, and structural deficiencies of the US 50 crossing of the Sinepuxent Bay, Worcester County, MD.

The study will also address the need to safely accommodate the navigational needs of boaters, pedestrian and bicycle traffic, and the recreational needs of fishermen. Pedestrians, fishermen, and cyclists currently share a narrow five-foot sidewalk along the existing bridge, which creates potential conflicts among the various users. Finally, the study will investigate aesthetic enhancements to any crossing representative of a coastal gateway resort.

Alternatives under consideration include taking no action and four build alternatives with various options for a new bridge or bridge reconstruction. Under all of these alternatives, the existing bridge would be retained for possible use by pedestrians, cyclists and fisherman. The bridge is eligible for inclusion in the National Register of Historic Places.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State, and local government agencies, and to private organizations and citizens and citizen groups who have previously expressed or are known to have an interest in this proposal. It is anticipated that a Public Hearing will be held in the Spring of 2008. A Draft EIS will be available for public and agency review and comment prior to the Public Hearing. Public notice will be given of the availability of the Draft EIS for review and of the time and place of the hearing. A Scoping Meeting was held in March of 2005, and Open House Public Workshops were held in Ocean City in June and October of 2005, June of 2006 and May/June of 2007, to solicit opinions and ideas on proposed improvements from local citizens.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning these proposed action and EIS should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research, Planning and Construction. The regulation implementing Executive Order 12372 regarding intergovernmental consultation of Federal programs and activities apply to this program).

Issued on: November 5, 2007.

**Daniel W. Johnson,**  
*Environmental Program Leader, Baltimore, Maryland.*

[FR Doc. 07-5599 Filed 11-8-07; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice of Final Federal Agency Actions on the Newberg Dundee Transportation Improvement Project (Tier 1), Oregon 99W: Yamhill County, OR

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice of Limitation on Claims for Judicial Review of Actions by FHWA.

**SUMMARY:** This notice announces actions taken by the FHWA that are final within the meaning of 23 U.S.C. 139(I)(1). The actions relate to a proposed highway project, the Newberg Dundee Transportation Improvement Project (Tier 1), Oregon 99W, extending approximately 11 miles from the eastern terminus east of Newberg in the Rex Hill area, to the western terminus where Oregon 99W intersects with OR18 (McDougal Corner) west of Dundee, near Dayton in the County of Yamhill, State of Oregon. The Federal actions, taken as a result of a tiered environmental review process under the National Environmental Policy Act, 42 U.S.C. 4321-4351 (NEPA), and implementing regulations on tiering, 40 CFR 1502.20, 40 CFR 1508.28, and 23 CFR part 771, determined certain issues related to the proposed project. Those Tier 1 decisions will be used by Federal agencies in subsequent proceedings, including decisions whether to grant licenses, permits, and approvals for the highway project. Tier 1 decisions also may be relied upon by State and local agencies in proceedings on the proposed project.

**DATES:** By this notice, the FHWA is advising the public that it has made decisions that are subject to 23 U.S.C. 139(I)(1) and are final within the meaning of that law. A claim seeking judicial review of the Tier 1 Federal agency decisions on the proposed highway project will be barred unless the claim is filed on or before May 7, 2008. If the Federal law that authorizes judicial review of a claim provides a time period of less than 180 days for filing such claim, then that shorter time period still applies.

**FOR FURTHER INFORMATION CONTACT:** For the FHWA: Ms. Michelle Eraut, Environmental Program Manager, Federal Highway Administration, 530 Center Street, NE., Suite 100, Salem, Oregon 97301; telephone 503-587-4716. You may also contact Ms. Lisa Ansell, Project Manager, Oregon Department of Transportation, 885 Airport Road SE., Building P, Salem,

<sup>14</sup> 17 CFR 200.30-3(a)(34).