

time period of less than 180 days for filing such claim, then that shorter time period still applies.

FOR FURTHER INFORMATION CONTACT:

Jeffrey W. Kolb, P.E., Division Administrator, Federal Highway Administration, New York Division, Leo W. O'Brien Federal Building, 7th Floor, Clinton Avenue and North Pearl Street, Albany, New York 12207, Telephone: (518) 431-4127 or Peter White, P.E., Regional Director, NYSDOT Region 6, 107 Broadway, Hornell, NY 14843, Telephone: (607) 324-8404.

SUPPLEMENTARY INFORMATION: Notice is hereby given that the FHWA, and other Federal agencies have 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 New York: NYS Route 17, Access Control Project, Elmira to Chemung, City of Elmira, Towns of Ashland, Chemung and Elmira, Chemung County. The project will reconstruct a portion of New York State (NYS) Route 17 from Elmira to Chemung in Chemung County, New York. NYS Route 17 will be constructed as a controlled access freeway primarily on its existing alignment with provisions for a 60' median throughout its limits, from Exit 56 at Jerusalem Hill Road/Water Street to a point east of the existing connector road near Reed's Crossing. A new diamond interchange would be constructed on NYS Route 17 near the existing connector road just east of Reed's Crossing. The project will provide for a continuous County Road (CR) 60 from Exit 56 at Jerusalem Hill Road/Water Street to the new interchange by constructing new CR 60 links between Jerusalem Hill Road/Water Street and Brant Road, between Brant Road and Oneida Road, and between Oneida Road and the existing CR 60 cul-de-sac west of the Lowman Interchange. The actions by the Federal agencies, and the laws under which such actions were taken, are described in the Final Environmental Impact Statement (FEIS) for the project, approved on December 4, 2007 and in the FHWA Record of Decision (ROD) issued on July 10, 2008. The FEIS, ROD, and other project records are available by contacting the FHWA or the New York State Department of Transportation at the addresses provided above.

This notice applies to all Federal agency decisions related to the NYS Route 17, Access Control Project, Elmira to Chemung project as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. General: National Environmental Policy Act (NEPA) [42 U.S.C. 4321-4351].
2. Federal-Aid Highway Act [23 U.S.C. 109 and 23 U.S.C. 128].
3. Clean Air Act [42 U.S.C. 7401-7671(q)].
4. Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303].
5. Endangered Species Act [16 U.S.C. 1531-1544 and Section 1536].
6. Fish and Wildlife Coordination Act [16 U.S.C. 661-667(d)].
7. Migratory Bird Treaty Act [16 U.S.C. 703-712].
8. Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470(f) *et seq.*].
9. Civil Rights Act of 1964 [42 U.S.C. 2000(d)-2000(d)(1)].
10. Farmland Protection Policy Act (FPPA) [7 U.S.C. 4201-4209].
11. Wetlands and Water Resources: Clean Water Act (Section 404, Section 401, Section 319) [33 U.S.C. 1251-1377].
12. Land and Water Conservation Fund (LWCF) [16 U.S.C. 4601-4604].
13. Rivers and Harbors Act of 1899 [33 U.S.C. 401-406].
14. E.O. 11990 Protection of Wetlands.
15. E.O. 11988 Floodplain Management.
16. E.O. 12898 Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations.

(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: July 14, 2008.

Jeffrey W. Kolb,

Division Administrator, Federal Highway Administration, Albany, New York.

[FR Doc. E8-17107 Filed 7-24-08; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 35162]

Kern W. Schumacher, V&S Railway, Inc., and Louisiana & Mississippi Railway, LLC—Control Exemption—Gloster Southern Railroad Company LLC

Kern W. Schumacher (applicant), a noncarrier, has filed a verified notice of

exemption to acquire indirect control of Gloster Southern Railroad Company LLC (GLSR), which is currently wholly owned by Georgia-Pacific Wood Products LLC (GPWP). Applicant currently controls three Class III railroads: Tulare Valley Railroad Company (TVR), which operates in California; Kern Valley Railroad Company (KVR), which operates in Colorado; and V&S Railway, Inc. (V&S), which operates in Kansas and Colorado. Applicant states that he has organized Louisiana & Mississippi Railway, LLC, (L&M), in which V&S holds 100% of the membership interests, to acquire 100% of the membership interests in GLSR. As a result of the transaction, L&M will acquire direct control of GLSR, and applicant and V&S will acquire indirect control of GLSR through their control of L&M. Pursuant to 49 CFR 1180.6(a)(7)(ii), applicant has concurrently filed, under seal, a copy of the highly confidential Membership Interest Purchase Agreement between GPWP and the L&M.

The transaction is scheduled to be consummated on or after the date that this notice becomes effective (which will occur on August 10, 2008).

Applicant states that: (i) The rail lines involved in this transaction do not connect with any rail lines of the TVR, KVR, V&S or any other railroad now controlled by applicant; (ii) the acquisition of indirect control of GLSR is not part of a series of anticipated transactions that would connect any of the railroads with each other or with any railroad in their corporate family; and (iii) this transaction does not involve a Class I rail carrier. Therefore, the transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. *See* 49 CFR 1180.2(d)(2).

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. Section 11326(c), however, does not provide for labor protection for transactions under sections 11324 and 11325 that involve only Class III rail carriers. Accordingly, the Board may not impose labor protective conditions here, because all the carriers involved are Class III rail carriers.

If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions for stay must be filed no later than August 1, 2008 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 35162, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Fritz R. Kahn, 1920 N Street, NW, 8th Floor, Washington, DC 20036.

Board decisions and notices are available on our website at <http://www.stb.dot.gov>.

Decided: July 16, 2008.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Anne K. Quinlan,
Acting Secretary.

[FR Doc. E8-16743 Filed 7-24-08; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 35100]

Waterloo Railway Company—Intra-Corporate Family Exemption—Illinois Central Railroad Company

Waterloo Railway Company (Waterloo), a Class III rail common carrier, has filed a verified notice of exemption under 49 CFR 1180.2(d)(3) for a transaction within a corporate family. The transaction involves Waterloo's acquisition of a rail line owned by Illinois Central Railroad Company (IC),¹ a Class I rail common carrier, extending from milepost 72.48 near Woolworth, MS, to milepost 76.8 near Carlos, MS, a distance of approximately 4.32 miles. IC will retain local and overhead trackage rights over the acquired line in order to serve any future industries that may locate on the line, and will continue to use the line to access IC's rail lines extending eastward to Wanilla, MS, and westward to Brookhaven, MS.

The transaction is expected to be consummated on or shortly after August 11, 2008.

Waterloo states that this is an intra-corporate transaction that involves the transfer of ownership of a short rail line from one CN-controlled subsidiary to another, and will not result in adverse changes in service levels, significant operational changes, or a change in the competitive balance with carriers outside the corporate family. Therefore, the transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. See 49 CFR 1180.2(d)(3).

¹ Waterloo is a wholly owned direct subsidiary of IC, which in turn is indirectly controlled by Canadian National Railway Company (CN).

As a condition to the use of this exemption, any employees adversely affected by this transaction will be protected by the conditions set forth in *New York Dock Ry.—Control—Brooklyn Eastern Dist.*, 360 I.C.C. 60 (1979).

If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction. Petitions for stay will be due no later than August 1, 2008 (at least 7 days before the effective date of the exemption).

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 35100, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Thomas J. Litwiler, 29 North Wacker Drive, Suite 920, Chicago, IL 60606.

Board decisions and notices are available on our Web site at www.stb.dot.gov.

Decided: July 17, 2008.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Anne K. Quinlan,
Acting Secretary.

[FR Doc. E8-16838 Filed 7-24-08; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 35142]

St. Clair Tunnel Company—Intra-Corporate Family Merger Exemption—Grand Trunk Western Railroad Incorporated

St. Clair Tunnel Company (SCTC), a Class III rail common carrier, and Grand Trunk Western Railroad Incorporated (GTW), a Class I rail common carrier, have jointly filed a verified notice of exemption under 49 CFR 1180.2(d)(3) for an intra-corporate family merger of GTW with and into SCTC, with SCTC as the surviving corporation. GTW and SCTC are direct subsidiaries of Grand Trunk Corporation (GTC) and indirect subsidiaries of Canadian National Railway Company (CN).¹ Upon completion of the transaction, SCTC would change its corporate name to

¹ All of CN's U.S. rail operating subsidiaries, including GTW and SCTC, report to the Board on a consolidated Class I basis under the GTC name.

Grand Trunk Western Railroad Company.

The transaction is scheduled to be consummated on or after August 8, 2008, the effective date of the exemption.

The purpose of the transaction is to simplify the U.S. corporate structure of CN by eliminating a railroad within that structure and to accommodate certain Canadian tax considerations.

This is a transaction within a corporate family of the type specifically exempted from prior review and approval under 49 CFR 1180.2(d)(3). The parties state that the transaction will not result in adverse changes in service levels, significant operational changes, or any change in the competitive balance with carriers outside the corporate family.

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. As a condition to the use of this exemption, any employees adversely affected by this transaction will be protected by the conditions set forth in *New York Dock Ry.—Control—Brooklyn Eastern Dist.*, 360 I.C.C. 60 (1979).

If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction. Petitions for stay must be filed no later than August 1, 2008 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 35142, must be filed with the Surface Transportation Board, 395 E Street, NW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Thomas J. Litwiler, Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 920, Chicago, IL 60606-2832.

Board decisions and notices are available on our Web site at "<http://www.stb.dot.gov>."

Decided: July 17, 2008.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Anne K. Quinlan,
Acting Secretary.

[FR Doc. E8-16839 Filed 7-24-08; 8:45 am]

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