

hereby given for a Program Management Committee meeting. The agenda will include:

- Opening Plenary Session (welcome and introductions).
- Review/Approve Summary of October 2, 2008 PMC Meeting, RTCA Paper No. 263-08/PMC-664.
- Publication Consideration/Approval.
  - Final Draft, Revised DO-253B, *Minimum Operational Performance Standards for GPS Local Area Augmentation System Airborne Equipment*, RTCA Paper No. 281-08/PMC-669, prepared by SC-159.
  - Final Draft, Revised DO-246C—*GNSS-Based Precision Approach Local Area Augmentation System (LAAS) Signal-in-Space Interface Control Document (ICD)*, RTCA Paper No. 283-08/PMC-670, prepared by SC-159.
  - Final Draft, Change 1 to DO-307, *Aircraft Design and Certification for Portable Electronic Device (PED) Tolerance*, RTCA Paper No. 272-08/PMC-666, prepared by SC-202.
  - Final Draft, Revised DO-294B, *Guidance on Allowing Transmitting Portable Electronic Devices (T-PEDs) on Aircraft*, RTCA Paper No. 274-08/PMC-667, prepared by SC-202.
  - Final Draft, New Document, *Safety, Performance and Interoperability Requirements Document for Enhanced Visual Separation on Approach (ATSA-VSA)*, RTCA Paper No. 288-08/PMC-671, prepared by SC-186.
  - Final Draft, Revised DO-262, *Minimum Operational Performance Standards for Avionics Supporting Next Generation Satellite Systems (NGSS)*, RTCA Paper No. 289-08/PMC-672, prepared by SC-215.
  - Final Draft, New Document, *Minimum Aviation System Performance Standards (MASPS) for Enhanced Vision Systems, Synthetic Vision Systems and Enhanced Flight Vision Systems*, RTCA Paper No. 290-08/PMC-673, prepared by SC-213.
    - Action Item Review.
    - SC-213—Enhanced Flight Vision Systems/Synthetic Vision Systems (EFVS/SVS)—Discussion—Committee Status and Review/Approve Terms of Reference.
    - SC-214—Standards for Air traffic Data Communications Services—Discussion—Status—Review/Approve Terms of Reference.
    - SC-211—Nickel-Cadmium, Lead Acid and Rechargeable Lithium Batteries—Discussion—Status—Review/Approve Terms of Reference.
    - PMC Ad Hoc—Interrelationships between Communication, Navigation and Surveillance committee activities—Discussion—Recommendation Review.

- Discussion—Terms of Reference Template.
- Discussion.
- SC-218—Future ADS-B/TCAS Relationships—Discussion—Committee Status and Review/Approve Terms of Reference.
- SC-217—Terrain and Airport Databases—Discussion—Committee Status and Review/Approve Terms of Reference.
- Special Committee Chairman's Reports.

• Closing Plenary Session (Other Business, Document Production, Date and Place of Next Meeting, Adjourn). Attendance is open to the interested public but limited to space availability. With the approval of the chairman, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

Members of the public may present a written statement to the committee at any time.

Issued in Washington, DC, on November 20, 2008.

**Francisco Estrada C.,**  
*RTCA Advisory Committee.*

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**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice of Final Federal Agency Actions on Proposed Highways in Texas

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

**ACTION:** Notice of Limitation on Claims for Judicial Review of Actions by FHWA and Other Federal Agencies.

**SUMMARY:** This notice announces actions taken by the FHWA and other Federal agencies that are final within the meaning of 23 U.S.C. 139(l)(1). The actions relate to various proposed highway projects in the State of Texas. Those actions grant licenses, permits, and approvals for the projects.

**DATES:** By this notice, the FHWA is advising the public of final agency actions subject to 23 U.S.C. 139(l)(1). A claim seeking judicial review of the Federal agency actions on any of the listed highway projects will be barred unless the claim is filed on or before May 27, 2009. 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:** Salvador Deocampo, District Engineer, Texas Division, Federal Highway Administration, 826 Federal Building Room 826 300E, 8th Street Austin, Texas 78701, 8 a.m. to 5 p.m. Monday through Friday, 512-536-5950, [salvador.deocampo@fhwa.dot.gov](mailto:salvador.deocampo@fhwa.dot.gov). Ms. Dianna Noble, P.E., Director Environmental Affairs Division, Texas Department of Transportation, 118 E. Riverside, Austin, Texas, 78704; 512-416-2734; e-mail: [dnoble@dot.state.tx.us](mailto:dnoble@dot.state.tx.us). Texas Department of Transportation normal business hours are 8 a.m. to 5 p.m. (central time) Monday through Friday.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the FHWA and other Federal agencies have taken final agency actions by issuing licenses, permits, and approvals for the highway projects in the State of Texas that are listed below. The actions by the Federal agencies on the projects, and the laws under which such actions were taken, are described in the documented Categorical Exclusion (CE) and Environmental Assessments (EAs), issued in connection with the projects, and in other documents project records. The CE, EAs, Findings of No Significant Impacts (FONSI) and other project records for the listed projects are available by contacting the FHWA or TxDOT at the addresses provided above and can be viewed and downloaded from the following Web site: <http://www.635project.com>.

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

- I. General: National Environmental Policy Act (NEPA) (42 U.S.C. 4321-4351); Federal-Aid Highway Act (FAHA) (23 U.S.C. 109).
- II. Air: Clean Air Act (CAA), [42 U.S.C. 7401-7671(q)].
- III. Land: Section 4(f) of the Department of Transportation Act of 1966 (49 U.S.C. 303).
- IV. Wildlife: Endangered Species Act (ESA) (16 U.S.C. 1531-1544 and Section 1536), Migratory Bird Treaty Act (MBTA) (16 U.S.C. 703-712).
- V. Historic and Cultural Resources: Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470(f) *et seq.*]; Archeological Resources Protection Act of 1977 (ARPA) [16 U.S.C. 470(aa)-11]; Archeological and Historic Preservation Act (AHPA) [16 U.S.C. 469-469(c)].

VI. Social and Economic: Civil Rights Act of 1964 (Civil Rights) [42 U.S.C. 2000(d)–2000(d)(1)].

VII. Wetlands and Water Resources: Clean Water Act, 33 U.S.C. 1251–1377 (Section 404, Section 401, Section 402, Section 319); Rivers and Harbors Act of 1899 (RHA), 33 U.S.C. 401–406.

VIII. Executive Orders: E.O. 11990 Protection of Wetlands; E.O. 11988 Floodplain Management; E.O. 11514 Protection and Enhancement of Environmental Quality.

The projects subject to this notice are:

1. Project Location: Interstate Highway 635 (I–635) from Luna Road to U.S. Highway 75 (US 75) in Dallas County. Project Reference Number: TxDOT CSJ: 2374–01–032, 2374–01–068, and 2374–07–046.

Project Type: The project will: (1) Reconstruct and widen the existing I–635 main lanes; (2) replace the existing I–635 high occupancy vehicle (HOV) lane in both directions with two managed (toll) lanes in each direction from east of Luna Road to between Josey Lane and Webb Chapel Road; (3) add three subsurface managed HOV lanes in both directions from between Josey Lane and Webb Chapel Road to west of U.S. 75; and (4) construct two- and three-lane frontage roads to link the existing discontinuous frontage roads in each direction. Project Length: Approximately 8.89 miles. General Purpose: The project will improve system linkage and mobility in the area in response to current and future traffic demand needs and development along I–635. Final agency actions taken under: NEPA, FAHA, CAA, Section 106, ESA, MBTA, ARPA, AHPA, Civil Rights Act, Section 404, Section 401, E.O. 11990, and E.O. 11514. NEPA Document: EA approved on May 1, 2003, FONSI issued on April 29, 2004, and was reaffirmed on June 20, 2008.

2. Project Location: I–635 at U.S. 75 in Dallas County. Project Reference Number: TxDOT CSJ: 5800–00–915. Project Type: The project will provide interim eastbound and westbound entrance and exit ramps, and toll gantries on the I–635 interim HOV/managed (toll) lanes. Project Length: Approximately two miles. General Purpose: The project will improve system linkage and mobility in the area in response to current and future traffic demand needs and development along I–635. Final agency actions taken under: NEPA, FAHA, CAA, ESA, MBTA, ARPA, AHPA, Civil Rights Act, Section 401, E.O. 11990, and E.O. 11514. NEPA Document: CE approved on June 19, 2008.

3. Project Location: Loop 12/I–35E from Spur 408 to I–635 in Dallas County. Project Reference Number: TxDOT CSJ: 0196–03–137; 0581–02–077, 121, 124, 128; 0094–03–060. Project Type: The project will: (1) Reconstruct and widen the existing six main lanes to eight main lanes; (2) reconstruct and widen the existing two-lane discontinuous frontage roads to four to six lanes; (3) add new frontage roads to link the discontinuous frontage roads; (4) construct a two-to three-lane reversible managed (toll) HOV facility; and (5) construct two three-lane elevated direct connections between the Loop 12/I–35E interchange and the I–635 interchange. Project Length: Approximately 12.9 miles. General Purpose: The project will improve system linkage and mobility in the area in response to current and future traffic demand needs and development along Loop 12 and I–35E. Final agency actions taken under: NEPA, FAHA, CAA, Section 4(f), Section 106, ESA, MBTA, ARPA, AHPA, Civil Rights Act, Section 404, Section 401, E.O. 11990, and E.O. 11514. NEPA Document: EA approved on July 3, 2002, FONSI issued on December 11, 2002, and was reaffirmed on June 24, 2008.

(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: November 20, 2008.

**Salvador Deocampo,**

*District Engineer.*

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 35168]

#### **Progressive Rail Inc.—Intra-Corporate Family Transaction Exemption—Airlake Terminal Railway Company, LLC**

Progressive Rail Inc. (PGR), 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 allows PGR to remain in control of Airlake Terminal Railway Company, LLC (ATRC), also a Class III rail carrier.<sup>1</sup> PGR

<sup>1</sup> See Airlake Terminal Railway Company—Acquisition and Operation Exemption—Rail Line of

acknowledges that its authority to remain in control of ATRC should have been sought at the time ATRC obtained acquisition authority from the Board. PGR also controls Central Midland Railway Company, a Class III rail carrier, and has Board authority to control Montgomery Short Line LLC upon its becoming a Class III rail carrier.<sup>2</sup>

The transaction is expected to be consummated on December 12, 2008, the effective date of this exemption (30 days after the exemption was filed).

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). According to PGR, the transaction will not result in adverse changes in service levels, significant operational changes, or changes 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. 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 of the carriers involved are Class III 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 transaction. Petitions for stay must be filed no later than December 5, 2008 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 35168, 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 Michael J. Barron, Jr., Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 920, Chicago, IL 60606.

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

Empire Builder Investments Incorporated and Progressive Rail, Incorporated, STB Finance Docket No. 34295 (STB served Dec. 27, 2002).

<sup>2</sup> See Progressive Rail Inc.—Acquisition of Control Exemption—Central Midland Railway Company, STB Finance Docket No. 35051 (STB served July 5, 2007), and Progressive Rail Inc.—Continuance in Control Exemption—Montgomery Short Line LLC, STB Finance Docket No. 35092 (STB served Nov. 9, 2007).