

extension near Laredo and the Lower Rio Grande Valley, Texas.

In addition, after further study and interagency coordination, it was

determined that the SR138 and SR18 projects in Los Angeles County and San Bernardino County, California, should

be combined into one project. A new NOI was issued and an EIS will be prepared.

State	Project name	Original NOI date	Rescinded NOI date
CA	New State Route 138 project in Los Angeles County	10/12/07	9/24/2010
CA	High Desert Corridor project, State Route 18, in San Bernardino County	1/27/2009	9/24/2010
CA	24th Street Improvement Project in Kern County	4/23/2008	11/10/2010
ID	State Highway 44 in Ada and Canyon County	8/28/2007	3/17/2011
IA	Roadway improvement project in Warren County	4/26/2007	8/4/2010
ME	The Skowhegan transportation and accessibility project in Somerset County	11/29/2005	9/3/2010
MS	I-10/SR-25 connector in Harrison and Stone Counties	8/12/2005	11/22/2010
MS	US-49/I-20 interchange in Ranking County	5/22/2009	11/30/2010
MS	US-82/I-69 connector in Washington and Bolivar Counties	11/29/2005	12/1/2010
MS	SR-15 near Beaumont, Harrison, George, Greene, Jackson, Perry, and Stone	5/28/2009	12/28/2010
NM	Northwest Loop project in Sandoval and Bernalillo Counties	1/16/2009	4/15/2011
NY	Bridge Rehabilitation and Interchange Improvements Project, Queens County	3/12/2004	9/7/2010
TN	Route 475 in Knoxville, Loudon, Knox, and Anderson Counties	11/4/2005	9/21/2010
TN	SR-374 extension in Montgomery County	4/21/2010	1/19/2011
TX	SH-71 in Travis County	6/2/2008	9/7/2010
TX	US-181/SH-286 in Cameron County	4/6/2007	10/15/2010
TX	US-181/SH-286 in Nueces County	4/6/2007	11/3/2010
TX	I-69 extension near Laredo and the Lower Rio Grande Valley	1/15/2004	1/25/2011
VA	Southeastern Parkway and Greenbelt in Chesapeake and Virginia Beach	12/24/2003	11/17/2010
WA	Seattle Ferry Terminal (Colman Dock) in Seattle	3/17/2006	2/10/2011
WA	Forest Road 56 in King County	4/27/2001	2/28/2011

(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.)

Issued on: May 23, 2011.

Victor M. Mendez,

Federal Highway Administrator.

[FR Doc. 2011-13541 Filed 5-31-11; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Notice of Final Federal Agency Actions on Proposed Highway in California

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of Limitation on Claims for Judicial Review of Actions by the California Department of Transportation (Caltrans), pursuant to 23 U.S.C. 327.

SUMMARY: The FHWA, on behalf of Caltrans, is issuing this notice to announce actions taken by Caltrans that are final within the meaning of 23 U.S.C. 139(j)(1). The actions relate to a proposed highway project, the US 101/Broadway Interchange Reconstruction Project in the City of Burlingame, County of San Mateo, State of California (Post Miles 16.30 to 17.06). Those actions grant licenses, permits, and approvals for the project.

DATES: By this notice, the FHWA, on behalf of Caltrans, is advising the public of final agency actions subject to 23 U.S.C. 139(j)(1). A claim seeking judicial review of the Federal agency actions on the highway project will be barred unless the claim is filed on or before November 28, 2011. 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: Melanie Brent, Caltrans District 4 Office of Environmental Analysis, 111 Grand Avenue, P.O. Box 23660, Oakland, CA 94623-0660, 8 a.m. to 5 p.m. Pacific Standard Time, Telephone (510) 286-5231, *e-mail melanie_brent@dot.ca.gov*.

SUPPLEMENTARY INFORMATION: Effective July 1, 2007, the Federal Highway Administration (FHWA) assigned, and the California Department of Transportation (Caltrans) assumed, environmental responsibilities for this project pursuant to 23 U.S.C. 327. Notice is hereby given that Caltrans and certain federal agencies have taken final agency actions subject to 23 U.S.C. 139(j)(1) by issuing licenses, permits, and approvals for the US 101/Broadway Interchange Reconstruction Project in the State of California. The project will construct a new seven-lane Broadway overcrossing approximately 170 feet to the north of the existing four-lane structure in the City of Burlingame, County of San Mateo. The purpose of the project is to improve traffic

movements and access around the interchange, accommodate future traffic increases at adjacent intersections, improve operations at the southbound US 101 ramps, and increase bicyclist and pedestrian access. The project length is 0.76 mile, and construction is anticipated to take 2 to 2.5 years. The actions by the Federal agencies, and the laws under which such actions were taken, are described in the Initial Study with Mitigated Negative Declaration/Environmental Assessment (IS/EA) for the project, approved on March 18, 2011, in the Finding of No Significant Impact (FONSI) issued on March 18, 2011, and in other documents in the FHWA project records. The IS/EA, FONSI, and other project records are available by contacting Caltrans at the address provided above. The Caltrans IS/EA and FONSI can be viewed and downloaded from the project Web site at http://www.dot.ca.gov/dist4/documents/101_broadway_interch/ea_235840_101bdwy_fed_1_front_matter_thru_chapter_6.pdf.

This notice applies to all Federal agency decisions 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]; Federal-Aid Highway Act [23 U.S.C. 109 and 23 U.S.C. 128].

2. Air: Clean Air Act [42 U.S.C. 7401-7671(q)].

3. Land: Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303].

4. Wildlife: Endangered Species Act [16 U.S.C. 1531–1544 and Section 1536]; Fish and Wildlife Coordination Act [16 U.S.C. 661–667(d)]; Migratory Bird Treaty Act [16 U.S.C. 703–712].

5. Historic and Cultural Resources: Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470(f) *et seq.*].

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

7. Wetlands and Water Resources: Clean Water Act (Section 404, Section 401, Section 319) [33 U.S.C. 1251–1377]; Safe Drinking Water Act (SDWA) [42 U.S.C. 300(f)–300(j)(6)].

8. Executive Orders: E.O. 11990 Protection of Wetlands; E.O. 11988 Floodplain Management; E.O. 12898 Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations; E.O. 13112 Invasive Species.

(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: May 25, 2011.

Maiser Khaled,

Acting Director, State Programs, Federal Highway Administration, Sacramento, California.

[FR Doc. 2011–13545 Filed 5–31–11; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. FD 35500]

Saratoga and North Creek Railway, LLC—Acquisition and Operation Exemption—Delaware and Hudson Railway Company, Inc. d/b/a Canadian Pacific

Saratoga and North Creek Railway, LLC (Saratoga),¹ a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire from Delaware and Hudson Railway Company, Inc. d/b/a Canadian Pacific (CP) a permanent and exclusive freight rail easement over,

¹ Saratoga is a limited liability company, wholly owned by San Luis & Rio Grande Railroad (SLRG). SLRG is a Class III rail carrier and a subsidiary of Permian Basin Railways, Inc., which in turn is owned by Iowa Pacific Holdings, LLC.

and to operate, approximately 16.45-miles of rail line known as the Adirondack Branch extending between Adirondack Branch milepost 39.44 at or near Saratoga Springs, NY, and Adirondack Branch milepost 55.89 at or near Corinth, NY.² In addition, Saratoga states that it will acquire approximately 3.2 miles of operating rights for the purpose of interchange with CP between Adirondack Branch milepost 39.44 and CP's yard at Saratoga Springs located at Canadian Subdivision milepost 35.³ The Town will remain the owner of the tracks and right-of-way.

Saratoga states that it is negotiating the terms of an agreement with CP covering its acquisition of the permanent and exclusive freight easement and operating rights over CP's reserved operating easement, as well as an agreement with the Town for the use of its track and right-of-way.⁴

This transaction is related to two simultaneously filed notices of exemption: (1) Docket No. FD 35500 (Sub-No. 1), *Saratoga and North Creek Railway, LLC—Operation Exemption—Warren County, NY*, in which Saratoga seeks an exemption under 49 CFR 1150.31 to operate over approximately 39.07 miles of rail line owned by Warren County, NY, extending between milepost 55.89 at or near Corinth, NY, and milepost 94.96 at North Creek, NY; and (2) Docket No. FD 35499, *San Luis & Rio Grande Railroad—Continuance in Control Exemption—Saratoga and North Creek Railway, LLC*, in which SLRG seeks an exemption to continue in control of Saratoga upon Saratoga's becoming a Class III rail carrier. As a result of these transactions, Saratoga will have authority to operate from Saratoga Springs to North Creek.

² CP sold the underlying track and right-of-way to the Town of Corinth, NY (the Town), subject to CP's reservation of an exclusive and permanent easement to continue to provide common carrier freight service over the line. *See The Town of Corinth, NY—Acquisition and Operation Exemption—Canadian Pac. Ry.*, FD 34803 (STB served Jan. 11, 2006 and Mar. 9, 2006). The transaction was structured so that the Town would not incur a freight rail common carrier obligation when it purchased those rail line assets from CP. *See Me. Dep't of Transp.—Acquis. & Operation Exemption—Me. Cent. R.R.*, 8 I.C.C.2d 835 (1991). Saratoga is acquiring the easement and the associated freight rail common carrier rights and obligations that CP reserved for itself at the time of the sale.

³ By letter filed May 18, 2011, Saratoga explains that the apparent discrepancy between the mileposts and total mileage arose over the years from CP's making changes to the track or right-of-way with the result that the distance was shortened and/or the milepost at the point of interchange was changed.

⁴ While the parties have not completed the agreements, Saratoga must acquire sufficient rights to fully meet the common carrier obligation being acquired from CP.

Saratoga indicates that its agreement with the Town will not permit the collecting, sorting, loading, unloading, transferring, or transporting of municipal solid waste or construction and demolition material.⁵

Saratoga certifies that its projected annual revenues as a result of this transaction will not result in Saratoga's becoming a Class II or Class I rail carrier and will not exceed \$5 million.

Saratoga intends to consummate the transaction in either late June or early July 2011. The earliest the transaction may be consummated is after the June 15, 2011 effective date of the exemption (30 days after the exemption was filed).

If the verified 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. Stay petitions must be filed no later than June 8, 2011 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35500, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423–0001. In addition, a copy of each pleading must be served on John D. Heffner, John D. Heffner, PLLC, 1750 K Street, NW., Suite 200, Washington, DC 20006.

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

Decided: May 26, 2011.

By the Board.

Rachel D. Campbell,

Director, Office of Proceedings.

Andrea Pope-Matheson,

Clearance Clerk.

[FR Doc. 2011–13493 Filed 5–31–11; 8:45 am]

BILLING CODE 4915–01–P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. FD 35499]

San Luis & Rio Grande Railroad—Continuance in Control Exemption—Saratoga and North Creek Railway, LLC

San Luis & Rio Grande Railroad (SLRG), a Class III rail carrier, has filed a verified notice of exemption to continue in control of Saratoga and

⁵ Saratoga is reminded that it cannot by contract avoid its common carrier obligation to transport a commodity over the line.