

actions were taken, are described in the *Environmental Assessment (EA) for US 95 Northwest Washington Avenue to Kyle Canyon Road, FHWA-NV-EA 07.01*. A Finding of No Significant Impact (FONSI) was issued on May 7, 2008. The EA, FONSI, and other project records are available by contacting the FHWA or the NDOT Environmental Services Division at the addresses provided above. USFWS also issued its biological opinion (File No. 84320-2008-F-0428) for the project's possible adverse effects on the desert tortoise (*Gopherus agassizii*) on August 22, 2008. The USFWS biological opinion is available by contacting the USFWS at the address provided above.

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]; Public Hearing [23 U.S.C. 128].
2. Air: Clean Air Act [42 U.S.C. 7401-7671(q)].
3. Noise: Procedures for Abatement of Highway Traffic Noise and Construction Noise [23 U.S.C. 109(h), 109(i); 42 U.S.C. 4331, 4332; sec. 339(b), Pub. L. 104-59, 109 Stat. 568, 605; 49 CFR 1.48(b)].
4. Historic and Cultural Resources: Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470(f) *et seq.*].
5. 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].
6. Social and Economic: Civil Rights Act of 1964 [42 U.S.C. 2000(d)-2000(d)(1)].
7. 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. 11593, Protection and Enhancement of Cultural Resources; E.O. 13007, Indian Sacred Sites; E.O. 13287, Preserve America; E.O. 13175, Consultation and Coordination with Indian Tribal Governments; E.O. 11514, Protection and Enhancement of Environmental Quality; 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: September 16, 2008.

**Susan Klekar,**

*Division Administrator, Carson City, Nevada.*

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**BILLING CODE 4910-22-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice of Final Federal Agency Actions on Proposed Highway in Washington

**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 the I-405, NE 8th Street to SR 520 Improvement Project (The Project) located in Bellevue; King County; I-405 in the State of Washington. These actions grant licenses, permits, and approvals for the project.

**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 March 25, 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:** Pete Jilek, Urban Area Engineer, Federal Highway Administration, 711 S. Capitol Way #501, Olympia, Washington 98501; telephone: (360) 753-9480; and e-mail: [pete.jilek@fhwa.dot.gov](mailto:pete.jilek@fhwa.dot.gov). The FHWA Washington Division's Urban Area Engineer's regular office hours are between 7 a.m. and 4 p.m. (Pacific Time). You may also contact William Jordan, I-405 Environmental Manager, Washington State Department of Transportation, 600-108th Avenue, NE., Suite 405, Bellevue, Washington 98004; telephone: (425) 456-8547; and e-mail: [william.jordan@i405.wsdot.wa.gov](mailto:william.jordan@i405.wsdot.wa.gov). The I-405 Corridor Program's regular office hours are between 8 a.m. and 5 p.m. (Pacific Time).

**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 following highway project in the State of Washington: I-405, NE 8th Street to SR 520 Improvement Project. The Project extends approximately 1.5 miles north along I-405 from south of NE 8th Street to the SR 520 interchange and approximately 1.6 miles east along SR 520, from the I-405 interchange to just east of 134th Avenue, NE. The Project improves safety and reduces congestion in the vicinity of the I-405 and SR 520 interchange in Bellevue. The Project constructs grade-separated ramps on northbound I-405 to separate the I-405 traffic exiting to SR 520 from traffic entering I-405 at NE 8th Street in downtown Bellevue; reconstructs the NE 12th Street bridge over I-405, constructs a new three-lane eastbound collector-distributor lane on SR 520 to separate the on- and off-ramp traffic between I-405 and 124th Avenue, NE.; and reconstructs the 124th Avenue, NE. interchange off-ramp. These actions by the Federal agencies, and the laws under which such actions were taken, are described in the May 2008 Environmental Assessment (EA) and in the September 17, 2008 Finding of No Significant Impact (FONSI), and in other documents in the FHWA administrative record. The EA, FONSI and other documents in the FHWA administrative record are available by contacting FHWA or WSDOT at the addresses provided above. The EA can be viewed and downloaded from the project Web site at <http://www.wsdot.wa.gov/Projects/i405/corridor/sr520tone8thEA.htm> or viewed at public libraries in the project area. Since federal funding is not currently available for this project, an FHWA project number has not been established.

This notice applies to all Federal agency decisions on the 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 [42 U.S.C. 4321-4351]; Federal-Aid Highway Act [23 U.S.C. 109].
2. Air: Clean Air Act, as amended [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]; Landscaping and Scenic Enhancement (Wildflowers) [23 U.S.C. 319].
4. Wildlife: Endangered Species Act [16 U.S.C. 1531-1544]; Anadromous Fish Conservation Act [16 U.S.C. 757(a)-757(g)]; Fish and Wildlife Coordination Act [16 U.S.C. 661-667(d)]; Magnuson-Stevenson Fishery

Conservation and Management Act of 1976, as amended [16 U.S.C. 1801 *et seq.*].

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.*]; Archaeological Resources Protection Act of 1977 [16 U.S.C. 470(aa)–11]; Archaeological and Historic Preservation Act [16 U.S.C. 469–469(c)]; Native American Grave Protection and Repatriation Act [25 U.S.C. 3001–3013].

6. Social and Economic: Civil Rights Act of 1964 [42 U.S.C. 2000(d)–2000(d)(1)]; American Indian Religious Freedom Act [42 U.S.C. 1996]; Farmland Protection Policy Act [7 U.S.C. 4201–4209]; the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended [42 U.S.C. 61].

7. Wetlands and Water Resources: Clean Water Act, 33 U.S.C. 1251–1377 (Section 404, Section 401, Section 319); Coastal Zone Management Act [16 U.S.C. 1451–1465]; Land and Water Conservation Fund [16 U.S.C. 4601–4604]; Safe Drinking Water Act [42 U.S.C. 300(f)–300(j)(6)]; Rivers and Harbors Act of 1899 [33 U.S.C. 401–406]; TEA–21 Wetlands Mitigation [23 U.S.C. 103(b)(6)(m), 133(b)(11)]; Flood Disaster Protection Act [42 U.S.C. 4001–4128].

8. Hazardous Materials: Comprehensive Environmental Response, Compensation, and Liability Act [42 U.S.C. 9601–9675]; Superfund Amendments and Reauthorization Act of 1986 [Pub. L. 99–499]; Resource Conservation and Recovery Act [42 U.S.C. 6901–6992(k)].

9. 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. 11593 Protection and Enhancement of Cultural Resources; E.O. 13007 Indian Sacred Sites; E.O. 13287 Preserve America; E.O. 13175 Consultation and Coordination with Indian Tribal Governments; E.O. 11514 Protection and Enhancement of Environmental Quality; 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: September 22, 2008.

**Peter A. Jilek,**  
*Urban Area Engineer, Olympia, Washington.*  
[FR Doc. E8–22695 Filed 9–25–08; 8:45 am]  
**BILLING CODE 4910–22–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

#### Notice of Limitation on Claims Against Proposed Public Transportation Projects

**AGENCY:** Federal Transit Administration (FTA), DOT.

**ACTION:** Notice of limitation on claims.

**SUMMARY:** This notice announces final environmental actions taken by the Federal Transit Administration (FTA) for public transportation projects in the following areas: Fort Collins, Colorado; Belle Glade, Florida; Gustavus, Alaska; Dallas, Texas; West Covina, California; and Andover, New Jersey. The purpose of this notice is to announce publicly the environmental decisions by FTA on the subject projects and to activate the limitation on any claims that may challenge these final environmental actions.

**DATES:** By this notice, FTA is advising the public of final agency actions subject to Title 23, United States Code (U.S.C.), section 139(l). A claim seeking judicial review of the FTA actions announced herein for the listed public transportation projects will be barred unless the claim is filed on or before March 25, 2009.

**FOR FURTHER INFORMATION CONTACT:** Elizabeth Zelasko, Environmental Protection Specialist, Office of Planning and Environment, 202–366–0244, or Christopher Van Wyk, Attorney-Advisor, Office of Chief Counsel, 202–366–1733. FTA is located at 1200 New Jersey Avenue, SE., Washington, DC 20590. Office hours are from 9 a.m. to 5:30 p.m., e.t., Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that FTA has taken final agency actions by issuing certain approvals for the public transportation projects listed below. The actions on these projects, as well as the laws under which such actions were taken, are described in the documentation issued in connection with the project to comply with the National Environmental Policy Act (NEPA), and in other documents in the FTA administrative record for the project. The final agency environmental decision documents—Records of Decision (ROD) or Findings of No

Significant Impact (FONSI)—for the listed projects are available online at [http://www.fta.dot.gov/planning/environment/planning\\_environment\\_documents.html](http://www.fta.dot.gov/planning/environment/planning_environment_documents.html) or may be obtained by contacting the FTA Regional Office for the metropolitan area where the project is located. Contact information for the FTA Regional Offices may be found at <http://www.fta.dot.gov>.

This notice applies to all FTA 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, the National Environmental Policy Act (NEPA) [42 U.S.C. 4321–4375], Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303], Section 106 of the National Historic Preservation Act [16 U.S.C. 470f], and the Clean Air Act [42 U.S.C. 7401–7671q].

The projects and actions that are the subject of this notice are:

1. *Project name and location:* The Mason Corridor MAX Bus Rapid Transit (BRT) Project, Fort Collins, Colorado. *Project sponsor:* City of Fort Collins. *Project description:* The FTA and City of Fort Collins have completed an Environmental Assessment (EA) for a five-mile, north-south BRT system that will be located in the central area of Fort Collins. The BRT system that extends from Cherry Street to south of Harmony Road will involve 3.6 miles of exclusive guideway with 1.4 miles of mixed street traffic. The project will also include a transit center, two-way conversion of N. Mason Street and Howes Street, and several park-n-ride lots and BRT stations. *Final Agency Actions:* FONSI signed on September 9, 2008. Section 106 Memorandum of Agreement signed on August 1, 2008; Project-level Air Conformity Determination; and Section 4(f) de minimis impact finding. *Supporting documentation:* Mason Corridor Mason Express Bus Rapid Transit Environmental Assessment signed May 27, 2008.

2. *Project name and location:* Palm Tran Satellite Bus Facility, Belle Glade, Florida. *Project sponsor:* Palm Tran. *Project description:* The project involves the construction of a satellite bus facility with a 7,600-square-foot maintenance and bus storage building, and a bus parking area. The satellite bus facility will be near Belle Glade, Florida and built as a joint project with the West County Government Center and Correctional Facilities. *Final agency actions:* FONSI signed on August 11, 2008; Project-level Air Conformity Determination; Section 106 Finding of No Historic Properties Affected. *Supporting documentation:* Palm Tran