

*Modified Rail Certificate*, wherein EBGR seeks to lease and operate approximately 8.6 miles of railroad, known as the Colebrookdale Line, from Berks County, Pa.

USRP currently controls through stock ownership two Class III rail carriers: BNGR and the Eastern Washington Gateway Railroad Company (EWGR). BNGR operates approximately 35 miles of rail line between Wellington, Kan., and Blackwell, Okla. EWGR operates approximately 114 miles of rail line in the State of Washington.

USRP and BNGR state that: (i) The railroads will not connect with each other or any railroads within its corporate family, (ii) the transaction is not a part of a series of anticipated transactions that would connect any of these railroads with one another or any other railroad, and (iii) the transaction does not involve a Class I railroad. 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 of the carriers involved are Class III carriers.

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 transaction. Petitions for stay must be filed no later than July 22, 2010 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35384, 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 William C. Sippel, 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 12, 2010.

By the Board, Rachel D. Campbell,  
Director, Office of Proceedings.

**Kulunie L. Cannon,**  
*Clearance Clerk.*

[FR Doc. 2010-17252 Filed 7-14-10; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. **AB 290** (Sub-No. **319X**); Docket No. **AB 1060X**]

#### **Central of Georgia Railroad Company—Discontinuance of Service Exemption—Newton County, GA; Great Walton Railroad Company—Discontinuance of Operations Exemption—Newton County, GA**

Central of Georgia Railroad Company (CGA)<sup>1</sup> and Great Walton Railroad Company (GRWR) (collectively, applicants) have jointly filed a verified notice of exemption under 49 CFR part 1152 Subpart F—*Exempt Abandonments and Discontinuances of Service* for CGA to discontinue service, and for GRWR to discontinue operating rights under a lease, over a 14.90-mile line of railroad between milepost E 65.80 at Newton, Ga., and the end of the line at milepost E 80.70 at Covington, Ga., in Newton County, Ga. The line traverses United States Postal Service Zip Codes 30014, 30055 and 30056.

Applicants have certified that: (1) No local traffic has moved over the line for at least 2 years; (2) all overhead traffic has been rerouted over other lines; (3) no formal complaint filed by a user of rail service on the line (or by a State or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements of 49 CFR 1105.12 (newspaper publication) and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to these exemptions, any employee adversely affected by the discontinuance of service shall be protected under *Oregon Short Line Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

<sup>1</sup> CGA is a wholly owned subsidiary of Norfolk Southern Railway Company.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, these exemptions will be effective on August 14, 2010, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues and formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2)<sup>2</sup> must be filed by July 26, 2010.<sup>3</sup> Petitions to reopen must be filed by August 4, 2010, with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to applicants' representatives: For CGA, Daniel G. Kruger, Norfolk Southern Railway Company, Three Commercial Place, Norfolk, VA 23510; and for GRWR, Richard H. Streeter, Barnes & Thornburg, LLP, 750 17th Street, NW., Suite 900, Washington, DC 20006.

If the verified notice contains false or misleading information, the exemptions are void *ab initio*.

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

Decided: July 8, 2010.

By the Board, Rachel D. Campbell,  
Director, Office of Proceedings.

**Jeffrey Herzig,**  
*Clearance Clerk.*

[FR Doc. 2010-17206 Filed 7-14-10; 8:45 am]

**BILLING CODE 4915-01-P**

## 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 FHWA and Other Federal Agencies.

**SUMMARY:** This notice announces actions taken by the California Department of Transportation (Caltrans) pursuant to its assigned responsibilities under 23 U.S.C. 327 that are final within the meaning of 23 U.S.C. 139(I)(1). These actions relate to the Interstate 80/San Pablo Dam Road Interchange project, located between the El Portal Drive and McBryde Avenue interchanges Post

<sup>2</sup> Each OFA must be accompanied by the filing fee, which is currently set at \$1,500. See 49 CFR 1002.2 (f)(25).

<sup>3</sup> Because this is a discontinuance proceeding and not an abandonment, trail use/rail banking and public use conditions are not appropriate. Likewise, no environmental or historic documentation is required here under 49 CFR 1105.6(c) and 49 CFR 1105.8(b), respectively.

Miles 3.8 to 5.3), in Contra Costa County, State of California. These 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(l)(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 January 11, 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:** For Caltrans: Melanie Brent, Chief, Office of Environmental Analysis, District 4, 111 Grand Avenue, Oakland, 9 a.m. to 4 p.m., 510-286-5231, [melanie\\_brent@dot.ca.gov](mailto:melanie_brent@dot.ca.gov).

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that Caltrans, pursuant to its assigned responsibilities under 23 U.S.C. 327, and certain Federal agencies have taken final agency actions subject to 23 U.S.C. 139(l)(1) by approving the I-80/San Pablo Dam Road Interchange project in the State of California. The project will reconstruct the I-80/San Pablo Dam Road overcrossing structure, replacing it with a 6-lane bridge that is skewed to the north to separate the Amador Street and eastbound I-80 on-ramp intersections at San Pablo Dam Road. The bridge design will allow for left turns from westbound San Pablo Dam Road onto Amador Street, it will increase the height of the bridge over I-80 to achieve vertical clearance standards that are not currently met, and will minimize encroachment into an unstable slope east of the interchange. The El Portal Drive westbound on-ramp will be closed, and a new westbound on-ramp built at the location of the I-80/El Portal Drive overcrossing. A westbound auxiliary lane will be added between the new El Portal Drive on-ramp and the westbound San Pablo Dam Road off-ramp. The McBryde Avenue off-ramp will be closed, and replaced with a new westbound frontage road that will extend from the San Pablo Dam Road interchange to McBryde Avenue. Bicycle lanes will be provided on the shoulders of the San Pablo Dam Road Overcrossing of I-80. Pedestrian sidewalks will be provided on both sides of the San Pablo Dam Road overcrossing, and along Amador Street within the limits of project construction near San Pablo Dam Road. An existing pedestrian overcrossing of I-80 at Riverside Avenue will be replaced with a new structure that extends across both

the freeway and Amador Street, providing a safer crossing for Riverside Elementary School children and other pedestrians. The length of the project is 1.47 miles and the purpose is to improve traffic operations and bicycle/pedestrian access. The actions by the Federal agencies, and the laws under which such actions were taken, are described in the Initial Study with Negative Declaration/Environmental Assessment for the project, approved on February 25, 2010 in the FHWA Finding of No Significant Impact (FONSI) issued on February 25, 2010, and in other documents in the FHWA project records. The Initial Study with Negative Declaration/Environmental Assessment, FONSI, and other project records are available by contacting Caltrans at the address provided above. The FHWA FONSI can be viewed and downloaded from the project Web site at <http://www.dot.ca.gov/dist4/envdocs.htm>.

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. Wildlife: Endangered Species Act [16 U.S.C. 1531-1544 and 1536]; Fish and Wildlife Coordination Act [16 U.S.C. 661-667(d)]; Migratory Bird Treaty Act [16 U.S.C. 703-712].
4. Social and Economic: Civil Rights Act of 1964 [42 U.S.C. 2000(d)-2000(d)(1)]; The Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970, 42 U.S.C. Chapter 61 [Pub. L. 91-646] [Pub. L. 100-17].
5. Water: Clean Water Act [33 U.S.C. 1342]; Safe Drinking Water Act (SDWA) [42 U.S.C. 300(f)-300(j)(6)].
6. Noise: Noise Control Act of 1972 [42 U.S.C. 4901 *et seq.*].
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. 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: July 9, 2010.

**Cindy Vigue,**

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

[FR Doc. 2010-17240 Filed 7-14-10; 8:45 am]

**BILLING CODE 4910-RY-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

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

**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(l)(1). The actions relate to a proposed highway project, US-95 Garwood to Sagle Environmental Study in Bonner and Kootenai Counties in the State of Idaho, FHWA-ID-EIS-06-F Federal-Aid project number NH-5110(141), Idaho Transportation Department Key Number 9779.

**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 the highway project will be barred unless the claim is filed on or prior to January 11, 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:** For FHWA: Mr. Peter J. Hartman, Division Administrator, Federal Highway Administration, 3050 Lake Harbor Lane, Suite 126, Boise, Idaho 83703; telephone: (208) 334-9180; e-mail: [Idaho.FHWA@dot.gov](mailto:Idaho.FHWA@dot.gov). The FHWA Idaho Division Office's normal business hours are 7 a.m. to 4:30 p.m. (Mountain Standard Time). For ITD: Ms. Sue Sullivan, Environmental Section Manager, Idaho Transportation Department, 3311 W. State St., Boise, ID 83703-1129, telephone: (208) 334-8203; e-mail: [sue.sullivan@itd.idaho.gov](mailto:sue.sullivan@itd.idaho.gov). Normal business hours are 8 a.m. to 5 p.m. (Mountain Standard Time).

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the FHWA has taken final agency actions subject to 23 U.S.C. 139(l)(1) by issuing approvals for the following highway project in the State of Idaho: US-95 Garwood to Sagle Environmental Study, in Bonner and Kootenai Counties. The project will be