carriers. Accordingly the Board may not impose labor protective conditions here because all of 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 transaction. Petitions for stay must be filed no later than November 10, 2010 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35439, 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 Karl Morell, Ball Janik LLP, 1455 F Street, NW., Suite 225, Washington, DC 20005.

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

Decided: November 1, 2010.

By the Board.

Rachel D. Campbell,

Director, Office of Proceedings.

Andrea Pope-Matheson,

Clearance Clerk.

[FR Doc. 2010–27938 Filed 11–3–10; 8:45 am]

BILLING CODE 4915–01–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Draft Finding of No Significant Impact on the Tier 1 Ohio 3C Quick Start Passenger Rail Tier-1 Environmental Assessment

AGENCY: Federal Railroad Administration (FRA), United States Department of Transportation (DOT).

ACTION: Notice of availability; request for comments on draft Finding of No Significant Impact.

SUMMARY: In accordance with the National Environmental Policy Act of 1969 (NEPA) and the FRA's Procedures for Considering Environmental Impacts (FRA Environmental Procedures) (64 FR 28545, May 26, 1999), the FRA and the Ohio Department of Transportation (ODOT) and the Ohio Rail Development Commission (ORDC) prepared a Tier-1 Environmental Assessment (Tier-1 EA) that evaluates the impacts of the 3C Quick Start Passenger Rail Project. Based on the Tier-1 EA, the FRA has prepared a draft finding of no significant impact (draft FONSI) and is inviting the public to comment on the draft.

DATES: Written comments will be accepted on or before December 6, 2010. Copies of both the Tier-1 EA and draft FONSI are available on FRA's Web site at: *http://www.fra.dot.gov/Pages/249.shtml* and ODOT's Web site at *http://www.3CisMe.Ohio.gov.*

ADDRESSES: Please submit written comments on the draft FONSI to Ms. Judi Craig Parsons Brinckerhoff, 312 Elm Street, Suite 2500, Cincinnati, Ohio 45202.

FOR FURTHER INFORMATION CONTACT: For further information regarding the draft FONSI please contact Wendy Messenger, Environmental Protection Specialist, Federal Railroad Administration, 1200 New Jersey Ave., SE., Stop 20, Washington DC 20590, *Wendy.Messenger@dot.gov.*

SUPPLEMENTARY INFORMATION: The purpose of the 3C "Quick Start" Passenger Rail Project is to reestablish intercity conventional speed passenger rail service (up to 79 miles per hour) in the 3C Corridor and provide a reliable train system that links Ohio's three largest cities (Cleveland, Columbus and Cincinnati.) The service will deliver predictable and consistent travel times. It is intended to provide travel options and develop the passenger rail market for possible further development. To achieve these goals ORDC applied for Federal funding through the High Speed Intercity Passenger Rail Program (HSIPR Program) administered by the FRA and funded by the American Recovery and Reinvestment Act (Recovery Act). ORDC's application under the Recovery Act identified the transportation benefits of the project as providing citizens with additional mobility options and a new transportation choice for travelers with associated benefits. The FRA intends to provide funding under the HSIPR Program for this project.

In June 2009, the FRA released the HSIPR Program Guidance (Interim Guidance) that described the eligibility requirements and procedures for obtaining funding under the HSIPR Program. (74 FR 29900 (June 23, 2009)). The Interim Guidance split the funding opportunities into four separate tracks. The 3C Quick Start Project was submitted by ODOT for consideration for Track 2 funding. The Interim Guidance required Track 2 applicants to submit, with their application, a "corridor-wide 'service' NEPA study, such as a programmatic or Tier I EIS." (Interim Guidance Section 1.6.2). The Interim Guidance went on to explain that Tier 1 Environmental Impact Statements and some Environmental Assessments are programmatic and "[a]ddress[ ] actions at a broad level, such as a program concept for an entire corridor." (Interim Guidance Section 2.2).

In order to comply with the requirements of the Interim Guidance, ODOT and ORDC prepared a Tier-1 or "service" NEPA document that included the analysis of four route alternatives including the "No Build" and twelve communities with 32 possible station sites. The No Build Alternative analyzes what would happen if there are no improvements on the OH 3C Corridor. The alternatives analyses analyze the effect on the human and natural environments of the improvements that involve the four route alternatives, twelve communities and 32 possible station sites that meet the goals of the OH 3C Quick Start Project. The Tier-1 EA was completed in September, 2009 and was made available for comment between September 25, 2009 and October 6, 2009 at *http://www.3CisMe.Ohio.gov.* Approximately 7,500 comments were received.

At the Tier-1 level of review, the FRA finds that the 3C Quick Start Passenger Rail Project as presented and evaluated in the July 2010 Tier-1 EA, satisfies the requirements of FRA's "Procedures for Considering Environmental Impacts" and will not have a significant impact on the quality of the human or natural environment, following the implementation of the mitigation measures detailed in the FONSI and those which will be developed during the site-specific environmental documentation process for specific improvements.

Therefore, FRA has drafted a FONSI for the proposed improvements. This FONSI based on the Tier-1 EA has been prepared to comply with NEPA and the FRA's Environmental Procedures. FRA has concluded that the award of Federal funds to reestablish the intercity passenger rail service on the 3C corridor as described in the EA, constitutes a major Federal action within the meaning of Section 102(c) of NEPA (42 U.S.C. 4332). Prior to release of construction funding for this project, ODOT and ORDC will successfully complete applicable mitigation measures detailed in the draft FONSI and complete appropriate project-level NEPA evaluations, documentation and decision documents and the mitigation measures developed thereunder.

FRA Environmental Procedures require that a FONSI be made available to the public for not less than 30 days when the "nature of the proposed action is one without precedent." Because the nature of this project is unprecedented and this Tier-1 Level FONSI is

contemplated to be one of the first that FRA will issue, this notice invites the public to comment on the draft FONSI.

Issued in Washington, DC, on November 1, 2010.

Mark E. Yachmetz,

Associate Administrator for Railroad Policy and Development.

[FR Doc. 2010–27872 Filed 11–2–10; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Notice of Final Federal Agency Actions on Proposed Highway in Illinois

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 a proposed highway project, Red Gate Road Extension and Bridge Crossing over the Fox River between Illinois Route 31 and Illinois Route 25 in Kane County, Illinois. Those 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 the highway project will be barred unless the claim is filed on or before May 3, 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: Mr. Norman R. Stoner, P.E., Division Administrator, Federal Highway Administration, 3250 Executive Park Drive, Springfield, Illinois 62703, Phone: (217) 492–4600, E-mail address: *Norman.Stoner@dot.gov.* The FHWA Illinois Division Office's normal business hours are 7:30 a.m. to 4:15 p.m. You may also contact Ms. Diane O'Keefe, P.E., Illinois Department of Transportation, Deputy Director of Highways, Region One Engineer, 201 West Center Court, Schaumburg, Illinois 60196, Phone: (847) 705–4000. The Illinois Department of Transportation Region One's normal business hours are 8 a.m. to 4:30 p.m.

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 Illinois: extension of Red Gate Road and construction of a two-lane bridge and bicycle/pedestrian trail across the Fox River from Illinois Route 31 (IL 31) to Illinois Route 25 (IL 25); a distance of 0.5 mile. The actions by the Federal agencies, and the laws under which such actions were taken, are described in the Environmental Assessment (EA) for the project approved on November 4, 2009; the Final Section 4(f) Evaluation approved on October 5, 2010; the Finding of No Significant Impact (FONSI) issued on October 14, 2010; and in other documents in the FHWA administrative record. The EA, the Final Section 4(f) Evaluation, FONSI, and other documents in the FHWA administrative record file are available by contacting the FHWA or the Illinois Department of Transportation at the addresses provided above. The EA, Final Section 4(f) Evaluation and FONSI can be viewed and downloaded from the project Web site at *http://www.redgatebridge.org.*

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 and 23 U.S.C. 138].
4. *Social and Economic:* Civil Rights Act of 1964 [42 U.S.C. 2000(d)–2000(d)(1)].
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 and Historic Preservation Act (AHPA) [16 U.S.C. 469–469(c)].
6. *Wildlife:* Endangered Species Act [16 U.S.C. 1531–1544 and Section 1536]; Migratory Bird Treaty Act [16 U.S.C. 703–712].
7. *Wetlands and Water Resources:* Clean Water Act (Section 401 and 404) [33 U.S.C. 1251–1377]; Wild and Scenic Rivers Act [16 U.S.C. 1271–1287].
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.

(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: October 29, 2010.

Norman R. Stoner,

Division Administrator, Springfield, Illinois.

[FR Doc. 2010–27932 Filed 11–3–10; 8:45 am]

BILLING CODE 4910–RY–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Air Traffic Procedures Advisory Committee

AGENCY: Federal Aviation Administration (FAA), DOT.

SUMMARY: The FAA is issuing this notice to advise the public that a new charter has been issued for the Federal Aviation Administration Air Traffic Procedures Advisory Committee (ATPAC). The duties of this advisory committee include:

1. To make recommendations for standardizing, clarifying, and upgrading terminology and procedures, as a result of its review of present ATC procedures and practices.
2. To provide advice and make recommendations concerning:
   a. New or significantly revised ATC procedural concepts.
   b. The adequacy of charts, diagrams, and illustrations used to convey information concerning the application of ATC procedures and their relevance to current, revised, or proposed ATC procedures and concepts.
   c. Aviation regulations that have an impact on present, new, or significantly revised ATC procedures and concepts.
3. To act solely in an advisory capacity to accomplish its duties.

DATES: Effective October 29, 2010.

FOR FURTHER INFORMATION CONTACT: Elizabeth Ray, ATPAC Executive Director, 800 Independence Avenue, SW., Washington, DC 20591. Telephone (202) 267–9205.

SUPPLEMENTARY INFORMATION: Pursuant to Section 9(c) of the Federal Advisory Committee Act (Pub. L. 92–463; 5 U.S.C. App. 2), notice is hereby given of the filing of the ATPAC Charter, Effective October 29, 2010.

Issued in Washington, DC, on October 29, 2010.

Elizabeth Ray,

Executive Director, Air Traffic Procedures Advisory Committee.

[FR Doc. 2010–27832 Filed 11–3–10; 8:45 am]

BILLING CODE 4910–13–P