

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****Auction Procedures for Allocating Slots at LaGuardia, John F. Kennedy International, and Newark Liberty International Airports**

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of availability.

SUMMARY: In accordance with rulemaking activity that is not yet complete, the FAA may use an auction to allocate leases for a certain number of slots at New York's three main airports: John F. Kennedy (JFK), Newark (EWR), and LaGuardia (LGA). If the FAA decides to conduct auctions, the number of slots to be allocated via auction will be specified in the final rule and may be supplemented by additional capacity and/or slots returned to the FAA. As specified in the proposed *Congestion Management Rule for LaGuardia Airport* and the proposed *Congestion Management Rule for John F. Kennedy International Airport and Newark Liberty International Airport*, FAA anticipates, if the rule is adopted, conducting an auction of slot leases at these airports once a year over a five year period.¹ The FAA expects to conduct the first auction, if any, on January 12, 2009. This auction will be for slots at LGA, JFK, and EWR. Only certificated U.S. aircraft operators or foreign airlines may participate in these auctions.²

If you are interested in commenting on the planned auction procedures you will be able to find additional information and procedures for providing comments at <http://faaco.faa.gov>.

FOR FURTHER INFORMATION CONTACT: Dr. Jeffrey C. Wharff, Federal Aviation Administration, Office of Aviation Policy and Plans, 800 Independence Avenue, SW., Washington, DC 20591; telephone: 202-267-3274; His e-mail is Jeffrey.Wharff@FAA.gov.

¹ See Docket No. FAA-2006-25709; Notice No. 08-04 and Docket No. FAA-2008-0517; Notice No. 08-05.

² For the purpose of this document an aircraft operator is eligible if it is either: (1) A U.S. operator that holds a Certificate issued under Part 119 of the Federal Aviation Regulations (FAR), 14 CFR part 119, and conducts operations under either Part 121 or Part 135 of the FAR, 14 CFR parts 121 or 135; or (2) a foreign air carrier that either holds a foreign air carrier permit issued by the U.S. Department of Transportation under 49 U.S.C. Section 41302 or has exemption authority pursuant to 49 U.S.C. 40109.

Issued in Washington, DC, on September 11, 2008.

Nan Shellabarger,

Acting Deputy Assistant Administrator for Policy, Planning, and Environment.

[FR Doc. E8-21592 Filed 9-15-08; 8:45 am]

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DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****Commercial Space Transportation Advisory Committee—Open Meeting**

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of Commercial Space Transportation Advisory Committee Open Meeting.

SUMMARY: Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463, 5 U.S.C. App. 2), notice is hereby given of a meeting of the Commercial Space Transportation Advisory Committee (COMSTAC). The meeting will take place on Thursday, October 30, 2008, starting at 8 a.m. at the Federal Aviation Administration Headquarters Building, 800 Independence Avenue, SW., Washington, DC, in the Bessie Coleman Conference Center, located on the 2nd Floor. This will be the forty-eighth meeting of the COMSTAC.

The proposed agenda for the meeting will include discussions of the latest international commercial launch developments and their impact on the U.S. industry and ways that the FAA can help the industry internationally; a report on program activities of the FAA Office of Commercial Space Transportation; and COMSTAC working group reports.

An agenda will be posted on the FAA Web site at <http://ast.faa.gov>. Meetings of the COMSTAC Working Groups (Technology and Innovation, Reusable Launch Vehicle, Risk Management, and Space Transportation Operations) will be held on Wednesday, October 29, 2008. For specific information concerning the times and locations of the working group meetings, contact the Contact Person listed below.

Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should inform the Contact Person listed below in advance of the meeting.

FOR FURTHER INFORMATION, CONTACT: Brenda Parker (AST-100), Office of Commercial Space Transportation, 800 Independence Avenue, SW., Room 331, Washington, DC 20591, telephone (202)

267-3674; E-mail brenda.parker@faa.gov.

Issued in Washington, DC, September 5, 2008.

George C. Nield,

Associate Administrator for Commercial Space Transportation.

[FR Doc. E8-21521 Filed 9-15-08; 8:45 am]

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DEPARTMENT OF TRANSPORTATION**Federal Highway Administration****Notice of Final Federal Agency Actions on Highway 199 Expressway Upgrade Project: Josephine County, OR**

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of Limitations 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, Highway 199 Expressway Upgrade, in Josephine County, Oregon. Those actions grant approval 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 March 16, 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: Michelle Eraut, Environmental Program Manager, Federal Highway Administration, 530 Center Street, NE., Suite 100, Salem, Oregon 97301, Telephone: (503) 587-4716. The Environmental Assessment, Supplemental Environmental Assessment, Revised Environmental Assessment, Finding of No Significant Impact (FONSI) and other project records are available upon written request from the Federal Highway Administration at the address shown above. Comments or questions concerning this proposed action and the FONSI should be directed to the FHWA at the address provided above.

SUPPLEMENTARY INFORMATION: Notice is hereby given that the FHWA has taken final agency action subject to 23 U.S.C. 139(l)(1) by issuing a decision for the following highway project in the State

of Oregon: Highway 199 Expressway Upgrade. This project will improve U.S. 199 from two lanes in each direction to three lanes in each direction from Tussey Lane to Dowell Road. Redwood Avenue at Allen Creek Road will be realigned to the north to accommodate future traffic volumes and queues. Median barrier and/or raised curb median will be constructed from Dowell Road to Midway Avenue to improve safety and eliminate crossing turn movements. The intersections of U.S. 199 at Midway Avenue and U.S. 199 at Hubbard Lane will be improved to allow U-turns. The existing signals on U.S. 199 at Redwood Avenue and Fairgrounds Road will be removed. A new signal will be installed on U.S. 199 at Hubbard Lane. The actions by the Federal agency and the laws under which such actions were taken are described in the Environmental Assessment, Supplemental Environmental Assessment, Revised Environmental Assessment and FONSI issued on August 6, 2008, and in other documents in the FHWA project records. 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. *Executive Orders*: E.O. 11990 Protection of Wetlands; E.O. 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations; E.O. 13175 Consultation and Coordination with Indian Tribal Governments; 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 4, 2008.

Michelle Eraut,
Environmental Program Manager,
Salem, Oregon.

[FR Doc. E8–21357 Filed 9–15–08; 8:45 am]

BILLING CODE 4910–22–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Value Pricing Pilot Program Participation, Fiscal Year 2009

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice; solicitation for participation.

SUMMARY: This notice invites State and local governments and other public authorities to apply to participate in the Value Pricing Pilot (VPP) program and presents guidelines for program applications. This notice supersedes three previous notices about the VPP program under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA–LU) published in the **Federal Register** on January 6, 2006 (71 FR 970), July 17, 2006 (71 FR 40578), and December 22, 2006 (71 FR 77084). A January 6, 2006, notice covering non-grant tolling programs, which was a companion to the original January 6, 2006, VPP program notice, remains in effect. That notice was entitled “Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA–LU); Opportunities for States and Other Qualifying Agencies to Gain Authority to Toll Facilities Constructed Using Federal Funds” (71 FR 965). Today’s new notice and the previous companion notice covering non-grant tolling programs are together intended to cover all of the opportunities for States and other qualifying transportation agencies to obtain approval to toll their respective facilities.

DATES: Applications for tolling authority only may be submitted at any time. Formal grant applications, however, must be submitted no later than November 7, 2008, for FY 2009 funds.

Application Submission: All Federal agencies, including FHWA, are required to use <http://www.grants.gov>, an electronic format for receiving applications. Grants.gov was developed as part of the President’s Management Agenda and related E-Government Strategy, which charged Federal grant-making agencies with developing a

single electronic system to help prospective applicants find and apply for Federal grant opportunities. Therefore, applicants requesting funding under the VPP program must file their applications online at <http://www.grants.gov>.

FOR FURTHER INFORMATION CONTACT: For questions about this notice, please contact Mr. Wayne Berman, FHWA Office of Operations, (202) 366–4069, wayne.berman@dot.gov. For technical questions related to project development, please contact Mr. Patrick DeCorla-Souza, FHWA Office of Operations, at (202) 366–4076, patrick.decorla-souza@dot.gov. For legal questions, please contact Mr. Michael Harkins, FHWA Office of the Chief Counsel, (202) 366–4928, michael.harkins@dot.gov. Office hours for the FHWA are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Electronic Access

An electronic copy of this document may be downloaded from the **Federal Register**’s home page at: <http://www.archives.gov> and the Government Printing Office’s database at: <http://www.access.gpo.gov/nara>.

Background

Section 1012(b) of the Intermodal Surface Transportation Efficiency Act (ISTEA) (Pub. L. 102–240; 105 Stat. 1914), as amended by section 1216(a) of the Transportation Equity Act (TEA–21) (Pub. L. 105–178; 112 Stat. 107), and section 1604(a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA–LU) (Pub. L. 109–59; 119 Stat. 1144), authorizes the Secretary of Transportation (the Secretary) to create a Value Pricing Pilot program. Value pricing encompasses a variety of strategies to manage congestion on highways, including tolling of highway facilities, as well as other strategies that do not involve tolls, such as congestion pricing at port facilities, mileage-based vehicle taxes and leasing fees, parking pricing, and car sharing. The value pricing concept of assessing relatively higher prices for travel during peak periods is the same as that used in many other sectors of the economy to respond to peak-use demands. For example, airlines, hotels, and theaters often charge more at peak periods than at non-peak periods.

The FHWA is seeking applications for the FY 2009 VPP program that are consistent with the objectives of the DOT’s National Strategy to Reduce