

assistance (OFA) has been received, this exemption will be effective on January 27, 2010, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues and formal expressions of intent to file an OFA for continued rail service under 49 CFR 1152.27(c)(2),<sup>4</sup> must be filed by January 7, 2010.<sup>5</sup> Petitions to reopen must be filed by January 19, 2010, with: Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to applicant's representative: Jeremy M. Berman, Fletcher & Sippel LLC, 29 N. Wacker Drive, Suite 920, Chicago, IL 60606.

If the verified notice contains false or misleading information, the exemption is void *ab initio*.

Board decisions and notices are available on our Web site at [WWW.STB.DOT.GOV](http://WWW.STB.DOT.GOV).

Decided: December 18, 2009.

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

**Jeffrey Herzig,**  
Clearance Clerk.

[FR Doc. E9-30576 Filed 12-24-09; 8:45 am]

BILLING CODE 4915-01-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-1054X]

#### Northern Plains Railroad, Inc.— Discontinuance of Service Exemption—in Ramsey and Benson Counties, ND

Northern Plains Railroad, Inc. (NPR),<sup>1</sup> has filed a verified notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments and Discontinuances of Service* to discontinue service over 26.24 miles of a line of railroad owned by Soo Line Railroad Company d/b/a Canadian Pacific Railway (Soo) between milepost 446.0, in Devils Lake, Ramsey County, ND, and milepost 472.24, in Harlow, Benson County, ND.<sup>2</sup> The line

<sup>4</sup> Each OFA must be accompanied by the filing fee, which currently is set at \$1,500. See 49 CFR 1002.2(f)(25).

<sup>5</sup> Because this is a discontinuance proceeding and not an abandonment, trail use/rail banking and public use conditions are not appropriate.

<sup>1</sup> NPR was authorized to lease and operate the line in *Northern Plains Railroad, Inc.—Lease and Operation Exemption—Certain Lines of Soo Line Railroad Company d/b/a Canadian Pacific Railway*, STB Finance Docket No. 33324 (STB served Jan. 9, 1997).

<sup>2</sup> Soo was authorized to abandon 28.35+/miles of rail line (approximately 2 miles longer than the line leased by NPR) in *Soo Line Railroad Company—Abandonment Exemption—in Ramsey and Benson*

traverses United States Postal Service Zip Codes 58301, 58362, 58325, 58351, and 58346.

NPR has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic to be 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 (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.<sup>3</sup>

As a condition to these exemptions, any employee adversely affected by the service discontinuance shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 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.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on January 27, 2010, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues and formal expressions of intent to file an OFA for continued rail service under 49 CFR 1152.27(c)(2),<sup>4</sup> must be filed by January 7, 2010.<sup>5</sup> Petitions to reopen must be filed by January 19, 2010, with: Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to applicant's representative: Jeremy M. Berman, Fletcher & Sippel LLC, 29 N. Wacker Drive, Suite 920, Chicago, IL 60606.

If the verified notice contains false or misleading information, the exemption is void *ab initio*.

Board decisions and notices are available on our Web site at [WWW.STB.DOT.GOV](http://WWW.STB.DOT.GOV).

*Counties, ND*, STB Docket No. AB-57 (Sub-No. 54X) (STB served Oct. 22, 2004).

<sup>3</sup> Because this is a discontinuance of service proceeding and not an abandonment, the proceeding is exempt from the requirements of 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), and 49 CFR 1105.11 (transmittal letter).

<sup>4</sup> Each OFA must be accompanied by the filing fee, which currently is set at \$1,500. See 49 CFR 1002.2(f)(25).

<sup>5</sup> Because this is a discontinuance proceeding and not an abandonment, trail use/rail banking and public use conditions are not appropriate.

Decided: December 18, 2009.

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

**Jeffrey Herzig,**  
Clearance Clerk.

[FR Doc. E9-30574 Filed 12-24-09; 8:45 am]

BILLING CODE 4915-01-P

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

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

**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 various proposed highway projects in the State of Texas. Those actions grant licenses, permits and approvals for the projects.

**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 June 28, 2010. 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:** Salvador Deocampo, District Engineer, Texas Division, FHWA, J.J. Pickle Federal Building 300 East 8th Street, Room 826, Austin, Texas 78701; phone number 512-536-5950; *e-mail:* [salvador.deocampo@fhwa.dot.gov](mailto:salvador.deocampo@fhwa.dot.gov). FHWA Texas Division normal business hours are 8 a.m. to 5 p.m. (central time) Monday through Friday. You may also contact Ms. Dianna Noble, P.E., Director Environmental Affairs Division, Texas Department of Transportation (TxDOT), 118 E. Riverside, Austin, Texas, 78704; phone number 512-416-2734; *e-mail:* [dnoble@dot.state.tx.us](mailto:dnoble@dot.state.tx.us). Texas Department of Transportation normal business hours are 8 a.m. to 5 p.m. (central time) Monday through Friday.

**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 highway projects in the State of Texas that are listed below. The actions by the Federal agencies on the project, and the laws under which

such actions were taken, are described in the documented Environmental Assessment (EA) and Environmental Impact Statement (EIS) issued in connection with the projects, and in other documents project records. The EA, Findings of No Significant Impacts (FONSI), Record of Decision (ROD) and other project records for the listed projects are available by contacting the FHWA or the TxDOT at the addresses provided above and can be viewed and downloaded from each project's website found below.

This notice applies to all Federal agency decisions on the listed 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 (NEPA) [42 U.S.C. 4321 *et seq.*]; Federal-Aid Highway Act [23 U.S.C. 109].

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 [23 U.S.C. 138 and 49 U.S.C. 303].

4. *Wildlife*: Endangered Species Act [16 U.S.C. 1531–1544]; Fish and Wildlife Coordination Act [16 U.S.C. 661–667(d)]; and, 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]; Archaeological Resources Protection Act of 1979 [16 U.S.C. 470]; Archaeological and Historical Preservation Act [16 U.S.C. 469].

6. *Social and Economic*: Title VI of the Civil Rights Act of 1964 [42 U.S.C. 2000(d) *et seq.*]; Farmland Protection Policy Act (FPPA) [7 U.S.C. 4201–4209].

7. *Wetlands and Water Resources*: Clean Water Act [33 U.S.C. 1251–1342]; Land and Water Conservation Fund (LWCF) [16 U.S.C. 4601–4604].

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. 11514 Protection and Enhancement of Environmental Quality.

The projects subject to this notice are:

1. *Project Location*: State Highway (SH) 121/SH 183 from Interstate (IH) 820 to SH 161 primarily within the cities of North Richland Hills, Hurst, Bedford, Euless, and Fort Worth in Tarrant and Dallas Counties. Project Reference Number: TxDOT CSJ: 0364–01–054, 0364–05–025, 0364–05–026, 0094–02–077.

*Project Web site*: [http://www.txdot.gov/public\\_involvement/hearings\\_meetings/121\\_183.htm](http://www.txdot.gov/public_involvement/hearings_meetings/121_183.htm).

*Project Type*: The project will include a controlled access facility consisting of six to eight general purpose lanes and six managed lanes from IH 820 to SH 161. There will be three 12-foot wide general purpose lanes (non-toll) in each direction plus auxiliary lanes and 10-foot wide inside and outside shoulders from IH 820 to the SH 183/SH 360 interchange, and four 12-foot wide general purpose lanes (non-toll) in each direction plus auxiliary lanes and 10-foot wide inside and outside shoulders from the SH 183/SH 360 interchange to SH 161. Three managed (toll) lanes will be provided in each direction from IH 820 to SH 161. The proposed improvements will provide for two 12-foot wide eastbound and westbound frontage lanes, discontinuous at the SH 183/SH 360 interchange, with auxiliary lanes and turn lanes at intersections.

*Project Length*: Approximately 10.8 miles. General Purpose: The project will improve growth, travel demand, access and mobility, and safety. Final agency actions have been taken under: NEPA, FAHA, FAA, CAA, MBTA, ESA, Civil Rights Act, Section 404, Section 401, Section 4(f), Section 106, ARPA, AHPA, E.O.'s 11990, 11988, 12898, 11514, 11593, and 13175. NEPA document: EA with a FONSI issued October 26, 2009.

2. *Project Location*: SH 121 from IH 30 to FM 1187 primarily within the city of Fort Worth and Tarrant County. Project Reference Number: TxDOT CSJ: 0504–02–008, 0504–02–013 and 0504–02–022.

*Project Web site*: [http://www.txdot.gov/project\\_information/projects/fort\\_worth/southwest\\_parkway/environmental\\_documents.htm](http://www.txdot.gov/project_information/projects/fort_worth/southwest_parkway/environmental_documents.htm).

*Project Type*: The project is planned to be a controlled-access divided tollway with discontinuous frontage roads. Ultimately, the project is planned for 6 lanes from IH 30 to IH 20 and 4 lanes from IH 20 to FM 1187.

*Project Length*: Approximately 15 miles. General Purpose: To provide a financially viable, effective and timely transportation solution which will improve regional mobility, increase people and goods carrying capacity, and alleviate further overburdening of the local transportation system. Final agency actions taken have been under: NEPA, FAHA, CAA, ESA, MBTA, Section 4(f), Civil Rights Act, Section 106, ARPA, AHPA, Section 404, Section 401, E.O.'s 11990, 11988, 12898, 11514, 11593 and 13175. NEPA document: EIS with a ROD issued June 13, 2005 and reaffirmed June 3, 2009.

(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: December 17, 2009.

**Salvador Deocampo,**

*District Engineer, Austin Texas.*

[FR Doc. E9–30648 Filed 12–24–09; 8:45 am]

**BILLING CODE 4910-RY-P**

## DEPARTMENT OF VETERANS AFFAIRS

### VBA/VHA Mental Health Summit

**AGENCY**: Department of Veterans Affairs.

**ACTION**: Notice of meeting.

**SUMMARY**: The Department of Veterans Affairs (VA) will hold the Veterans Benefits Administration (VBA)/Veterans Health Administration (VHA) Mental Health Summit to capture current medical science information and economic earnings loss data from presentations made by subject matter experts. VA plans to use this information to update the sections of VA's Schedule for Rating Disabilities (VASRD) that pertain to mental disorders. See 38 CFR 4.125–4.130. Specifically, diagnostic code descriptors and percentage ratings will be discussed, as well as whether to add or delete diagnostic codes from the mental health portion of VASRD. Contingent upon available capacity and time, individuals wishing to make oral statements will be accommodated on a first-come, first-served basis.

**DATES**: The meeting will be held on Thursday and Friday, January 28–29, 2010, from 8 a.m. to 5 p.m. each day.

**ADDRESSES**: The meeting will be held at the Capital Hilton, located at 1001 16th Street, NW., in Washington, DC.

**FOR FURTHER INFORMATION CONTACT**: Ms. Jennifer Hesch, VASRD Coordinator, Compensation and Pension Service, Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420. Anyone wishing to attend the meeting or seeking additional information may also contact Ms. Hesch at (202) 461–9688 or [Jennifer.Hesch@va.gov](mailto:Jennifer.Hesch@va.gov), or Mr. Kniffen at (202) 461–9725 or [Thomas.Kniffen@va.gov](mailto:Thomas.Kniffen@va.gov).

Dated: December 18, 2009.

**John R. Gingrich,**

*Chief of Staff, Department of Veterans Affairs.*

[FR Doc. E9–30719 Filed 12–24–09; 8:45 am]

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