

**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 the California Department of Transportation (Caltrans), pursuant to 23 U.S.C. 327.

**SUMMARY:** The FHWA, on behalf of Caltrans, is issuing this notice to announce actions taken by Caltrans that are final within the meaning of 23 U.S.C. 139(l)(1). The actions relate to a proposed highway project, Interstate 5 from post mile 9.36 to 9.88 and State Route 74 (Ortega Highway) from post mile 0.0 to 0.2 in Orange County, California. Those 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 December 7, 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:** Smita Deshpande, California Department of Transportation, District 12, 3337 Michelson Drive, Suite 380, Irvine, CA 92612-8894, CA 94201-1400, telephone (949) 724-2000, [Smita\\_Deshpande@dot.ca.gov](mailto:Smita_Deshpande@dot.ca.gov).

**SUPPLEMENTARY INFORMATION:** Effective July 1, 2007, the Federal Highway Administration (FHWA), assigned, and the California Department of Transportation (Caltrans) assumed, environmental responsibilities for this project pursuant to 23 U.S.C. 327. Notice is hereby given that Caltrans has taken final agency actions subject to 23 U.S.C. 139(l)(1) by issuing licenses, permits, and approvals for the following highway project in the State of California: The Interstate 5/State Route 74 (Ortega Highway) Interchange Improvements Project will provide a double cloverleaf design with dual-lane loop on-ramps located in the northwest and southeast quadrants of the interchange. The southbound and northbound off-ramps would be realigned to terminate at the intersections of Del Obispo Street and Los Cerritos Avenue, respectively. Del Obispo Street would be widened and realigned to meet the new southbound

off-ramp configuration. Furthermore, Ortega Highway would be widened and/or restriped to accommodate the additional eastbound and westbound through/turn lanes and to allow for lane widening to standard widths. Minor amounts of new right of way and permanent easements are required. 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 April 1, 2009 in the Finding of No Significant Impact (FONSI) issued on April 1, 2009 and in other documents in the Caltrans project records. The EA, FONSI, and other project records are available by contacting the California Department of Transportation, District 12 at the addresses provided above. The FONSI can be viewed and downloaded from the project Web site at <http://www.dot.ca.gov/dist12/5-74EIR.htm>.

This notice applies to all 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 [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: June 3, 2009.

**Cindy Vigue,**

*Director, State Programs, Federal Highway Administration.*

[FR Doc. E9-13415 Filed 6-8-09; 8:45 am]

**BILLING CODE P**

**DEPARTMENT OF TRANSPORTATION****Surface Transportation Board****Senior Executive Service Performance Review Board**

**AGENCY:** Surface Transportation Board, DOT.

**ACTION:** Notice.

**SUMMARY:** The Surface Transportation Board (STB) publishes the names of the Persons selected to serve on its Senior Executive Service Performance Review Board (PRB).

**FOR FURTHER INFORMATION CONTACT:**

Paula Chandler, Director of Human Resources, (202) 245-0340.

**SUPPLEMENTARY INFORMATION:** Title 5 U.S.C. 4314 requires that each agency implement a performance appraisal system making senior executives accountable for organizational and individual goal accomplishment. As part of this system, 5 U.S.C. 4314(c) requires each agency to establish one or more PRBs, the function of which is to review and evaluate the initial appraisal of a senior executive's performance by the supervisor and to make recommendations to the final rating authority relative to the performance of the senior executive.

The persons named below have been selected to serve on STB's PRB.

Leland L. Gardner, Director, Office of Economics, Environmental Analysis and Administration.

Matthew T. Wallen, Director, Office of Public Assistance, Governmental Affairs, and Enforcement.

Rachel D. Campbell, Director, Office of Proceedings.

Ellen D. Hanson, General Counsel.

Dated: June 2, 2009.

**Andrea Pope-Matheson,**

*Clearance Clerk.*

[FR Doc. E9-13400 Filed 6-8-09; 8:45 am]

**BILLING CODE 4915-01-P**

**DEPARTMENT OF THE TREASURY****Submission for OMB Review; Comment Request**

June 2, 2009.

The Department of Treasury will submit the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13 on or after the date of publication of this notice. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 11000, and 1750 Pennsylvania Avenue, NW., Washington, DC 20220.

**DATES:** Written comments should be received on or before July 9, 2009 to be assured of consideration.

**Internal Revenue Service (IRS)**

*OMB Number:* 1545-0805.

*Type of Review:* Revision.

*Form:* 5472.

*Title:* Information return on a 25% Foreign Owned U.S. Corporation or a Foreign Corporation Engaged in a U.S. Trade or Business.

*Description:* Form 5472 is used to report information about transactions between a U.S. corporation that is 25% foreign owned or a foreign corporation that is engaged in a U.S. trade or business and related foreign parties. The IRS uses Form 5472 to determine if inventory or other costs deducted by the U.S. or foreign corporation are correct.

*Respondents:* Businesses or other for-profits.

*Estimated Total Burden Hours:* 2,544,784 hours.

*OMB Number:* 1545-1086.

*Type of Review:* Extension.

*Form:* 8725.

*Title:* Excise Tax on Greenmail.

*Description:* Form 8725 is used by persons who receive "greenmail" to compute and pay the excise tax on greenmail imposed under section 5881. IRS uses the information to verify that the correct amount of tax has been reported.

*Respondents:* Businesses or other for-profits.

*Estimated Total Burden Hours:* 92 hours.

*OMB Number:* 1545-0820.

*Type of Review:* Extension.

*Title:* REG-122917-02 (Final)

Statutory Options (Previously EE-86-88 (LR-279-81)).

*Description:* The affected public includes corporations that transfer stock to employees after 1979 pursuant to the exercise of a statutory stock option. The corporation must furnish the employee receiving the stock with a written statement describing the transfer. The statement will assist the employee in filing their tax return.

*Respondents:* Businesses or other for-profits.

*Estimated Total Burden Hours:* 16,650 hours.

*OMB Number:* 1545-1227.

*Type of Review:* Extension.

*Title:* FI-104-90 Final Tax Treatment of Salvage and Reinsurance.

*Description:* The regulation provides a disclosure requirement for an insurance company that increases losses shown on its annual statement by the amount of estimated salvage recoverable taken into account.

*Respondents:* Businesses or other for-profits.

*Estimated Total Burden Hours:* 5,000 hours.

*Clearance Officer:* R. Joseph Durbala, (202) 622-3634, Internal Revenue Service, Room 6516, 1111 Constitution Avenue, NW., Washington, DC 20224.

*OMB Reviewer:* Shagufta Ahmed, (202) 395-7873, Office of Management and Budget, Room 10235, New Executive Office Building, Washington, DC 20503.

**Celina Elphage,**

*Treasury PRA Clearance Officer.*

[FR Doc. E9-13491 Filed 6-8-09; 8:45 am]

**BILLING CODE 4830-01-P**

**DEPARTMENT OF VETERANS AFFAIRS****Research Advisory Committee on Gulf War Veterans' Illnesses; Notice of Meeting**

The Department of Veterans Affairs (VA) gives notice under Public Law 92-463 (Federal Advisory Committee Act) that the Research Advisory Committee on Gulf War Veterans' Illnesses will meet on June 29-30, 2009, in Room 462 at the Crosstown Center, Boston University School of Public Health, 801 Massachusetts Avenue, Boston, Massachusetts. The session will convene at 8 a.m. and adjourn at 5 p.m. on June 29. The session will convene at 8 a.m. and adjourn at 1:15 p.m. on June 30. The meeting is open to the public.

The purpose of the Committee is to provide advice and make recommendations to the Secretary of Veterans Affairs on proposed research studies, research plans and research strategies relating to the health consequences of military service in the Southwest Asia theater of operations during the Gulf War.

The Committee will review VA program activities related to Gulf War Veterans' illnesses and updates on relevant scientific research published since the last Committee meeting. The session on June 29 will be devoted to presentations of ongoing research related to immune function and inflammation in chronic multisymptom illness among Gulf War Veterans, the potential effects of oil well fires, and the identification of objective markers to distinguish ill from well Veterans and possible treatments. There will also be updates of the VA Gulf War research program and the VA-funded Gulf War illnesses research program at the University of Texas Southwestern Medical Center. The session on June 30 will be devoted to presentations on current treatments for chronic multisymptom illnesses. Additionally, there will be discussion of Committee business and activities.

Public comments will be received at 4:30-5 p.m. on June 29 and at 12:45-1:15 p.m. on June 30. Individuals who