

39108
SEA

SERVICE DATE – JUNE 6, 2008

SURFACE TRANSPORTATION BOARD

NOTICE

STB Finance Docket No. 34284

SOUTHWEST GULF RAILROAD – CONSTRUCTION AND
OPERATION EXEMPTION – IN MEDINA COUNTY, TX

Decided: June 3, 2008

NOTICE TO THE PARTIES:

On May 30, 2008, the Section of Environmental Analysis (SEA) issued a Final Environmental Impact Statement (EIS) in the above-captioned proceeding and published a notice of availability of the Final EIS on the same day under in the same docket number (see Decision ID Number 39042). It has come to our attention that statements regarding the timing of administrative appeals are incorrect. The incorrect statements occur on page 3 of the notice of availability and page 3 of the Dear Reader letter in the Final EIS. The incorrect language, which is set forth below, should be disregarded:

Parties who wish to file an administrative appeal of the Board's final decision may do so in writing within 30 days from the publication of the notice of the FEIS. ... [T]he deadline for filing administrative appeals will be July 7, 2008

The correct language is as follows:

Parties who wish to file an administrative appeal of the Board's final decision may do so in writing within 20 days of the service date of the Board's final decision.

In addition, two statements in the first two paragraphs of page 1-7 in Chapter 1 of the FEIS (regarding the timing of administrative appeals) are incorrect. Therefore, we ask that you disregard this language:

Given the CEQ regulations at 40 CFR 1506.10(b), in this case, the Board will provide 30 days from the publication of the U.S. Environmental Protection Agency's (EPA's) notice of availability of the FEIS in the Federal Register for filing the administrative appeals.

The deadline for filing administrative appeals will be 30 days from the publication of the notice of the FEIS to and including July 7, 2008.

The correct language is as follows:

The deadline for filing administrative appeals will be 20 days from the service date of the Board's final decision.

All other information remains unchanged.

By the Board, Victoria Rutson, Chief, Section of Environmental Analysis.

Anne K. Quinlan,
Acting Secretary