

submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR-CboeEDGX-2024-035 and should be submitted on or before August 30, 2024. Rebuttal comments should be submitted by September 13, 2024.

## VI. Conclusion

It is therefore ordered, pursuant to Section 19(b)(3)(C) of the Act,<sup>180</sup> that File No. SR-CboeEDGX-2024-035, be and hereby is, temporarily suspended. In addition, the Commission is instituting proceedings to determine whether the proposed rule change should be approved or disapproved.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>181</sup>

**Sherry R. Haywood**

*Assistant Secretary.*

[FR Doc. 2024-17698 Filed 8-8-24; 8:45 am]

**BILLING CODE 8011-01-P**

## SURFACE TRANSPORTATION BOARD

[Docket No. FD 36377 (Sub-No. 8)]

### **BNSF Railway Company—Trackage Rights Exemption—Union Pacific Railroad Company**

BNSF Railway Company (BNSF), a Class I rail carrier, has filed a verified notice of exemption under 49 CFR 1180.2(d)(7) for its acquisition of restricted, local, trackage rights over two rail lines owned by Union Pacific Railroad Company (UP) between: (1) UP

milepost 93.2 at Stockton, Cal., on UP's Oakland Subdivision, and UP milepost 219.4 at Elsey, Cal., on UP's Canyon Subdivision, a distance of 126.2 miles; and (2) UP milepost 219.4 at Elsey and UP milepost 280.7 at Keddie, Cal., on UP's Canyon Subdivision, a distance of 61.3 miles (collectively, the Lines).

Pursuant to a written temporary trackage rights agreement, UP has agreed to grant restricted trackage rights to BNSF over the Lines. The purpose of this transaction is to permit BNSF to move empty and loaded ballast trains to and from the ballast pit at Elsey, which is adjacent to the Lines. The agreement provides that the trackage rights are temporary and scheduled to expire on December 31, 2024.<sup>1</sup>

The transaction may be consummated on or after August 25, 2024, the effective date of the exemption (30 days after the verified notice was filed).

As a condition to this exemption, any employees affected by the acquisition of the trackage rights will be protected by the conditions imposed in *Norfolk & Western Railway—Trackage Rights—Burlington Northern, Inc.*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Railway—Lease & Operate—California Western Railroad*, 360 I.C.C. 653 (1980).

If the verified 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 effectiveness of the exemption. Petitions for stay must be filed no later than August 16, 2024 (at least seven days before the exemption becomes effective).

All pleadings, referring to Docket No. FD 36377 (Sub-No. 8), must be filed with the Surface Transportation Board either via e-filing on the Board's website or in writing addressed to 395 E Street SW, Washington, DC 20423-0001. In addition, a copy of each pleading must be served on BNSF's representative, Peter W. Denton, Steptoe & Johnson LLP, 1330 Connecticut Avenue NW, Washington, DC 20036.

According to BNSF, this action is categorically excluded from environmental review under 49 CFR

<sup>1</sup> BNSF states that, because the trackage rights are for local rather than overhead traffic, it has not filed under the Board's class exemption for temporary overhead trackage rights under 49 CFR 1180.2(d)(8). Instead, BNSF has filed under the trackage rights class exemption at § 1180.2(d)(7). BNSF concurrently filed a petition for partial revocation of this exemption, in Docket No. FD 36377 (Sub-No. 9), to permit these proposed trackage rights to expire at midnight on December 31, 2024, as provided in the agreement. The petition for partial revocation will be addressed in a subsequent decision.

1105.6(c)(3) and from historic preservation reporting requirements under 49 CFR 1105.8(b)(3).

Board decisions and notices are available at [www.stb.gov](http://www.stb.gov).

Decided: August 6, 2024.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.

**Regena Smith-Bernard,**

*Clearance Clerk.*

[FR Doc. 2024-17770 Filed 8-8-24; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[Docket No.: FAA-2024-1586]

### **Draft Advisory Circular for the Type Certification of Powered-Lift**

**AGENCY:** Federal Aviation Administration (FAA), Department of Transportation (DOT).

**ACTION:** Notice of availability, request for comments; extension of comment period.

**SUMMARY:** On June 12, 2024, the FAA published in the **Federal Register** a notice of availability for draft Advisory Circular (AC) 21.17-04, "Type Certification of Powered-lift". The comment period for this document expires on August 12, 2024. By letter dated August 1, 2024, the General Aviation Manufacturers Association (GAMA) requested that the FAA extend the public-comment period deadline to September 12, 2024. GAMA stated in their request that providing more time to comment would allow member organizations to conduct a more thorough review and contribute constructively to the proposed criteria facilitating the development of robust, harmonized standards that maximize safety for powered-lift operations.

**DATES:** The comment period for the document published June 12, 2024, at 89 FR 50042, is extended. Comments should be received on or before September 12, 2024.

**ADDRESSES:** Send comments identified with "Type Certification—Powered-lift" and docket number FAA-2024-1586 using any of the following methods:

- **Federal eRulemaking Portal:** Go to [www.regulations.gov](http://www.regulations.gov) and follow the online instructions for sending your comments electronically.

- **Mail:** Send comments to Docket Operations, M-30; U.S. Department of Transportation (DOT), 1200 New Jersey Avenue SE., Room W12-140, West Building Ground Floor, Washington, DC 20590-0001.

<sup>180</sup> 15 U.S.C. 78s(b)(3)(C).

<sup>181</sup> 17 CFR 200.30-3(a)(57).

- **Hand Delivery or Courier:** Take comments to Docket Operations in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- **Fax:** Fax comments to Docket Operations at 202-493-2251.

**Privacy:** The FAA will post all comments received without change to [www.regulations.gov](http://www.regulations.gov), including any personal information the commenter provides. DOT's complete Privacy Act Statement can be found in the **Federal Register** published on April 11, 2000 (65 FR 19477-19478), as well as at [DocketsInfo.dot.gov](http://DocketsInfo.dot.gov).

#### FOR FURTHER INFORMATION CONTACT:

James Blyn, Product Policy Management: Airplanes, GA, Emerging Aircraft, and Rotorcraft AIR-62B, Policy and Standards Division, Aircraft Certification Service, Federal Aviation Administration, 10101 Hillwood Parkway, Fort Worth, Texas 76177; telephone (817) 222-5762; email [james.blyn@faa.gov](mailto:james.blyn@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

The FAA invites the public to submit comments on the draft AC, as specified in the **ADDRESSES** section. Commenters should include the subject line "Type Certification—Powered-lift" and the docket number FAA 2024-1586 on all comments submitted to the FAA. The most helpful comments will reference a specific portion of the draft document, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received on or before the closing date before issuing the final advisory circular. The FAA will also consider late-filed comments if it is possible to do so without incurring expense or delay.

##### Extension of the Comment Period

The FAA recognizes that the public will benefit from adequate time to review the draft AC. Therefore, the FAA is extending the comment period for an additional 31 days to September 12, 2024.

You may examine the draft advisory circular on the agency's public website and in the docket as follows:

- At [www.regulations.gov](http://www.regulations.gov) in Docket FAA-2024-1586.
- At [www.faa.gov/aircraft/draft\\_docs/](http://www.faa.gov/aircraft/draft_docs/).

Issued in in Kansas City, Missouri, on August 6, 2024.

**Patrick R. Mullen,**

*Manager, Technical Policy Branch, Policy and Standards Division, Aircraft Certification Service.*

[FR Doc. 2024-17720 Filed 8-8-24; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice of Final State Agency Actions on US 60 (Grand Avenue)/35th Avenue/Indian School Road Traffic Intersection Improvements in Maricopa County, Arizona in Maricopa County, Arizona

**AGENCY:** Federal Highway Administration (FHWA), Department of Transportation (DOT)

**ACTION:** Notice.

**SUMMARY:** The FHWA, on behalf of the Arizona Department of Transportation (ADOT), is issuing this notice to announce actions taken by ADOT and other relevant Federal agencies that are final. The actions relate to the Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) for the proposed project US 60 (Grand Avenue)/35th Avenue/Indian School Road Traffic Intersection Improvements in Maricopa County, Arizona (AZ). The actions grant licenses, permits, and approvals for the project.

**DATES:** By this notice, FHWA, on behalf of ADOT, 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 with authority on the highway project will be barred unless the claim is filed on or before January 6, 2025. If the Federal law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such claim, then that shorter time period still applies.

**FOR FURTHER INFORMATION CONTACT:** Mr. Steven Olmsted, NEPA Assignment Manager, Environment Planning, Arizona Department of Transportation, 205 S 17th Avenue, MD EM02, Phoenix, Arizona 85007; telephone: (480) 202-6050, email: [solmsted@azdot.gov](mailto:solmsted@azdot.gov). The Arizona Department of Transportation normal business hours are 8:00 a.m. to 4:30 p.m. (Mountain Standard Time).

You may also contact: Mr. Paul O'Brien, Environmental Planning Administrator, Arizona Department of Transportation, 205 S 17th Avenue, MD EM02, Phoenix, Arizona 85007;

telephone: (480) 356-2893, email: [POBrien@azdot.gov](mailto:POBrien@azdot.gov).

**SUPPLEMENTARY INFORMATION:** Effective June 25, 2024, the FHWA assigned and ADOT assumed environmental responsibilities for this project pursuant to 23 U.S.C. 327 and a Memorandum of Understanding executed by FHWA and ADOT.

Notice is hereby given that ADOT and other relevant Federal agencies have taken final agency actions by issuing licenses, permits, and approvals for the following project in the State of Arizona: US 60 (Grand Avenue)/35th Avenue/Indian School Road Traffic Intersection Improvements in Maricopa County, AZ. The actions by ADOT and other relevant Federal agencies and the laws under which such actions were taken, are described in the Environmental Assessment (EA) and Finding of No Significant Impact (FONSI)—approved on May 31, 2024, and in other documents in the administrative record. The EA and other project records are available by contacting ADOT at the addresses provided above. Project information is also available online at: <https://azdot.gov/planning/transportation-studies/grand-35-study>.

This notice applies to all ADOT and other relevant 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].
2. **Air:** Clean Air Act [42 U.S.C. 7401-7671(q)].
3. **Land:** Section 4(f) of the US 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 and section 1536], Marine Mammal Protection Act [16 U.S.C. 1361], 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.*]; Archeological Resources Protection Act of 1977 [16 U.S.C. 470(aa)-11]; Archeological and Historic Preservation Act [16 U.S.C. 469-469(c)]; Native American Grave Protection and Repatriation Act (NAGPRA) [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