

release of the information, FTA will provide the applicant timely notice of such order to allow the applicant the opportunity to challenge such an order. FTA will not challenge a court order on behalf of an applicant.

### 2. Pilot Program Administration and Reporting Requirements

The Pilot Program is not funded with Federal funds; selected nonprofit entities may charge the grantee participants in the cooperative procurement contract for the cost of administering, planning, and providing technical assistance for the contract in an amount that is not more than 1 percent of the contract price. The selected nonprofit entity may incorporate the cost into the price of the contract or directly charge the grantee participants for the cost, but not both.

To achieve a comprehensive understanding of the utility and effectiveness of the Pilot Program, FTA, or its designated independent evaluator, will require access to project data. Selected nonprofit entities should be prepared to collect and maintain data related to participating vendors, participating grantees, and the quantity and price of rolling stock and related equipment procured by grantees through the cooperative procurement.

### 3. Expiration of Pilot Program

After selection of eligible nonprofit entities for the Pilot Program, the Pilot Program will expire six years from the publication of this notice in the **Federal Register** or when the contract with the longest term, including option periods, awarded by a nonprofit entity in the Pilot Program expires, whichever date is earlier.

**Matthew J. Welbes,**  
Executive Director.

[FR Doc. 2017-17606 Filed 8-21-17; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

#### Limitation on Claims Against Proposed Public Transportation Projects

**AGENCY:** Federal Transit Administration (FTA), DOT.

**ACTION:** Notice.

**SUMMARY:** This notice announces a final environmental action taken by the Federal Transit Administration (FTA) for a project in Hudson County, New Jersey. The purpose of this notice is to announce publicly the environmental decision by FTA on the subject project

and to activate the limitation on any claims that may challenge this final environmental action.

**DATES:** By this notice, FTA is advising the public of final agency actions subject to Section 139(l) of Title 23, United States Code (U.S.C.). A claim seeking judicial review of FTA actions announced herein for the listed public transportation projects will be barred unless the claim is filed on or before January 19, 2018.

**FOR FURTHER INFORMATION CONTACT:** Nancy-Ellen Zusman, Assistant Chief Counsel, Office of Chief Counsel, (312) 353-2577 or Alan Tabachnick, Environmental Protection Specialist, Office of Environmental Programs, (202) 366-8541. FTA is located at 1200 New Jersey Avenue SE., Washington, DC 20590. Office hours are from 9:00 a.m. to 5:00 p.m., Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that FTA has taken final agency action by issuing a certain approval for the public transportation project listed below. The action on the project, as well as the laws under which such action was taken, is described in the documentation issued in connection with the project to comply with the National Environmental Policy Act (NEPA) and in other documents in the FTA administrative record for the project. Interested parties may contact either the project sponsor or the FTA Regional Office for more information. Contact information for FTA's Regional Offices may be found at <https://www.fta.dot.gov>.

This notice applies to all FTA decisions on the listed project as of the issuance date of this notice and all laws under which such action was taken, including, but not limited to, NEPA [42 U.S.C. 4321-4375], Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303], Section 106 of the National Historic Preservation Act [16 U.S.C. 470f], and the Clean Air Act [42 U.S.C. 7401-7671q]. This notice does not, however, alter or extend the limitation period for challenges of project decisions subject to previous notices published in the **Federal Register**. The project and action that are the subject of this notice follows:

*Project name and location:* Portal Bridge Capacity Enhancement Project, Hudson County, New Jersey. *Project Sponsor:* New Jersey Transit Corporation. *Project description:* This project consists of the demolition of the 100-year old moveable swing-span two-track Portal Bridge between the Town of Kearny and the Town of Secaucus, and its replacement with two new bridges: a northern fixed two-track bridge and a southern fixed two-track bridge. The

existing Portal Bridge experiences frequent mechanical and operational failures which pose reliability concerns, capacity constraints, operational inflexibility, and commuter delays along the Northeast Corridor. Additionally, the bridge's low vertical clearance conflicts with maritime uses. By replacing the movable two-track bridge with two fixed two-track bridges at higher elevations, this project will increase reliability and operational flexibility, eliminate capacity constraints, reduce commuter delays, and support additional maritime uses along the Northeast Corridor. In 2008, the Federal Railroad Administration (FRA) completed an Environmental Impact Statement (EIS) for this project; FTA was a cooperating agency. FRA subsequently issued a Record of Decision (ROD) and completed three re-evaluations in 2010, 2011, and 2016. FTA has reviewed the environmental record, and in accordance with 40 CFR 1506.3 and 23 U.S.C. 139, FTA is issuing a ROD which adopts FRA's EIS. *Final agency actions:* Section 4(f) determination (included in the EIS, dated December 23, 2008), an amendment to the Section 106 Memorandum of Agreement dated July 25, 2017 which adds FTA as a signatory, project-level air quality conformity, and a ROD dated July 25, 2017. *Supporting documentation:* EIS with ROD dated December 23, 2008, Re-evaluation dated May 2010; Re-evaluation dated January 2011; and Re-evaluation dated August 2016.

**Lucy Garliauskas,**

Associate Administrator Planning and Environment.

[FR Doc. 2017-17723 Filed 8-21-17; 8:45 am]

**BILLING CODE 4910-57-P**

## UNITED STATES SENTENCING COMMISSION

### Final Priorities for Amendment Cycle

**AGENCY:** United States Sentencing Commission.

**ACTION:** Notice of final priorities.

**SUMMARY:** In June 2017, the Commission published a notice of proposed policy priorities for the amendment cycle ending May 1, 2018. See 82 FR 28381 (June 21, 2017). After reviewing public comment received pursuant to the notice of proposed priorities, the Commission has identified its policy priorities for the upcoming amendment cycle and hereby gives notice of these policy priorities.

**FOR FURTHER INFORMATION CONTACT:** Christine Leonard, Director, Office of Legislative and Public Affairs, (202) 502-4500, [pubaffairs@ussc.gov](mailto:pubaffairs@ussc.gov).

**SUPPLEMENTARY INFORMATION:** The United States Sentencing Commission is an independent agency in the judicial branch of the United States Government. The Commission promulgates sentencing guidelines and