

continue to evaluate the need for future relief based on the regulatory proceedings. Also, where FAA found good cause in past circumstances, there was a robust administrative process leading up to the exemption requests during which the public could submit comments.¹³

Air traffic control procedures ensure the safety of operations conducted at LGA regardless of the number or operator of slots authorized. Moreover, the transfer of the 22 slots would not increase the number of operations at LGA. Accordingly, FAA tentatively finds there is no adverse effect on safety.

In prior slot transfer proceedings, the Department established that allocating scarce operating rights to carriers with limited access to congested markets directly serves the public interest by lowering average market fares, enhancing consumer choice, and disciplining legacy carrier pricing power.¹⁴ As in those prior proceedings where relief was granted, the proposed slot transfer at LGA would provide opportunities for greater competition at LGA by JetBlue.

Approval of this request is consistent with previous decisions requiring the divestment of slots to new entrants or carriers meeting the “less than 5 percent” slot share.¹⁵ After the transfer, JetBlue would continue to hold less than five percent of the total slot interest holdings at LGA, does not code share on flights to or from LGA with any carrier that has five percent or more slot interest holdings, and is not a subsidiary, either partially or wholly-owned, of a company whose combined slot interest holdings are equal to or greater than five percent at LGA. Approving this transfer enables a limited incumbent, independent, non-aligned carrier to strengthen its competitive position against dominant competitors, which, with the benefit of greater slot resources, could pursue anticompetitive strategies such as significantly increasing existing services

in any market entered by JetBlue. Approval of the request directly supports the public interest factors enumerated at 49 U.S.C. 40101(a) by enhancing the availability of a variety of adequate, economic, efficient, and low-priced services; placing maximum reliance on competitive market forces and on actual and potential competition; avoiding unreasonable industry concentration and excessive market domination; and by encouraging entry into air transportation markets by new and existing air carriers and the continued strengthening of small air carriers to ensure a more effective and competitive airline industry.¹⁶

FAA tentatively finds that as a condition of this relief, JetBlue is precluded from trading or leasing the slots to any carrier until after April 2028. While JetBlue may thereafter trade or lease these slots, the carrier is precluded from outright sale of these slots in the future. This restriction will help to ensure that the traveling public will receive the benefits of the service and price competition provided by JetBlue.

If FAA issues a final exemption approving the transfer, JetBlue will become the holder of the slots. As such, FAA does not need to act on the carriers’ request with regard to historic. Any purchased slots remain subject to FAA’s authority, superior interest, and absolute control, and the Order and any extension(s) thereof, including FAA’s ability to withdraw the slots for non-usage or when it is in the public interest.

Finally, while these slots will be subject to the minimum usage requirements contained in the Order, FAA tentatively grants a waiver from the use-or-lose requirements through April 2027 in order for JetBlue to start up service at new markets or add service to existing markets. This waiver would allow the carriers to complete the transaction and JetBlue to ramp-up its new operations at LGA.

FAA invites comments regarding the petition for exemption, its tentative decision, and any other relevant matters. FAA will issue a final decision after reviewing any relevant comments that it receives.

Issued in Washington, DC.

Brett T Daee,

Principal Deputy Chief Counsel.

[FR Doc. 2026–17800 Filed 8–27–26; 4:15 pm]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Notice of Final Federal Agency Actions on Proposed Transportation Project in Florida

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of limitation on claims for judicial review of actions by Florida Department of Transportation (FDOT), pursuant to 23 U.S.C. 327, and other Federal Agencies.

SUMMARY: The FHWA, on behalf of the FDOT, is issuing this notice to announce actions taken by FDOT and other Federal Agencies that are final agency actions. These actions relate to the proposed State Road (S.R.) 30 (U.S. 98) Project Development and Environment (PD&E) Study (Financial Management Number 220260–3–22–01), referred to as “Around the Mound.” The proposed S.R. 30 (U.S. 98) project will add capacity to S.R. 30 (U.S. 98) from S.R. 189 (Beal Parkway) to the West End of Brooks Bridge, and north along S.R. 85 (Eglin Parkway) to Hollywood Boulevard, a distance of approximately 0.6 miles along S.R. 30 (U.S. 98). Improvements consist of roadway widening from four to six lanes, improvements at signalized intersections, changes to the S.R. network involving portions of S.R. 30 (U.S. 98), S.R. 85, and S.R. 145; and the construction of stormwater management facilities.

DATES: By this notice, the FHWA, on behalf of FDOT, 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 listed highway project will be barred unless the claim is filed on or before January 28, 2027. 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.

ADDRESSES: The Environmental Assessment/Finding of No Significant Impact and additional project documents can be viewed and downloaded from the project website at: <https://nwflroads.com/projects/220260-3> or by contacting FDOT Office of Environmental Management, 605 Suwannee Street, MS 37, Tallahassee, Florida 32399, during normal business hours are 8 a.m. to 5 p.m. (Eastern Standard Time), Monday through Friday, except State holidays.

FOR FURTHER INFORMATION CONTACT: Katasha Gruver, Director, Office of

¹³ Letter from Lorelei Peter, Assistant Chief Counsel for Regulations, Federal Aviation Administration, to Christopher Walker, Delta Airlines granting relief (May 4, 2017). *See also*, *Grant of Waiver* (Feb. 10, 2014), Docket No. FAAA–2014–0074; *Grant of Waiver* (Dec. 2, 2013), Docket No. FAAA–2013–1011.

¹⁴ *See Id.* and “As we stated previously, we believe the competition induced by this action will bring many benefits, including lower fares, more throughput, higher utilization of scarce assets, more opportunities to develop flexible or common use airport facilities, and reduced opportunities for exclusionary behavior such as ‘babysitting.’” *Notice—Reassignment of Schedules at Newark-Liberty International Airport*, 86 FR 52285 (Sep. 20, 2021).

¹⁵ *Petition for Waiver and Other Relief*, 76 FR at 63706–07, 63711.

¹⁶ *See* 49 U.S.C. 40101(a)(4), (6), (10), and (13).

Environmental Management, FDOT; telephone (850) 414-5260; email: katasha.gruver@dot.state.fl.us.

SUPPLEMENTARY INFORMATION: Effective December 14, 2016, and as subsequently renewed on May 26, 2022, the FHWA assigned, and the FDOT assumed, environmental responsibilities for this project pursuant to 23 U.S.C. 327. Notice is hereby given that FDOT and other Federal agencies have taken final agency actions subject to 23 U.S.C. 139(l)(1) by issuing licenses, permits, or approvals for the proposed improvement highway project. The actions by FDOT and other Federal Agencies on the project, and the laws under which such actions were taken are described in the Environmental Assessment (EA) for the project approved on June 8, 2026, and a Finding of No Significant Impact issued on June 8, 2026, and in other documents in the project records. The Finding of No Significant Impact and other documents for the listed project are available by contacting FDOT at the address provided above.

The project subject to this notice is:

Project Location: The project is located along S.R. 30 (U.S. 98) from S.R. 189 (Beal Parkway) to the West End of Brooks Bridge, and north along S.R. 85 (Eglin Parkway) to Hollywood Boulevard in the City of Fort Walton Beach, Okaloosa County, Florida.

Project Actions: The Preferred Alternative 1A (At-Grade) realigns S.R. 30 (U.S. 98) north "Around the Mound" consistent with the Fort Walton Beach Master Plan and expands roadway capacity of S.R. 30 (U.S. 98) and S.R. 85 to meet travel demand from S.R. 189 (Beal Parkway) to the West End of Brooks Bridge, and North Along S.R. 85 (Eglin Parkway) to Hollywood Boulevard; a distance of approximately 0.6 miles along S.R. 30 (U.S. 98). This notice applies to the Finding of No Significant Impact, the Section 4(f) *de minimis* determinations, 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 (FAHA) [23 U.S.C. 109 and 23 U.S.C. 128]; 23 CFR part 771.

2. **Air:** Clean Air Act (CAA) [42 U.S.C. 7401-7671(q)], with the exception of project level conformity determinations [42 U.S.C. 7506].

3. **Noise:** Noise Control Act of 1972 [42 U.S.C. 4901-4918]; 23 CFR 772.

4. **Land:** Section 4(f) of the Department of Transportation Act of 1966 [23 U.S.C. 138 and 49 U.S.C. 303]; 23 CFR part 774; Land and Water

Conservation Fund (LWCF) [54 U.S.C. 200302-200310].

5. **Wildlife:** Endangered Species Act (ESA) [16 U.S.C. 1531-1544 and 1536]; Marine Mammal Protection Act [16 U.S.C. 1361-1423h], Anadromous Fish Conservation Act [16 U.S.C. 757(a)-757(f)]; Fish and Wildlife Coordination Act [16 U.S.C. 661-667(d)]; Migratory Bird Treaty Act (MBTA) [16 U.S.C. 703-712]; Magnuson-Stevenson Fishery Conservation and Management Act of 1976, as amended [16 U.S.C. 1801-1891d], with Essential Fish Habitat requirements [16 U.S.C. 1855(b)(2)].

6. **Historic and Cultural Resources:** Section 106 of the National Historic Preservation Act of 1966, as amended [54 U.S.C. 3006101 *et seq.*]; Archaeological Resources Protection Act of 1979 (ARPA) [16 U.S.C. 470(aa)-470(II)]; Preservation of Historical and Archaeological Data [54 U.S.C. 312501-312508]; Native American Grave Protection and Repatriation Act (NAGPRA) [25 U.S.C. 3001-3013; 18 U.S.C. 1170].

7. **Social and Economic:** Civil Rights Act of 1964 [42 U.S.C. 2000d-2000d-1]; American Indian Religious Freedom Act [42 U.S.C. 1996]; Farmland Protection Policy Act (FPPA) [7 U.S.C. 4201-4209].

8. **Wetlands and Water Resources:** Clean Water Act (Section 319, Section 401, Section 404) [33 U.S.C. 1251-1387]; Coastal Barriers Resources Act (CBRA) [16 U.S.C. 3501-3510]; Coastal Zone Management Act (CZMA) [16 U.S.C. 1451-1466]; Safe Drinking Water Act (SDWA) [42 U.S.C. 300f-300j-26]; Rivers and Harbors Act of 1899 [33 U.S.C. 401-406]; Wild and Scenic Rivers Act [16 U.S.C. 1271-1287]; Emergency Wetlands Resources Act [16 U.S.C. 3921, 3931]; Wetlands Mitigation, [23 U.S.C. 119(g) and 133(b)(3)]; Flood Disaster Protection Act [42 U.S.C. 4001-4130].

9. **Hazardous Materials:** Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) [42 U.S.C. 9601-9675]; Superfund Amendments and Reauthorization Act of 1986 (SARA); Resource Conservation and Recovery Act (RCRA) [42 U.S.C. 6901-6992(k)].

10. **Executive Orders:** E.O. 11990 Protection of Wetlands; E.O. 11988 Floodplain Management; E.O. 11593 Protection and Enhancement of Cultural Resources; E.O. 13007 Indian Sacred Sites; E.O. 13287 Preserve America; 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: August 24, 2026.

James Cons Christian,
Division Administrator, Federal Highway Administration.

[FR Doc. 2026-17690 Filed 8-28-26; 8:45 am]

BILLING CODE 4910-RY-P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Notice of Final Federal Agency Actions on Proposed Transportation Project in State Florida

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of limitation on claims for judicial review.

SUMMARY: The FHWA, on behalf of the State Department of Transportation (FDOT), is issuing this notice to announce actions taken by FDOT and other Federal agencies that are final agency actions. These actions relate to the proposed improvements to the US 41/SR 45 at SR 54 intersection in Pasco County, Florida (Financial Project Identification 419182-1). The Preferred Alternative consists of an at-grade Diverging Diamond Interchange (DDI) on SR 54 and a grade separated crossing of US 41 over SR 54.

DATES: By this notice, the FHWA, on behalf of FDOT, 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 listed highway project will be barred unless the claim is filed on or before January 28, 2027. 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.

ADDRESSES: The Type 2 Categorical Exclusion and additional project documents can be viewed and downloaded from the project website at: <https://www.fdotd7studies.com/sr54/us41-at-sr54/> or by contacting FDOT Office of Environmental Management, 605 Suwannee Street, MS 37, Tallahassee, Florida 32399, during normal business hours are 8 a.m. to 5 p.m. (Eastern Standard Time), Monday through Friday, except State holidays.

FOR FURTHER INFORMATION CONTACT: Katasha Gruver, Director, Office of Environmental Management, FDOT; telephone (850) 414-5260; email: Katasha.Gruver@dot.state.fl.us.