

order to assist in the requirement of the intra-Service consultation. This notice also advises the public that the Service has made a preliminary determination that issuing the incidental take permit is not a major Federal action significantly affecting the quality of the human environment within the meaning of Section 102(2)(C) of the National Environmental Policy Act of 1969, as amended. The Finding of No Significant Impact is based on information contained in the EA and HCP. The final determination will be made no sooner than 30 days from the date of this notice. This notice is provided pursuant to Section 10(c) of the Act and National Environmental Policy Act Regulations (40 CFR 1506.6).

**DATES:** Written comments on the permit application, EA and HCP should be received on or before February 8, 1995.

**ADDRESSES:** Persons wishing to review the application may obtain a copy by writing the Service's Southeast Regional Office, Atlanta, Georgia. Persons wishing to review the EA or HCP may obtain a copy by writing the Regional Office or the Jackson, Mississippi, Field Office. Documents will also be available for public inspection, by appointment, during normal business hours at the Regional Office, or the Field Office. Written data or comments concerning the application, EA, or HCP should be submitted to the Regional Office. Please reference permit under PRT-797979 in such comments.

Regional Permit Coordinator (TE), U.S. Fish and Wildlife Service, 1875 Century Boulevard, suite 210, Atlanta, Georgia 30345, (telephone 404/679-7110, FAX 404/679-7081).

Field Supervisor, U.S. Fish and Wildlife Service, 6578 Dogwood View Parkway, suite A, Jackson, Mississippi 39213 (telephone 601/965-4900, FAX 601/965-4340).

**FOR FURTHER INFORMATION CONTACT:** Will McDearman at the above Jackson, Mississippi, Field Office.

**SUPPLEMENTARY INFORMATION:** The Alabama beach mouse (ABM), *Peromyscus polionotus ammobates*, is a subspecies of the common old-field mouse *Peromyscus polionotus* and is restricted to the dune systems of the Gulf Coast of Alabama. The known current range of ABM extends from Fort Morgan eastward to the western terminus of Alabama Highway 182, including the Perdue Unit on the Bon Secour National Wildlife Refuge. The sand dune systems inhabited by this species are not uniform; several habitat types are distinguishable. The species inhabits primary dunes, interdune areas, secondary dunes, and scrub dunes. The

depth and area of these habitats from the beach inland varies. Population surveys indicate that this subspecies is usually more abundant in primary dunes than in secondary dunes, and usually more abundant in secondary dunes than in scrub dunes. Optimal habitat consists of dune systems with all dune types. Though fewer ABM inhabit scrub dunes, these high dunes can serve as refugia during devastating hurricanes that overwash, flood, and destroy or alter secondary and frontal dunes. ABM surveys have not been conducted on the Applicant's property. The ABM occupied adjacent and nearby dunes of the Bon Secour National Wildlife Refuge. Suitable habitat in the form of secondary and scrub dunes exist on the Applicant's property. These habitats are likely to be occupied by ABM. None of the Applicant's property resides in designated critical habitat for the ABM. Construction of the single family residence on about 0.1-0.2 acres of the Applicant's property may result in the death of, or injury to, ABM. Habitat alterations due to house placement and its subsequent use may reduce available habitat for food, shelter, and reproduction.

The EA considers the environmental consequences of three alternatives. The proposed action alternative is the issuance of the incidental take permit. This provided for restrictions that include house placement landward of the frontal crest of the scrub dune line, establishment of a walkover structure across that scrub dune, a prohibition against housing or keeping pet cats, scavenger-proof garbage containers, no landscaping, and the minimization and control of outdoor lighting. The HCP provides a funding source for these mitigation measures.

Dated: December 30, 1994.

**John T. Brown,**

*Acting Regional Director.*

[FR Doc. 95-422 Filed 1-6-95; 8:45 am]

BILLING CODE 4310-55-P

## INTERSTATE COMMERCE COMMISSION

[Finance Docket No. 32419]

### Consolidated Rail Corporation— Acquisition of Control and Merger— Pittsburgh, Chartiers & Youghiogheny Railway Company

**AGENCY:** Interstate Commerce Commission.

**ACTION:** Notice of exemption.

**SUMMARY:** The Commission, under 49 U.S.C. 10505, exempts from the prior

approval requirements of 49 U.S.C. 11343, *et seq.*, the acquisition by Consolidated Rail Corporation (Conrail), of control of the Pittsburgh, Chartiers & Youghiogheny Railway Company (PC&Y) and PC&Y's merger into Conrail, subject to standard employee protective conditions.

**DATES:** This exemption is effective on February 8, 1995. Petitions to stay must be filed by January 24, 1995 and petitions to reopen must be filed by February 3, 1995.

**ADDRESSES:** Send pleadings referring to Finance Docket No. 32419 to: (1) Office of the Secretary, Case Control Branch, Interstate Commerce Commission, 1201 Constitution Avenue, N.W., Washington, DC 20423; and (2) Anne E. Treadway, 2001 Market Street, 16-A, Two Commerce Square, Philadelphia, PA 19101-1416.

**FOR FURTHER INFORMATION CONTACT:** Beryl Gordon, (202) 927-5610. [TDD for the hearing impaired: (202) 927-5721].

#### SUPPLEMENTARY INFORMATION:

Additional information is contained in the Commission's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: Dynamic Concepts, Inc., Room 2229, Interstate Commerce Commission Building, 1201 Constitution Avenue, N.W., Washington, DC 20423. Telephone: (202) 289-4357/4359. [Assistance for the hearing impaired is available through TDD services (202) 927-5721.]

Decided: December 21, 1994.

By the Commission, Chairman McDonald, Vice Chairman Morgan, and Commissioners Simmons and Owen.

**Vernon A. Williams,**

*Secretary.*

[FR Doc. 95-415 Filed 1-6-95; 8:45 am]

BILLING CODE 7035-01-P

[Finance Docket No. 32651]

### Eastern Maine Railway Company, J.D. Irving, Limited and New Brunswick Railway Company—Petition for Disclaimer of Jurisdiction or, Alternatively, for an Exemption From 49 U.S.C. 11343(a)(5)

**AGENCY:** Interstate Commerce Commission.

**ACTION:** Notice of Exemption.

**SUMMARY:** The Commission, finds jurisdiction and, under 49 U.S.C. 10505, exempts from the prior approval requirements of 49 U.S.C. 11343-11345, the continuance in control by petitioners of Eastern Maine Railway Company (Eastern Maine) upon Eastern Maine becoming a rail common carrier.

The exemption is subject to standard labor protective conditions.

**DATES:** This exemption will be effective on December 30, 1994. Petitions to reopen must be filed by January 19, 1995.

**ADDRESSES:** Send pleadings referring to Finance Docket No. 32651 to: (1) Office of the Secretary, Case Control Branch, Interstate Commerce Commission, 1201 Constitution Avenue, N.W., Washington, DC 20423; and (2) William C. Evans, 901-15th Street, N.W., Suite 700, Washington, DC 20005-2301.

**FOR FURTHER INFORMATION CONTACT:** Beryl Gordon, (202) 927-5610. [TDD for the hearing impaired: (202) 927-5721].

**SUPPLEMENTARY INFORMATION:** Additional information is contained in the Commission's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: Dynamic Concepts, Inc., Room 2229, Interstate Commerce Commission Building, 1201 Constitution Avenue, N.W., Washington, D.C. 20423. Telephone: (202) 289-4357/4359. [Assistance for the hearing impaired is available through TDD services at (202) 927-5721].

Decided: December 30, 1994.

By the Commission, Chairman McDonald, Vice Chairman Morgan, and Commissioners Simmons and Owen. Commissioner Owen did not participate in the disposition of this proceeding.

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. 95-413 Filed 1-6-95; 8:45 am]

BILLING CODE 7035-01-P

[Finance Docket No. 32647]

**Fieldcrest Cannon, Inc. and Downeast Securities**

**Corporation—Continuance in Control—Canadian American Railroad Company**

**AGENCY:** Interstate Commerce Commission.

**ACTION:** Notice of Exemption.

**SUMMARY:** The Commission, under 49 U.S.C. 10505, exempts from the prior approval requirements of 49 U.S.C. 11343-11345, the continuance in control by Fieldcrest Cannon, Inc. and Downeast Securities Corporation (collectively, petitioners) of Canadian American Railroad Company (CDAC), upon CDAC becoming a rail common carrier. Petitioners presently control Bangor and Aroostook Railroad Company. The exemption is subject to standard labor protective conditions.

**DATES:** This exemption will be effective on December 30, 1994. Petitions to reopen must be filed by January 19, 1995.

**ADDRESSES:** Send pleadings referring to Finance Docket No. 32647 to: (1) Office of the Secretary, Case Control Branch, Interstate Commerce Commission, 1201 Constitution Avenue, NW., Washington, DC 20423; and (2) James E. Howard, One International Place, Boston, MA 02110.

**FOR FURTHER INFORMATION CONTACT:** Beryl Gordon, (202) 927-5610. [TDD for the hearing impaired: (202) 927-5721].

**SUPPLEMENTARY INFORMATION:** Additional information is contained in the Commission's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: Dynamic Concepts, Inc., room 2229, Interstate Commerce Commission Building, 1201 Constitution Avenue, NW., Washington, DC 20423. Telephone: (202) 289-4357-4359. [Assistance for the hearing impaired is available through TDD services at (202) 927-5721].

Decided: December 30, 1994.

By the Commission, Chairman McDonald, Vice Chairman Morgan, and Commissioners Simmons and Owen. Commissioner Owen did not participate in the disposition of this proceeding.

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. 95-412 Filed 1-6-95; 8:45 am]

BILLING CODE 7035-01-P

[Finance Docket No. 31717]

**Iowa Power, Inc.—Construction Exemption—Council Bluffs, Iowa and**

[Finance Docket No. 32453]

**CBEC Railway, Inc.—Acquisition and Operation Exemption—Great Western Railway Company of Iowa, Inc.—Council Bluffs, IA**

The Iowa Power, Inc. (Iowa Power) has petitioned the Interstate Commerce Commission (Commission) for authority to construct and operate a 3.0 mile rail line in Council Bluffs, Iowa. In a related proceeding, CBEK Railway, Inc. (CBEK) acquired an existing three mile rail line which it would rehabilitate and operate in order to carry the traffic generated from the proposed rail construction project, if approved by the Commission. The Commission's Section of Environmental Analysis (SEA) has prepared its Environmental Assessment (EA). Based on the information provided and the environmental analysis conducted to date, this EA concludes that this proposal should not

significantly affect the quality of the human environment if the recommended mitigation measures set forth in the EA are implemented. Accordingly, SEA preliminarily recommends that the Commission impose on any decision approving the proposed construction and operation conditions that would implement the mitigation measures contained in the EA. The EA will be served on all parties of record as well as all appropriate Federal, state and local officials and will be made available to the public upon request. SEA will consider all comments received in response to the EA in making final environmental recommendations to the Commission. The Commission will then consider SEA's final recommendations and the environmental record in making its final decision in this proceeding.

Comments (an original and 10 copies) and any questions regarding this EA should be filed with the Commission's Section of Environmental Analysis, Office of Economic and Environmental Analysis, Room 3219, Interstate Commerce Commission, Washington, DC 20423, to the attention of Ms. Tawanna Glover-Sanders (202) 927-6203. Requests for copies of the EA should also be directed to Ms. Glover-Sanders.

Date made available to the public: January 6, 1995.

Comment due date: February 6, 1995.

By the Commission, Elaine K. Kaiser, Chief, Section of Environmental Analysis, Office of Economic and Environmental Analysis.

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. 95-414 Filed 1-6-95; 8:45 am]

BILLING CODE 7035-01-P

[Docket No. AB-422X]

**Kelley's Creek and Northwestern Railroad Company—Abandonment Exemption—Between Mammoth and Cedar Grove, in Kanawha County, WV**

The Commission, under 49 U.S.C. 10505, exempts from the prior approval requirements of 49 U.S.C. 10903-10904 the abandonment by Kelley's Creek and Northwestern Railroad Company of its entire 4.7-mile line of railroad between Donaldson Mine Company near Mammoth, WV and the barge loading facilities on the Kanawha River at Cedar Grove, WV.

Any comments must be filed with the Commission and served on: James K. Kearney, 1200 8th Street, N.W., Washington, DC 10036.

This exemption will be effective on February 8, 1995. Formal expressions of