

[AZ-024-1330-00]

Intent To Amend the Phoenix Resource Management Plan and the Safford District Resource Management Plan, Arizona

AGENCY: Bureau of Land Management, Interior

ACTION: Notice of Intent.

SUMMARY: The Bureau of Land Management, Phoenix District, in response to a land exchange proposal, is preparing an Environmental Assessment to amend the Phoenix Resource Management Plan and the Safford District Resource Management Plan (RMPs) in compliance with the Federal Land Policy and Management Act of 1976, as amended, and Section 102(2)(c) of the National Environment Policy Act of 1969. The exchange, as proposed, involves trading selected public lands for private lands with high resource values. The public lands selected include 160 non-wilderness acres of the remaining segments of the White Canyon Area of Critical Environmental Concern (ACEC)—most of the ACEC is now managed as the White Canyon Wilderness—and 4,561 acres which were designated as retention lands within the RMPs. Three hundred fifty-five (355) of these selected public lands were transferred from the Safford District to the Phoenix Resource Area (Phoenix District) under a 1991 boundary adjustment. The proposed land exchange will be analyzed under a separate environmental impact statement (**Federal Register** Notice of Intent, December 19, 1994: 65383). Management actions proposed in the Environmental Assessment include altering the ACEC designation and changing the classification of selected public lands from retention to disposal parcels available under an exchange. The Environmental Assessment to amend the two Resource Management Plans will identify a proposed action and no action alternative as well as appropriate alternatives derived through the analysis of planning issues and criteria. Once the Environmental Assessment draft has been completed, a Notice of Availability will be published in the **Federal Register** followed by a 60-day comment period.

Public comment is needed now to identify issues and criteria for consideration during the amendment process. Public open houses/scoping meetings will be held at the following locations and times:

Florence Open House, March 28, 1995, 4-8 p.m. at the Florence Unified School District Office, Administration

Building, 350 S. Main St., Florence, AZ 85232, (602) 868-2300. Mesa Open House, March 30, 1995, 4-8 p.m. at the Rendezvous Center, 263 North Center Street, Mesa, Arizona (602) 644-2178.

DATES: Written public comments may be submitted during the open houses or to the address given below. Public comments will be accepted until April 10, 1995.

ADDRESSES: Written comments should be mailed to, and copies of the scoping documentation are available from: Bureau of Land Management, Phoenix District Office, 2015 West Deer Valley Road, Phoenix, AZ 85027, ATTENTION McFARLIN AMENDMENT.

FOR FURTHER INFORMATION, CONTACT: Shela McFarlin, Bureau of Land Management, Phoenix District Office, 2015 West Deer Valley Road, Phoenix, AZ 85027 or telephone (602) 780-8090.

Dated February 28, 1995.

David J. Miller,

Associate District Manager.

[FR Doc. 95-5432 Filed 3-3-95; 8:45 am]

BILLING CODE 4310-32-P

INTERSTATE COMMERCE COMMISSION**Release of Waybill Data**

The Commission has received a request from Covington & Burling and Union Pacific Corporation (UP) for permission to use certain data from the 1993 I.C.C. Waybill Sample. A copy of the request (WB468-2/23/95) may be obtained from the I.C.C. Office of Economic and Environmental Analysis.

The waybill sample contains confidential railroad and shipper data; therefore, if any parties object to this request, they should file their objections with the Director of the Commission's Office of Economic and Environmental Analysis within 14 calendar days of the date of this notice. The rules for release of waybill data are codified at 49 CFR 1244.8.

Contact: James A. Nash, (202) 927-6196.

Vernon A. Williams,

Secretary.

[FR Doc. 95-5389 Filed 3-3-95; 8:45 am]

BILLING CODE 7035-01-P

[Docket No. AB-43 (Sub-No. 166X)]

Illinois Central Railroad Company—Abandonment Exemption—in Smith County, MS

Illinois Central Railroad Company (IC) has filed a notice of exemption under 49

CFR part 1152 subpart F—Exempt Abandonments to abandon its 3-mile line of railroad (known as the Taylorsville, MS line) between milepost MB-128.50 and MB-131.50 in Taylorsville, Smith County, MS.

IC has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) overhead traffic on the line has been rerouted over other lines; (3) no formal complaint filed by a user of rail service on the line (or by a State or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Commission or with any U.S. District Court or has been decided in complainant's favor within the last 2 years; and (4) the requirements at 49 CFR 1105.7 (environmental report), 49 CFR 1105.8 (historic report), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to use of this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10505(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective April 5, 1995, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,¹ formal expressions of intent to file offers of financial assistance under 49 CFR 1152.27(c)(2),² and trail use/rail banking requests under 49 CFR 1152.29³ must be filed by March 16, 1995. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by March 27, 1995, with: Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423.

A copy of any petition filed with the Commission should be sent to

¹ The Commission will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Commission in its independent investigation) cannot be made before the exemption's effective date. See Exemption of Out-of-Service Rail Lines, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Commission may take appropriate action before the exemption's effective date.

² See Exempt. of Rail Abandonment—Offers of Finan. Assist., 4 I.C.C.2d 164 (1987).

³ The Commission will accept late-filed trail use requests so long as the abandonment has not been consummated and the abandoning railroad is willing to negotiate an agreement.

applicant's representative: Myles L. Tobin, Illinois Central Railroad Company, 455 North Cityfront Plaza Drive, 20th Floor, Chicago, IL 60611.

If the notice of exemption contains false or misleading information, the exemption is void *ab initio*.

IC has filed an environmental report which addresses the abandonment's effects, if any, on the environmental or historic resources. The Commission's Section of Environmental Analysis (SEA) will issue an environmental assessment (EA) by March 10, 1995. Interested persons may obtain a copy of the EA by writing to SEA (Room 3219, Interstate Commerce Commission, Washington, DC 20423) or by calling Elaine Kaiser at (202) 927-6248. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Decided: February 24, 1995.

By the Commission, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams,
Secretary.

[FR Doc. 95-5391 Filed 3-3-95; 8:45 am]

BILLING CODE 7035-01-P

[Finance Docket Nos. 32476, 32623 and 32624]

Northern Nevada Railroad Corporation—Construction and Operation Exemption—White Pine County, NV; Northern Nevada Railroad Corporation—Modified Rail Certificate—Between McGill Junction and Keystone, NV, and Northern Nevada Railroad Corporation—Modified Rail Certificate—Between Cobre and McGill Junction, NV

The Northern Nevada Railroad Corporation (Northern Nevada) has petitioned the Interstate Commerce Commission (Commission) for authority to construct and operate a 3.13 mile rail line in White Pine County, NV. The Commission's Section of Environmental Analysis (SEA) has prepared its Environmental Assessment (EA) which analyzes the environmental impacts associated with this construction project and related operations over rail lines between McGill Junction and Keystone, Nevada and Cobre and McGill Junction, Nevada. 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 Mr. Harold McNulty (202) 927-6217. Requests for copies of the EA should also be directed to Mr. McNulty.

Date made available to the public: March 3, 1995.

Comment due date: April 3, 1995.

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

Vernon A. Williams,
Secretary.

[FR Doc. 95-5390 Filed 3-3-95; 8:45 am]

BILLING CODE 7035-01-P

LIBRARY OF CONGRESS

Copyright Office

[Docket No. 95-1 CARP DD 92-94]

Ascertainment of Controversy for 1994 Digital Audio Recording Royalty Funds

AGENCY: Copyright Office, Library of Congress.

ACTION: Notice with request for comments.

SUMMARY: The Copyright Office directs all claimants to royalty fees collected for Digital Audio Recording Devices and Media (DART) for the 1992 and 1993 Musical Works Fund, and the 1994 Musical Works and Sound Recordings Funds, to submit comments as to whether a controversy exists as to the distribution of these funds. The Office

also announces the deadline for filing Notices of Intent to Participate in royalty distribution.

DATES: Written comments due by April 15, 1995. Notices of Intent to Participate are due May 5, 1995.

ADDRESSES: If sent by mail, an original and five copies of written comments and Notices of Intent to Participate should be addressed to: Copyright Arbitration Royalty Panel (CARP), PO Box 70977, Southwest Station, Washington, DC 20024. If delivered by hand, copies should be brought to: Office of the General Counsel, Copyright Office, Room LM-407, James Madison Memorial Building, 101 Independence Avenue SE., Washington, DC 20540. In order to ensure prompt receipt of these time sensitive documents, the Office recommends that the comments and Notices of Intent to Participate be delivered by private messenger service.

FOR FURTHER INFORMATION CONTACT: Marilyn Kretsinger, Acting General Counsel, Copyright GC/I&R, PO Box 70400, Southwest Station, Washington, DC 20024. Telephone (202)707-8380.

SUPPLEMENTARY INFORMATION:

I. Background

On October 28, 1992, Congress enacted the Audio Home Recording Act. This Act requires manufacturers and importers to pay royalties on digital audio recording devices and media (DART) that are distributed in the United States. The royalties are deposited with the Copyright Office and distributed by Copyright Arbitration Royalty Panels (CARPs)¹, convened by the Librarian of Congress, to interested copyright parties who file claims with the Copyright Office each year during January and February.

The Act provides that the royalties are to be divided into two funds—the Sound Recordings Fund, which accounts for 66⅔% of the royalties, and the Musical Works Fund, which accounts for 33⅓% of the royalties.

Within each fund, the Act establishes subfunds. The Sound Recordings Fund consists of four subfunds: the first of these—the Nonfeatured Musicians Subfund—is allocated 2⅝% of the Sound Recordings Fund, and the second subfund—the Nonfeatured Vocalists Subfund—gets a 1⅜% share. After the shares of these two subfunds are

¹ At the time of passage of the Audio Home Recording Act, the Copyright Royalty Tribunal conducted DART distribution proceedings. The Tribunal, however, was eliminated by the Copyright Royalty Tribunal Reform Act of 1993, Pub.L. No. 103-198, and the authority to distribute DART funds was given to the CARPs, as administered by the Librarian of Congress.