

(2) Statutory authority for the Service to implement this project exists subject to the Silvio O. Conte National Fish and Wildlife Refuge Act, Public Law 102-212;

(3) The Proposed Action Alternative represents the best balance between the Service's goals and objectives and the public's concerns identified throughout the public participation process; and

(4) Consistent with social, economic and other essential considerations from among the reasonable alternatives, the Proposed Action Alternative is one which minimizes or avoids adverse environmental effects to the maximum extend practicable.

Having made the above findings, the Service has decided to proceed with implementation of the Revised Proposed Action Alternative.

This Record of Decision will serve as the written facts and conclusions relied on it reaching this decision.

Dated: December 13, 1995.

Cathleen I. Short,

Acting Regional Director, Region 5, Hadley, Massachusetts.

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INTERSTATE COMMERCE COMMISSION

[Docket No. AB-167 (Sub-No. 1155X)]

Consolidated Rail Corporation—Abandonment Exemption—In Middlesex County, NJ

Consolidated Rail Corporation (Conrail) has filed a notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments to abandon approximately 1.4 miles of rail line extending between approximately milepost 25.00 and milepost 267.40 in Middlesex County, NJ.

Conrail has certified that: (1) no local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic on the line; (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 favor of the complainant within the 2-year period; 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 on January 18, 1996, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,¹ formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),² and trail use/rail banking requests under 49 CFR 1152.29³ must be filed by December 29, 1995. Petitions to reopen or requests for public use conditions under CFR 1152.28 must be filed by January 8, 1996, with: Office of the Secretary, Case Control Branch, Interstate Commerce Commission, 4 Washington, DC 20423-2191.

A copy of any pleading filed with the Commission should be sent to applicant's representative: John J. Paylor, Associate General Counsel, Consolidated Rail Corporation, Two Commerce Square, 2001 Market Street, P.O. Box 41416, Philadelphia, PA 19101-1416.

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

Conrail has filed an environmental report which addresses the abandonment's effects, if any, on the environment and historic resources. The Section of Environmental Analysis (SEA) will issue an environmental assessment (EA) by December 22, 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

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 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 a late-filed trail use request so long as the abandonment has not been consummated and the abandoning railroad is willing to negotiate an agreement.

⁴ Legislation to sunset the Commission on December 31, 1995, and transfer remaining functions is now under consideration in Congress. Until further notice, parties submitting pleadings should continue to use the current name and address.

Elaine Kaiser, Chief of SEA, 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: December 12, 1995.

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

Vernon A. Williams,

Secretary.

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NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 95-114]

National Environmental Policy Act; Mars Global Surveyor Mission

AGENCY: National Aeronautics and Space Administration (NASA).

ACTION: Finding of no significant impact.

SUMMARY: Pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended (42 U.S.C. 4321, *et seq.*), the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA (40 CFR Parts 1500-1508), and NASA policy and procedures (14 CFR Part 1216 Subpart 1216.3), NASA has made a finding of no significant impact (FONSI) with respect to the proposed Mars Global Surveyor (MGS) mission, which would involve a flight to and orbit about Mars. The baseline mission calls for the MGS spacecraft to be launched aboard a Delta II 7925 from Cape Canaveral Air Station (CCAS), Florida, in November 1996.

DATES: Comments on the FONSI must be provided in writing to NASA on or before January 18, 1996.

ADDRESSES: Written comments should be addressed to Ms. Mary Kaye Olsen, NASA Headquarters, Code SLP, 300 E Street SW, Washington, DC 20546. The Environmental Assessment (EA) prepared for the MGS mission which supports this FONSI may be reviewed at the following locations:

(a) NASA Headquarters, Library, Room 1J20, 300 E Street, SW., Washington, DC 20546.

(b) Spaceport USA, Room 2001, John F. Kennedy Space Center, Florida, 32899. Please call Lisa Fowler beforehand at 407-867-2468 so that arrangements can be made.