

Issued on May 30, 2002.

**Douglas P. Conlan,**

*District Operations Engineer, Federal Highway Administration, Albany, New York.*  
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## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Environmental Impact Statement: Oakland County, MI

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice of intent.

**SUMMARY:** The FHWA is issuing this notice to advise the public that an environmental impact statement will be prepared for the I-75 Oakland County Planning/Environmental Study.

**FOR FURTHER INFORMATION CONTACT:** James A. Kirschensteiner, Assistant Division Administrator, Federal Highway Administration, 315 West Allegan Street, Room 207, Lansing, Michigan 48933, Telephone: (517) 702-1835, Fax: 377-1804, email [james.kirschensteiner@fhwa.dot.gov](mailto:james.kirschensteiner@fhwa.dot.gov)

**SUPPLEMENTARY INFORMATION:** The FHWA, in cooperation with the Michigan Department of Transportation, will prepare an environmental impact statement (EIS) on a proposal to add an additional through travel lane in each direction on I-75 between 8-Mile Road and M-59 to bring the total number of through travel lanes to four in each direction, together with other improvements. Improvements are considered necessary to provide for improved travel on I-75, which is already highly congested through much of the day. The EIS will include the evaluation of recommendations from the previous I-75 Corridor Feasibility Study (November 2000), including a through analysis of transit alternatives utilizing the Southeast Michigan Council of governments (SEMCOG) Transit Vision and the 1999 Southeast Michigan High Occupancy Vehicle (HOV) Feasibility Study. The Feasibility Study recommended the addition of a fourth lane in those areas where it is needed to provide four through lanes, improving several interchanges, and implementing intelligent transportation systems (ITS) throughout the corridor.

Alternatives under consideration include (1) taking no action; (2) providing mass transit; (3) implementing transportation system management and/or transportation demand management techniques; (4) developing the proposed lanes for use

either all day or during a portion of the day by high occupancy vehicles (carpools, vanpool, and buses) only; and (5) developing normal, unrestricted freeway travel lanes.

Letters describing the proposed action and soliciting comments will be sent to appropriate federal, state, and local agencies, and to private organizations and citizens who have previously expressed or are known to have an interest in this proposal. Five rounds of public meetings were held during the Feasibility Study phase during 1999 and 2000. Additional meetings and a public hearing are planned. Public notice will be given of the time and place of the hearing(s). The draft EIS will be available for public and agency review and comment prior to the public hearing. NO formal scoping meeting is planned at this time.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation of Federal programs and activities apply to this program.)

Issued on May 30, 2002

**James J. Steele,**

*Division Administrator Lansing, Michigan.*  
[FR Doc. 02-15085 Filed 6-13-02; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### [STB Finance Docket No. 34206]

#### Permian Basin Railways, Inc.— Continuance in Control Exemption— West Texas and Lubbock Railway Company, Inc. and Austin & Northwestern Railroad Company, Inc.

Permian Basin Railways, Inc. (Permian), a noncarrier holding company, has filed a verified notice of exemption to (1) acquire control through stock purchase of Austin & Northwestern Railroad Company, Inc. (Austin),<sup>1</sup> a Class III rail carrier, and (2) continue in control of Austin and West Texas and Lubbock Railway Company,

Inc. (Railway), upon Railway's becoming a Class III railroad.

This transaction was scheduled to be consummated on or after the May 24, 2002 effective date of the exemption, 7 days after the exemption was filed.

This transaction is related to STB Docket No. 34205, *West Texas and Lubbock Railway Company, Inc.—Acquisition and Operation Exemption—West Texas Lubbock Railroad Company, Inc.*, wherein Railway seeks to acquire and operate approximately 107 miles of rail line by lease (with a future purchase option) and assumption of trackage rights from West Texas Lubbock Railroad Company, Inc.

Permian states that: (i) The railroads will not connect with each other or any railroads in their corporate family; (ii) the continuance in control is not part of a series of anticipated transactions that would connect the railroads with each other or any railroad in their corporate family; and (iii) the transaction does not involve a Class I carrier.

Therefore, the transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. *See* 49 CFR 1180.2(d)(2).

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. Section 11326(c), however, does not provide for labor protection for transactions under sections 11324 and 11325 that involve only Class III rail carriers. Because this transaction involves Class III rail carriers only, the Board, under the statute, may not impose labor protective conditions for this transaction.

If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34206, must be filed with the Surface Transportation Board, Case Control Unit, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on John D. Heffner, 555 12th Street, NW., Suite 950N, Washington, DC 20004.

Boards decisions and notices are available on our website at "[www.stb.dot.gov](http://www.stb.dot.gov)."

Decided: June 7, 2002.

<sup>1</sup> *See Austin & Northwestern Railroad Company, Inc.—Acquisition and Operation Exemption—Missouri Pacific Railroad Company*, Finance Docket No. 31444 (ICC served May 22, 1989).