

with a **Federal Register** notice notifying the public that project activity has been terminated. As always, FHWA encourages State DOTs to work with their FHWA Division Office to determine when it is most prudent to initiate an EIS in order to best balance available resources as well as the expectations of the public.

The FHWA is issuing this notice to advise the public that 12 States (California, Colorado, Idaho, Indiana, Massachusetts, Minnesota, Mississippi, Missouri, New York, Ohio, Pennsylvania, Tennessee) have recently rescinded previously issued NOIs for 17 EISs for proposed highway projects. A listing of these projects, general location, original NOI date of publication in the **Federal Register**, and the date that the NOI was formally rescinded by notice published in the **Federal Register**, is provided below.

The FHWA Division Offices, in consultation with the State DOTs, determined that eight of these projects were no longer viable projects and have formally cancelled those projects. The projects are: Northwest Corridor/

Northwest Parkway project in Broomfield and Jefferson Counties, Colorado; TH 169 in Millie Lacs and Crow Wing Counties, Minnesota; TH 10 project in Sherburne County, Minnesota; TH 10 in Otter Tail and Wadena Counties, Minnesota; TH 14 in Olmsted County, Minnesota; I 55 connection to I 20 in Hinds and Madison Counties, Mississippi; improvements to the transportation system in Lawrence, Christian and Greene Counties, Missouri; and US-127 and SR-63/SR-4 Interchange highway improvements near Trenton in Butler County, Ohio.

The FHWA Division Offices, in consultation with the State DOTs, determined that seven projects should be reevaluated and, or reduced in scope. In California, the US 395 project from I 15 to Farmington Road in San Bernardino County is being reduced in scope; the I 5 HOV Truck Lanes project between SR 14 and Parker Road in Los Angeles County has been reviewed and will now be processed with an EA. In Idaho, the I 84 Karcher Interchange project in Ada and Canyon Counties

will now most likely be processed as an EA. In Indiana, the proposed relocation of railroad lines in Knox County, Indiana and Lawrence County, IL will be reduced in scope. In Massachusetts, the Berkley-Dighton Bridge over the Taunton River, Bristol County project has been reduced in scope and now meets the criteria for a CE. In New York, the Millennium Parkway project in Chautauqua County has been reduced in scope and now meets the criteria for a CE. In Pennsylvania, SR 56 in Johnstown has been reduced in scope and now meets the criteria for a CE.

In addition, the FHWA Division Office, in consultation with the State DOT, determined that two projects in Tennessee had changed project limits and impacts therefore it was best to rescind the original NOIs and issue new NOIs. The SR 374 project from SR 13 to SR 76 in Montgomery County, Tennessee will reissue an NOI. The North Second Street Connector project in Shelby County issued a new NOI on February 5, 2009.

State	Project name—location	NOI date	Rescinded date
CA	U.S. 395 Realignment—San Bernardino County	7/5/2006	10/30/2008
CA	Interstate 5 (I-5) HOV Truck Lanes SR14 and Parker Road Interchange—Los Angeles County.	5/10/2007	11/10/2008
CO	Northwest Corridor/Northwest Parkway—Broomfield and Jefferson Counties	7/21/2003	7/1/2008
ID	I 84 Karcher Interchange—Ada and Canyon Counties	7/17/2007	7/17/2008
IN	Railroad Line Relocations—Knox County, Indiana and Lawrence County Illinois	3/16/2007	11/25/2008
MA	Berkley-Dighton Bridge over the Taunton River—Bristol County	10/9/1985	6/19/2008
MN	TH 169—Mille Lacs and Crow Wing Counties	7/17/2000	7/8/2009
MN	Tier 1—TH 10—Sherburne County	2/4/2002	
MN	TH 10—Otter Tail and Wadena Counties	7/28/2003	10/10/2008
MN	TH 14—Olmstead County	3/27/2003	10/10/2008
MS	Interstate Facility Connecting I-55 with I-20—Hinds and Madison Counties	10/7/2002	10/10/2008
MO	Transportation System in Lawrence Christian and Green Counties	8/10/2007	10/1/2008
NY	Millennium Parkway Project Chautauqua County	(1)	1/23/2009
OH	Highway Improvement Project US-127 and SR-63/SR-4 Interchange—Trenton, Butler County.	12/27/2007	3/3/2009
PA	SR 56—Johnstown	10/6/2000	6/30/2008
TN	State Route 374, State Route 13, State Route 76—Montgomery County	7/14/2001	10/1/2008
TN	North Second Street Connector—Shelby County	11/12/1996	12/24/2008
TN		11/2/2002	12/24/2008

¹ Unknown.

(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.)

Issued on: May 14, 2009.

Jeffrey F. Paniati,

Acting Deputy Federal Highway Administrator.

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 35249]

Kern W. Schumacher—Continuance in Control Exemption—Granada Railway, LLC and Natchez Railway, LLC

Kern W. Schumacher (Mr. Schumacher), a noncarrier, has filed a verified notice of exemption under 49 CFR 1180.2(d)(2) to continue in control of Granada Railway, LLC (Granada), and Natchez Railway, LLC (Natchez), upon

Granada's and Natchez's becoming Class III rail carriers.

This transaction is related to a concurrently filed verified notice of exemption in STB Finance Docket No. 35247, *Granada Railway, LLC—Acquisition and Operation Exemption—Illinois Central Railroad Company and Waterloo Railway Company*, wherein Granada seeks to acquire from the Illinois Central Railroad Company (ICR) and to operate an approximately 175.4-mile rail line between milepost 403.0 at Southhaven, MS, and milepost 703.8 near Canton, MS, and to acquire from

Waterloo Railway Company (WLOO) approximately 11.42 miles of line between milepost 603.0 at Water Valley Junction, MS, and milepost 614.42 at Bruce Junction, MS. This transaction is also related to STB Finance Docket No. 35248, *Natchez Railway, LLC—Acquisition and Operation Exemption—Illinois Central Railroad Company*, wherein Natchez seeks to acquire from ICR and to operate approximately 65.6 route miles of rail line between milepost 86.0 near Brookhaven, and milepost 148.34 in Natchez, including the International Paper Spur in Natchez, all in Mississippi.

The transactions are scheduled to be consummated on or after June 12, 2009 (30 days after the notices of exemption were filed).

Mr. Schumacher is a noncarrier that currently controls four rail carriers: the Tulare Valley Railroad Company; Kern Valley Railroad Company; V&S Railroad, Inc.; and Gloster Southern Railroad Company LLC. Mr. Schumacher states that Grenada and Natchez are two newly organized Class III rail carriers. Under the purchase agreement between Grenada, ICR, and WLOO, ICR granted Grenada the right to operate on its tracks to Memphis, TN, on the north, and to Canton on the south for the sole purpose of interchanging traffic with ICR. Also, ICR will retain overhead trackage rights on the line of railroad it is selling to Grenada.

Mr. Schumacher states that: (1) The rail lines to be acquired do not connect with each other or with the lines of any other railroad controlled by Mr. Schumacher; (2) the continuance in control is not part of a series of anticipated transactions that would connect the rail lines with each other or with any railroads controlled by Mr. Schumacher; and (3) the transaction does not involve a Class I railroad. 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. Accordingly, the Board may not impose labor protective conditions here, because all of the carriers involved are Class III carriers.

If the verified 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 effectiveness of the exemption. Petitions for stay must be filed no later than June 5, 2009 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 35249, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423–0001. In addition, a copy must be served on Fritz R. Kahn, Fritz R. Kahn, P.C., 1920 N Street, NW., Eighth Floor, Washington, DC 20036.

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: May 21, 2009.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

Kulunie L. Cannon,
Clearance Clerk.

[FR Doc. E9–12366 Filed 5–28–09; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 35248]

Natchez Railway, LLC—Acquisition and Operation Exemption—Illinois Central Railroad Company

Natchez Railway, LLC (Natchez), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire and operate approximately 65.6 route miles of rail line owned by Illinois Central Railroad Company (ICR) between milepost 86.0 near Brookhaven, MS, and milepost 148.34 in Natchez, MS, including the International Paper Spur in Natchez.

This transaction is related to a concurrently filed verified notice of exemption in STB Finance Docket No. 35249, *Kern W. Schumacher—Continuance in Control Exemption—Grenada Railway, LLC and Natchez Railway, LLC*, wherein Kern W. Schumacher seeks to continue in control of Grenada Railway, LLC (Grenada), and Natchez Railway, LLC, upon their becoming Class III rail carriers.¹

The transaction is expected to be consummated on or shortly after June 12, 2009 (30 days after the exemption was filed).

¹ STB Finance Docket No. 35249 is also related to STB Finance Docket No. 35247, *Grenada Railway, LLC—Acquisition and Operation Exemption—Illinois Central Railroad Company and Waterloo Railway Company*, wherein Grenada has filed a notice of exemption to acquire and operate lines of ICR and Waterloo Railway Company.

Natchez certifies that, as a result of the proposed transaction, it will not become a Class II or Class I rail carrier and further certifies that its projected annual revenue will not exceed \$5 million.

Pursuant to the Consolidated Appropriations Act, 2008, Public Law 110–161, section 193, 121 Stat. 1844 (2007), nothing in this decision authorizes the following activities at any solid waste rail transfer facility: collecting, storing, or transferring solid waste outside of its original shipping container; or separating or processing solid waste (including baling, crushing, compacting, and shredding). The term “solid waste” is defined in section 1004 of the Solid Waste Disposal Act, 42 U.S.C. 6903.

If the verified 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 effectiveness of the exemption. Petitions for stay must be filed no later than June 5, 2009 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 35248, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423–0001. In addition, a copy of each pleading must be served on Fritz R. Kahn, Fritz R. Kahn, P.C., 1920 N Street, NW., (8th floor), Washington, DC 20036.

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: May 21, 2009.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

Kulunie L. Cannon,
Clearance Clerk.

[FR Doc. E9–12368 Filed 5–28–09; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 35247]

Grenada Railway, LLC—Acquisition and Operation Exemption—Illinois Central Railroad Company and Waterloo Railway Company

Grenada Railway, LLC (Grenada), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire (by purchase) from the Illinois Central Railroad Company (ICR) and to operate a rail line approximately 175.4