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Carla Scott,

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. FD 35392]

Gregory B. Cundiff, Connie Cundiff, CGX, Inc. and Ironhorse Resources, Inc.—Continuance in Control Exemption—Gardendale Railroad, Inc.

Gregory B. Cundiff (Mr. Cundiff), Connie Cundiff (Mrs. Cundiff), CGX, Inc. (CGX), and Ironhorse Resources, Inc. (Ironhorse) (collectively, applicants), all noncarriers, jointly have filed a verified notice of exemption to continue in control of Gardendale Railroad, Inc. (GRI), upon GRI becoming a Class III rail carrier.

This transaction is related to a concurrently filed verified notice of exemption in Docket No. FD 35391, *Gardendale Railroad—Operation Exemption—Rail Line of Border Transload & Transfer, Inc. at Gardendale, LaSalle County, Tex.* In that proceeding, GRI seeks an exemption under 49 CFR 1150.31 to operate 1.86 miles of rail line owned by Crystal City Railroad, Inc., extending between specified points in Texas.

The applicants intend to consummate the transaction no sooner than August 13, 2010, the effective date of the exemption (30 days after the exemption was filed).

GRI is owned by Ironhorse, a noncarrier holding company. Ironhorse is owned by CGX, a noncarrier holding company. CGX is owned by Mr. and Mrs. Cundiff, individuals who are noncarriers. CGX owns the following rail carriers: Crystal City Railroad, Inc., Lone Star Railroad, Inc., Rio Valley Railroad, Inc., and Mississippi Tennessee Holdings, LLC. Ironhorse owns the following carriers: Railroad Switching Service of Missouri, Texas Railroad Switching, Inc., Rio Valley Switching Company, Southern Switching Company, Mississippi Tennessee Railroad, LLC, and GRI.

Applicants certify that: (1) The rail line to be operated by GRI does not connect with any other railroads in their corporate family; (2) the continuance in control is not part of a series of anticipated transactions that would connect this rail line with any other railroad in their corporate family; and

(3) the transaction does not involve a Class I rail 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 §§ 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 are Class III carriers.

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 effectiveness of the exemption. Stay petitions must be filed no later than August 6, 2010 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35392, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Thomas F. McFarland, Thomas F. McFarland, P.C., 208 South LaSalle Street, Suite 1890, Chicago, Ill. 60604.

Board decisions and notices are available on our Web site at www.stb.dot.gov.

Decided: July 23, 2010.

By the Board, Joseph H. Dettmar, Acting Director, Office of Proceedings.

Jeffrey Herzig,
Clearance Clerk.

[FR Doc. 2010-18592 Filed 7-29-10; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

Intent To Prepare an Environmental Impact Statement for a Proposed Light Rail Transit Line in Detroit, MI

AGENCY: Federal Transit Administration (FTA), DOT.

ACTION: Notice of Intent to Prepare an Environmental Impact Statement.

SUMMARY: The Federal Transit Administration (FTA), as the federal lead agency, and the City of Detroit (the City) intend to prepare an Environmental Impact Statement (EIS) for the proposed Woodward Avenue Light Rail Transit (LRT) project in

Detroit, Michigan. The proposed project, described more completely within, is an LRT line that would begin in downtown Detroit near the Detroit River and extend northwest along Woodward Avenue (M-1), terminating near Eight-Mile Road (M-102) in Detroit, Wayne County, Michigan. The purpose of this notice is to alert interested parties regarding the intent to prepare the EIS, to provide information on the nature of the proposed project and possible alternatives, and to invite public participation in the EIS process.

DATES: Written comments on the scope of the EIS, including the project's purpose and need, the alternatives to be considered, the impacts to be evaluated, and the methodologies to be used in the evaluations should be sent to the Headquarters office of FTA on or before September 13, 2010. See **ADDRESSES** below for the address to which written comments may be sent. A public scoping meeting, at which questions about the project will be addressed and written comments will be accepted, will be held on the following date:

- Saturday, August 14, 2010; 11 a.m. to 1 p.m.; at the Considine Little Rock Family Life Center (Auditorium), 8904 Woodward Avenue, Detroit, MI 48202. Telephone (313) 876-0131
- Saturday, August 14, 2010; 5 p.m. to 7 p.m.; at the Considine Little Rock Family Life Center (Auditorium), 8904 Woodward Avenue, Detroit, MI 48202. Telephone (313) 876-0131

The building used for the scoping meetings is accessible to persons with disabilities. Any individual who requires special assistance, such as a sign language interpreter, to participate in the scoping meeting should contact Linnette Phillips, Public Involvement Coordinator, at Pierce, Monroe & Associates, LLC at (313)-961-1940 or lphillips@pierce-monroe.com, five days prior to the meeting.

Information describing the project purpose and need and the alternatives proposed for analysis will be available at the meetings and on the project Web site at <http://www.woodwardlightrail.com>. Paper copies of the information materials may also be obtained from Mr. Tim Roseboom, Manager, Strategic Planning & Scheduling Division, City of Detroit Department of Transportation at (313)-833-1196 or timros@detroitmi.gov. Representatives of Native American tribal governments and of all federal, state, regional and local agencies that may have an interest in any aspect of the project will be invited to be participating or cooperating agencies, as appropriate.