

**DEPARTMENT OF STATE****[Public Notice: 9518]****Culturally Significant Objects Imported for Exhibition Determinations: “Slavery and Freedom” Exhibition**

**SUMMARY:** Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), E. O. 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236–3 of August 28, 2000 (and, as appropriate, Delegation of Authority No. 257–1 of December 11, 2015), I hereby determine that the objects to be included in the exhibition “Slavery and Freedom,” imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to a loan agreement with the foreign owner or custodian. I also determine that the exhibition or display of the exhibit objects at the Smithsonian National Museum of African American History and Culture, Washington, District of Columbia, from on or about September 24, 2016, until on or about July 1, 2026, and at possible additional exhibitions or venues yet to be determined, is in the national interest. I have ordered that Public Notice of these Determinations be published in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** For further information, including a list of the imported objects, contact the Office of Public Diplomacy and Public Affairs in the Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: [section2459@state.gov](mailto:section2459@state.gov)). The mailing address is U.S. Department of State, L/PA, SA–5, Suite 5H03, Washington, DC 20522–0505.

Dated: April 11, 2016.

**Mark Taplin,**

*Deputy Assistant Secretary for Policy, Bureau of Educational and Cultural Affairs, Department of State.*

[FR Doc. 2016–08769 Filed 4–14–16; 8:45 am]

**BILLING CODE 4710–05–P****DEPARTMENT OF STATE****[Public Notice: 9517]****Culturally Significant Objects Imported for Exhibition Determinations: “Dadaglobe Reconstructed” Exhibition**

**SUMMARY:** Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of

October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), E.O. 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236–3 of August 28, 2000 (and, as appropriate, Delegation of Authority No. 257–1 of December 11, 2015), I hereby determine that the objects to be included in the exhibition “Dadaglobe Reconstructed,” imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to loan agreements with the foreign owners or custodians. I also determine that the exhibition or display of the exhibit objects at The Museum of Modern Art, New York, New York, from on or about June 12, 2016, until on or about September 18, 2016, and at possible additional exhibitions or venues yet to be determined, is in the national interest. I have ordered that Public Notice of these Determinations be published in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** For further information, including a list of the imported objects, contact the Office of Public Diplomacy and Public Affairs in the Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: [section2459@state.gov](mailto:section2459@state.gov)). The mailing address is U.S. Department of State, L/PA, SA–5, Suite 5H03, Washington, DC 20522–0505.

Dated: April 11, 2016.

**Mark Taplin,**

*Deputy Assistant Secretary for Policy, Bureau of Educational and Cultural Affairs, Department of State.*

[FR Doc. 2016–08771 Filed 4–14–16; 8:45 am]

**BILLING CODE 4710–05–P****SURFACE TRANSPORTATION BOARD****[Docket No. FD 36005]****KCVN, LLC and Colorado Pacific Railroad, LLC—Feeder Line Application—Line of V and S Railway, LLC, Located in Crowley, Pueblo, Otero, and Kiowa Counties, Colorado**

On March 18, 2016, KCVN, LLC (KCVN) and its wholly owned subsidiary, Colorado Pacific Railroad, LLC (Colorado Pacific) (collectively applicants) jointly filed an application under the feeder line provision at 49 U.S.C. 10907 to acquire a 121.9-mile line of railroad owned by V and S Railway, LLC (V&S) in southeast Colorado. The line, known as the Towner Line, extends between milepost 747.5 near Towner and milepost 869.4

near NA Junction in Pueblo, Crowley, Kiowa, and Otero Counties, Colo. As discussed below, the application is substantially complete and will be accepted. However, the applicants should provide certain supplemental material described below by April 29, 2016. This decision also establishes a procedural schedule.

**Background**

The Towner Line has been the subject of two other Board proceedings during the past two years. In Docket No. NOR 42140, KCVN, the Colorado Wheat Administrative Committee, the Colorado Association of Wheat Growers, and the Colorado Wheat Research Foundation (collectively, the Colorado Interests) filed a complaint on October 28, 2014, alleging that V&S violated 49 U.S.C. 11101 and 10903 by removing certain track and related assets from a segment of the Towner Line (the Western Segment) without first seeking abandonment authority.<sup>1</sup> On May 7, 2015, the Board partially granted the Colorado Interests’ concurrently filed motion for preliminary injunction, and barred V&S from removing and dismantling track and related assets from the Western Segment pending the Board’s ruling on the complaint. Thereafter the parties moved to hold the complaint case in abeyance pending V&S’s decision to seek abandonment authority for the Towner Line. The Board granted this request in a decision served on July 17, 2015, and the complaint case remains in abeyance.

On August 3, 2015, V&S filed a verified notice of exemption in Docket No. AB 603 (Sub-No. 4X) to abandon the Towner Line, as it had agreed to do in Docket No. NOR 42140. The Board served and published notice of the exemption in the **Federal Register**, and KCVN and Colorado Pacific sought information from V&S to allow them to file an offer of financial assistance under 49 U.S.C. 10904 to purchase the line. V&S provided the information, but that information suggested that the Towner Line passes through a county and zip code not included in V&S’s verified notice. The Board therefore directed V&S to supplement its verified notice if necessary. Rather than filing a supplement, V&S attempted to amend the notice to seek authority to only discontinue operations over the Towner Line rather than abandon it. KCVN opposed that amendment. In a decision served on January 15, 2016, the Board

<sup>1</sup> The Western Segment extends between milepost 808.3 near Haswell, Colo., and milepost 868.5, which is approximately 0.9 miles short of the Towner Line’s western terminus at milepost 869.4.

rejected V&S's November 30 amendment. The Board found that, if V&S wished to pursue discontinuance authority for the Towner Line, it must either file a petition for exemption under 49 U.S.C. 10502 or a formal application under 49 U.S.C. 10903. The Board further stated that V&S could supplement its original notice of exemption if it instead decided to continue seeking abandonment authority. On January 27, 2016, V&S gave notice of its desire to withdraw its notice of exemption seeking abandonment authority.<sup>2</sup>

On March 18, 2016, KCVN and Colorado Pacific initiated this proceeding by filing a feeder line application under 49 U.S.C. 10907 to acquire the Towner Line and 12 miles of related track and facilities. Under section 10907(b)(1), the Board is authorized to require the sale of a rail line to a financially responsible person if the public convenience and necessity require or permit the sale.<sup>3</sup> The applicants claim that the proposed sale is required under the public convenience and necessity criterion and that Colorado Pacific is a financially responsible person willing to pay not less than the constitutional minimum value of the line. The applicants allege that V&S engaged in a systemic plan to drive traffic off the Towner Line with the ultimate aim of abandoning it and selling the line's rail assets. The applicants assert that V&S raised rates to a prohibitive level around 2011 and engaged in other behavior forcing traffic off the line rather than meeting its common carrier obligation and maintaining the line. The applicants argue that the Board has found previously that this type of behavior can lead to a forced sale under the feeder line statute. *See Keokuk Junction Ry.—Feeder Line Acquis.—Line of Toledo Peoria & W. Ry. Between La Harpe & Hollis, Ill.*, 7 S.T.B. 893 (2004).

According to the applicants, Colorado Pacific seeks to acquire the Towner Line and its related track and facilities and lease them to a connecting carrier, Kansas & Oklahoma Railroad (K&O), to operate. Although the parties are still in negotiations, the applicants provide a supporting verified statement from a representative of K&O's owner. The

<sup>2</sup> Withdrawal of the notice of abandonment exemption will be addressed in a separate decision.

<sup>3</sup> The Board also is to require a sale to a financially responsible person if the line is currently in category 1 or 2 of the owning railroad's system diagram map and the owning railroad has not filed an application to abandon the line. *See* 49 U.S.C. 10907(b)(1)(A)(ii); 49 CFR 1151.1. The applicants argue that the Towner Line also satisfies this criterion.

applicants also include verified statements supporting the application from a local farmer and representatives of Bartlett Grain Co., LP, Tallman Grain Co., Inc., and Thunderbird L&L, Inc.

The applicants state that Colorado Pacific offers to buy the Towner Line for its net liquidation value (NLV), which the applicants estimate to be \$2,594,551, rather than the line's going concern value (GCV), which they estimate to be \$0 given that V&S provides no service. The applicants assert that rehabilitating the Towner Line would cost an additional \$3,500,000, bringing the total cost to restore service to \$6 million. The applicants claim that Colorado Pacific can afford these costs and that it is financially responsible. Specifically, they note that KCVN would fund Colorado Pacific's acquisition and other expenses with cash. As support, they provide a KCVN account statement showing assets of approximately \$6.5 million. The applicants also note that KCVN owns 58,000 acres of farmland primarily dedicated to dryland wheat within 25 miles of the Towner Line, which collectively are valued at approximately \$50 million (Application 8), and that KCVN has wealthy principals and would make funds available to meet additional acquisition, rehabilitation, maintenance, and operations costs if necessary (Application, Exhibit A at 5).

#### Discussion and Conclusions

Under 49 CFR 1151.2(b), the Board, through the Director of the Office of Proceedings, must accept a complete feeder line application, or reject one that is incomplete, no later than 30 days after the application is filed. An application is complete if it has been properly served<sup>4</sup> and contains substantially all the information required by § 1151.3, except as modified by advance waiver. 49 CFR 1151.2(b)(1). Notice of an acceptance must be published in the **Federal Register** and provide a procedural schedule for the proceeding. *Id.*

The Board has determined that the applicants have provided substantially all the information required by § 1151.3 and therefore accepts the feeder line application. The applicants should provide some additional information, described below, for the Board's consideration as the feeder line case proceeds.<sup>5</sup> *See Ore. Int'l Port of Coos*

<sup>4</sup> As originally filed, the application failed to indicate service on the Board of County Commissioners of Otero County, Colo., but that omission was remedied by a certificate of service filed on March 28, 2016.

<sup>5</sup> KCVN and Colorado Pacific request that the Board accept their application for filing subject to

*Bay—Feeder Line Application—Coos Bay Line of Cent. Ore. & Pac. R.R.*, FD 35160 (STB served Aug. 1, 2008) (accepting the feeder line application, but encouraging the applicant to provide supplemental material).

*Financial Responsibility* (1151.3(a)(3)). An application must include information sufficient to demonstrate that it is a financially responsible person, able to pay the higher of the NLV or GCV of the line and to cover expenses associated with providing service over the line for at least the first three years after the line is acquired. Based on the information in the application, Colorado Pacific appears to have access to considerable funds to pay the expenses of acquiring and rehabilitating the Towner Line.<sup>6</sup> Colorado Pacific states that it does not anticipate incurring operating costs because they would be borne by K&O, the anticipated operator. Nonetheless, the applicants should provide financial statements showing a breakdown of three years of K&O service costs, including maintenance costs, to fully demonstrate that Colorado Pacific or KCVN could cover any revenue shortfall during the first three years.

*Operating Plan* (1151.3(a)(7)). Although the applicants and K&O have provided basic information about the common carrier freight operations K&O would perform, they indicate that the specifics of an operating plan are still being developed. The applicants should provide the Board with more detail, including an estimate of the average number of trains anticipated to be operated over the line per day.

*Liability Insurance* (1151.3(a)(8)). Colorado Pacific and K&O anticipate that the lease and operating agreement they are negotiating would provide that K&O secure and maintain at all times an insurance policy from a reputable insurance company that provides for commercial liability coverage in an amount not less than \$25 million. In addition to the information provided in the application, the applicants should also submit to the Board a certificate of K&O's existing insurance coverage over its current system.

#### Procedural Schedule

The procedural schedule is as follows:

any environmental reporting that might be required under 49 CFR 1105.7. The Board will grant this request. The Board's Office of Environmental Analysis will determine what, if any, environmental review is required in this case and coordinate with the applicants. A historic report is not required here because the proposal clearly falls within the exception at 49 CFR 1105.8(b)(1).

<sup>6</sup> The applicants state that no financial statements are available because Colorado Pacific is a new company.

Any supplement by KCVN and Colorado Pacific to their application is due by April 29, 2016.

Competing applications by other parties seeking to acquire all or any portion of the Towner Line are due by May 16, 2016. See 49 CFR 1151.2(c)(1).

Verified statements and comments addressing both the initial and competing applications must be filed by June 14, 2016. See 49 CFR 1151.2(e).

Verified replies by applicants and other interested parties must be filed by July 5, 2016. See 49 CFR 1151.2(f).

*It is ordered:*

1. KCVN's and Colorado Pacific's feeder line application is accepted and notice will be published in the **Federal Register**.

2. The above schedule will govern this proceeding.

3. This decision is effective on its service date.

Decided: April 12, 2016.

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

**Kenyatta Clay,**

*Clearance Clerk.*

[FR Doc. 2016-08785 Filed 4-14-16; 8:45 am]

**BILLING CODE 4915-01-P**

## TENNESSEE VALLEY AUTHORITY

### Meeting of the Regional Energy Resource Council

**AGENCY:** Tennessee Valley Authority (TVA).

**ACTION:** Notice of meeting.

**SUMMARY:** The TVA Regional Energy Resource Council (RERC) will hold a webinar meeting on Monday, May 2, 2016, to discuss TVA's potential sale of the Bellefonte Nuclear Site.

**DATES:** The webinar meeting will be held on Monday, May 2, 2016 from 10:30 a.m. to 12:00 p.m. EDT.

**ADDRESSES:** The meeting will be conducted by webinar only. To request accommodation for a disability, please contact Beth Keel (contact information below) at least a week in advance of the webinar.

**FOR FURTHER INFORMATION CONTACT:** Beth Keel, 400 West Summit Hill Drive, WT-11 B, Knoxville, Tennessee 37902, (865) 632-6113.

**SUPPLEMENTARY INFORMATION:** The RERC was established to advise TVA on its energy resource activities and the priorities among competing objectives and values. Notice of this meeting is given under the Federal Advisory Committee Act (FACA), 5 U.S.C. App. 2.

The meeting agenda includes the following:

1. Welcome and Introductions
2. Update on the Bellefonte Nuclear Plant Site
3. Summary of Public Comments received
4. Council discussion

The webinar is open to the public, through registration by phone or email (call Beth Keel, (865) 632-6113, or email [bakeel@tva.gov](mailto:bakeel@tva.gov)). No oral comments from the public will be accepted during the webinar session. The public may provide written comments to the RERC at any time through links on TVA's Web site at [www.tva.com/merc](http://www.tva.com/merc) or by mailing written comments to the Regional Energy Resource Council, Tennessee Valley Authority, 400 West Summit Hill Drive, WT-11 B, Knoxville, Tennessee 37902.

Dated: April 8, 2016.

**Joseph J. Hoagland,**

*Vice President, Stakeholder Relations,  
Tennessee Valley Authority.*

[FR Doc. 2016-08722 Filed 4-14-16; 8:45 am]

**BILLING CODE 8120-08-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[Docket No: FAA-2011-0786]

#### Deadline for Notification of Intent To Use the Airport Improvement Program (AIP) Primary, Cargo, and Nonprimary Entitlement Funds Available to Date for Fiscal Year 2016

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice.

**SUMMARY:** The Federal Aviation Administration (FAA) announces May 2, 2016, as the deadline for each airport sponsor to notify the FAA whether or not it will use its fiscal year 2016 entitlement funds available under Section 47114 of Title 49, United States Code, to accomplish Airport Improvement Program (AIP) eligible projects that the airport sponsor previously identified through the Airports Capital Improvement Plan (ACIP) process during the preceding year.

The airport sponsor's notification must address all entitlement funds available to date for fiscal year 2016, as well as any entitlement funds not obligated from prior years. After Friday, July 1, 2016, the FAA will carry-over the remainder of currently available entitlement funds, and these funds will not be available again until at least the beginning of fiscal year 2017. Currently, the AIP has 79 percent of the

entitlements available through July 15, 2016. If congressional action is taken on future extensions which provide for additional current year and protected entitlements (the remaining 21 percent), the FAA will then work with airport sponsors to adjust accordingly. This notification requirement does not apply to non-primary airports covered by the block-grant program.

**FOR FURTHER INFORMATION CONTACT:** Mr. Frank J. San Martin, Manager, Airports Financial Assistance Division, APP-500, on (202) 267-3831.

**SUPPLEMENTARY INFORMATION:** Title 49 of the United States Code, section 47105(f), provides that the sponsor of each airport to which funds are apportioned shall notify the Secretary by such time and in a form as prescribed by the Secretary, of the airport sponsor's intent to apply for its apportioned funds, also called entitlement funds. Therefore, the FAA is hereby notifying such airport sponsors of the steps required to ensure that the FAA has sufficient time to carry-over and convert remaining entitlement funds, due to processes required under federal laws. This notice applies only to those airports that have had entitlement funds apportioned to them, except those nonprimary airports located in designated block-grant States. Airport sponsors intending to apply for any of their available entitlement funds, including those unused from prior years, shall make their intent known by 12:00 p.m. prevailing local time on Monday, May 2, 2016, consistent with prior practice. A written indication must be provided to the designated Airports District Office (or Regional Office in regions without Airports District Offices) stating their intent to submit a grant application no later than close of business Friday, June 17, 2016 and to use their fiscal year 2016 entitlement funds available under Title 49 of the United States Code, section 47114. This notice must address all entitlement funds available to date for fiscal year 2016 including those entitlement funds not obligated from prior years. By Friday, June 17, 2016, airport sponsors that have not yet submitted a final application to the FAA, must notify the FAA of any issues meeting the final application deadline of Friday, July 1, 2016. Absent notification from the airport sponsor by the May 2 deadline and/or subsequent notification by the June 17 deadline of any issues meeting the application deadline, the FAA will proceed after Friday, July 1, 2016 to take action to carry-over the remainder of available entitlement funds without further notice. These funds will not be available