

not contain any federally granted rights-of-way and that it will promptly make available to those requesting it any documentation in its possession relevant to the foregoing statement.

The interest of railroad employees will be protected by the conditions set forth in *Oregon Short Line Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho*, 360 I.C.C. 91 (1979).

By issuance of this notice, the Board is instituting an exemption proceeding pursuant to 49 U.S.C. 10502(b). A final decision will be issued by June 30, 2023.

Because this is a discontinuance proceeding and not an abandonment, interim trail use/rail banking and public use conditions are not appropriate. Because there will be environmental review during any subsequent abandonment, this discontinuance does not require an environmental review. See 49 CFR 1105.6(c)(5), 1105.8(b).

Any offer of financial assistance (OFA) to subsidize continued rail service under 49 CFR 1152.27(b)(2) will be due no later than July 12, 2023, or 10 days after service of a decision granting the petition for exemption, whichever occurs sooner.<sup>2</sup> Persons interested in submitting an OFA must first file a formal expression of intent to file an offer by April 13, 2023, indicating the intent to file an OFA for subsidy and demonstrating that they are preliminarily financially responsible. See 49 CFR 1152.27(c)(1)(i).

All filings in response to this notice must refer to Docket No. AB 1328X and must be filed with the Surface Transportation Board either via e-filing on the Board's website or in writing addressed to 395 E Street SW, Washington, DC 20423-0001. In addition, a copy of each pleading must be served on TRMW's representative, Robert A. Wimbish, Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 800, Chicago, IL 60606-3208. Replies to the petition are due by April 24, 2023.

Persons seeking further information concerning discontinuance procedures may contact the Board's Office of Public Assistance, Governmental Affairs, and Compliance at (202) 245-0238 or refer to the full abandonment and discontinuance regulations at 49 CFR part 1152. Questions concerning environmental issues may be directed to the Board's Office of Environmental Analysis at (202) 245-0294. If you require an accommodation under the

Americans with Disabilities Act, please call (202) 245-0245.

Board decisions and notices are available at [www.stb.gov](http://www.stb.gov).

Decided: March 29, 2023.

By the Board, Mai T. Dinh, Director, Office of Proceedings.

**Tammy Lowery,**  
Clearance Clerk.

[FR Doc. 2023-06942 Filed 3-31-23; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Availability of the Draft Programmatic Environmental Assessment (PEA) for FAA-Recognized Identification Areas (FRIAs)

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of availability; request for comments.

**SUMMARY:** The Federal Aviation Administration (FAA) announces that the Draft Programmatic Environmental Assessment (PEA) for FAA-Recognized Identification Areas (FRIAs) is available for public review and comment.

**DATES:** Send comments on or before May 3, 2023.

**FOR FURTHER INFORMATION CONTACT:** For questions concerning this action, contact Mike Millard, Aviation Safety Inspector/Environmental Specialist, Flight Standards, General Aviation Operations Branch, AFS-830; telephone 1-844-359-6981; email [9-FAA-Drone-Environmental@faa.gov](mailto:9-FAA-Drone-Environmental@faa.gov).

**ADDRESSES:** Send comments with the subject line, "Public Comment on Draft FRIA PEA" on all submitted correspondence using the following method. Email comments to [9-FAA-Drone-Environmental@faa.gov](mailto:9-FAA-Drone-Environmental@faa.gov).

**Privacy:** The FAA will post all comments it receives, without change, including any personal information the commenter provides, to the Final PEA, along with the FAA's response to those comments. For additional information, the applicable system of records notice (SORN), DOT/ALL-14, 73 FR 3316 (Jan. 17, 2008), can be reviewed at <https://www.govinfo.gov/content/pkg/FR-2008-01-17/pdf/E8-785.pdf>.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The Draft PEA analyzes and discloses the potential environmental impacts associated with the establishment of FRIAs, pursuant to the National

Environmental Policy Act. FRIAs may be established in accordance with 14 CFR part 89. A FRIA is a defined geographic area where unmanned aircraft can be flown without remote identification equipment. Both the unmanned aircraft and the pilot must be located within the FRIA's boundaries throughout the operation. In addition, the pilot of the unmanned aircraft must be able to see it at all times throughout the duration of the flight. Only FAA-recognized Community Based Organizations and educational institutions such as primary and secondary schools, trade schools, colleges, and universities are eligible to request the establishment of a FRIA. If the FAA approves the establishment of a FRIA, the approval will be valid for 48 calendar months.

The environmental impacts of approving these limited, location-specific areas for the operations of unmanned aircraft have been considered in a manner consistent with the provisions of the National Environmental Policy Act (NEPA), as amended (42 U.S.C. 4321-4347), the regulations of the Council on Environmental Quality (40 CFR parts 1500-1508), and FAA Order 1050.1F, Environmental Impacts: Policies and Procedures.

A Draft PEA has been prepared and, based on this analysis, the FAA has preliminarily determined there will not be a significant impact to the human environment. As a result, an Environmental Impact Statement (EIS) has not been initiated (40 CFR 1501.6). The FAA intends for this PEA to create efficiencies by establishing a framework that can be used for "tiering," where appropriate, to project-specific actions that require additional analysis. As decisions on specific applications are made, to the extent additional NEPA analysis is required, environmental review will be conducted to supplement the analysis set forth in this PEA.

The Draft PEA is available for review online at the following link: [https://www.faa.gov/uas/advanced\\_operations/nepa\\_and\\_drones](https://www.faa.gov/uas/advanced_operations/nepa_and_drones).

##### Comments Invited

The FAA invites interested stakeholders to submit comments on the Draft PEA, as specified in the **ADDRESSES** section of this Notice. Commenters should include the subject line, "Public Comment on Draft FRIA PEA" on all comments submitted to the FAA. All comments must be provided in English.

The FAA will accept comments in Word, PDF, or email body. No business proprietary information, copyrighted information, or personally identifiable

<sup>2</sup> The filing fee for OFAs can be found at 49 CFR 1002.2(f)(25).

information should be submitted in response to this request. Please be aware that comments submitted may be posted on a Federal website or otherwise released publicly.

The most helpful comments reference a specific recommendation, explain the reason for any recommended change, and include supporting information. The FAA will consider all comments received on or before the closing date. The FAA will also consider late filed comments if it is possible to do so without incurring expense or delay.

Issued in Washington, DC.

**David M. Menzimer,**

*Manager, General Aviation Operations Branch, General Aviation and Commercial Division, Office of Safety Standards, Flight Standards Service.*

[FR Doc. 2023-06805 Filed 3-31-23; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice of Final Federal Agency Actions on Proposed Highway Projects in Texas

**AGENCY:** Texas Department of Transportation (TxDOT), Federal Highway Administration (FHWA), U.S. Department of Transportation.

**ACTION:** Notice of limitation on claims for judicial review of actions by TxDOT and Federal agencies.

**SUMMARY:** This notice announces actions taken by TxDOT and Federal agencies that are final. The environmental review, consultation, and other actions required by applicable Federal environmental laws for these projects are being, or have been, carried out by TxDOT pursuant to an assignment agreement executed by FHWA and TxDOT. The actions relate to various proposed highway projects in the State of Texas. These actions grant licenses, permits, and approvals for the projects.

**DATES:** By this notice, TxDOT is advising the public of final agency actions subject to 23 U.S.C. 139(l)(1). A claim seeking judicial review of TxDOT and Federal agency actions on the highway projects will be barred unless the claim is filed on or before the deadline. For the projects listed below, the deadline is August 31, 2023. If the Federal law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such a claim, then that shorter time period still applies.

**FOR FURTHER INFORMATION CONTACT:** Patrick Lee, Environmental Affairs

Division, Texas Department of Transportation, 125 East 11th Street, Austin, Texas 78701; telephone: (512) 416-2358; email: *Patrick.Lee@txdot.gov*. TxDOT's normal business hours are 8:00 a.m.–5:00 p.m. (central time), Monday through Friday.

**SUPPLEMENTARY INFORMATION:** The environmental review, consultation, and other actions required by applicable Federal environmental laws for these projects are being, or have been, carried out by TxDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 9, 2019, and executed by FHWA and TxDOT.

Notice is hereby given that TxDOT and Federal agencies have taken final agency actions by issuing licenses, permits, and approvals for the highway projects in the State of Texas that are listed below.

The actions by TxDOT and Federal agencies and the laws under which such actions were taken are described in the Categorical Exclusion (CE), Environmental Assessment (EA), or Environmental Impact Statement (EIS) issued in connection with the projects and in other key project documents. The CE, EA, or EIS and other key documents for the listed projects are available by contacting the local TxDOT office at the address or telephone number provided for each project below.

This notice applies to all TxDOT and Federal agency decisions as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. *General:* National Environmental Policy Act (NEPA) [42 U.S.C. 4321–4351]; Federal-Aid Highway Act [23 U.S.C. 109].

2. *Air:* Clean Air Act [42 U.S.C. 7401–7671(q)].

3. *Land:* Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303]; Landscaping and Scenic Enhancement (Wildflowers) [23 U.S.C. 319].

4. *Wildlife:* Endangered Species Act [16 U.S.C. 1531–1544 and Section 1536], Marine Mammal Protection Act [16 U.S.C. 1361], Fish and Wildlife Coordination Act [16 U.S.C. 661–667(d)], Migratory Bird Treaty Act [16 U.S.C. 703–712].

5. *Historic and Cultural Resources:* Section 106 of the National Historic Preservation Act of 1966, as amended [54 U.S.C. 300101 *et seq.*]; Archeological Resources Protection Act of 1977 [16 U.S.C. 470(aa)–11]; Archeological and Historic Preservation Act [54 U.S.C. 312501 *et seq.*]; Native American Grave Protection and Repatriation Act (NAGPRA) [25 U.S.C. 3001–3013].

6. *Social and Economic:* Civil Rights Act of 1964 [42 U.S.C. 2000(d)–2000(d)(1)]; American Indian Religious Freedom Act [42 U.S.C. 1996]; Farmland Protection Policy Act (FPPA) [7 U.S.C. 4201–4209].

7. *Wetlands and Water Resources:* Clean Water Act [33 U.S.C. 1251–1377] (Section 404, Section 401, Section 319); Land and Water Conservation Fund (LWCF) [16 U.S.C. 4601–4604]; Safe Drinking Water Act (SDWA) [42 U.S.C. 300(f)–300(j)(6)]; Rivers and Harbors Act of 1899 [33 U.S.C. 401–406]; Wild and Scenic Rivers Act [16 U.S.C. 1271–1287]; Emergency Wetlands Resources Act [16 U.S.C. 3921, 3931]; TEA–21 Wetlands Mitigation [23 U.S.C. 103(b)(6)(m), 133(b)(11)]; Flood Disaster Protection Act [42 U.S.C. 4001–4128].

8. *Executive Orders:* E.O. 11990 Protection of Wetlands; E.O. 11988 Floodplain Management; E.O. 12898 Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations; E.O. 11593 Protection and Enhancement of Cultural Resources; E.O. 13007 Indian Sacred Sites; E.O. 13287 Preserve America; E.O. 13175 Consultation and Coordination with Indian Tribal Governments; E.O. 11514 Protection and Enhancement of Environmental Quality; E.O. 13112 Invasive Species. (Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction).

The projects subject to this notice are:

1. SH 16 at Kansas City Southern (KCS) Railroad Grade Crossing in Jim Hogg County, Texas. The purpose of the project is to improve the existing SH 16 to provide a safer crossing of the KCS and enhance pedestrian and bicyclist safety within the project limits. On SH 16, the project limits are from Galbraith Street (SH 359) to approximately 600 feet south, and the improvements would include incorporating a curb-and-gutter section and creating a 10-foot-wide shared use pathway in each direction. SH 16 would become elevated up to match the elevation of the KCS railroad with retaining walls. On Hackberry Street, the project limits are from the intersection of SH 16 and Hackberry Street to approximately 210 feet west of the SH 16/Hackberry Street intersection, and the improvements would include sidewalk improvements, realigning the roadway, and transitioning from existing grade to match the grade at SH 16. A curb-and-gutter system would also be created. On Maria Street, the project limits are from the intersection of Hackberry Street and Maria Street to approximately 150 feet southwest of the Hackberry Street/Maria Street