

Following a corridor public hearing in November 1994, a preferred alternative was selected. Subsequently, preliminary design and wetland delineation commenced for the preferred alternative. The results of the wetland delineation indicated that the project would require extensive wetland takings, far more than originally anticipated in earlier studies. As a result of these findings, the U.S. Army Corps of Engineers and other resource agencies indicated that other alternatives should be studied to minimize natural resource impacts. Based on the comments received from various Federal and state agencies the FHWA and NCDOT have agreed not to prepare a Final EIS for the proposed NC 24 improvements from 2.8 miles east of I-95 to I-40.

FHWA and NCDOT are in the process of finalizing the development of a new draft EIS for the proposed project. The new Draft EIS will include full range of alternatives that may utilize sections of existing NC 24 to minimize impacts to natural resources.

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 on Federal programs and activities apply to this program)

Issued on: May 4, 2006.

**Clarence W. Coleman,**

*Operations Engineer, Raleigh, North Carolina.*

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**BILLING CODE 4910-22-M**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

#### **Voluntary Intermodal Sealift Agreement (VISA)/Joint Planning Advisory Group (JPAG)**

**AGENCY:** Maritime Administration, DOT.

**ACTION:** Synopsis of March 28, 2006, meeting with VISA participants.

The VISA program requires that a notice of the time, place, and nature of each JPAG meeting be published in the **Federal Register**. The full text of the VISA program, including these requirements, is published in 70 FR

55947-55955, dated September 23, 2005.

On March 28, 2006, the Maritime Administration (MARAD) and the U.S. Transportation Command (USTRANSCOM) co-hosted a meeting of the VISA JPAG at USTRANSCOM, Scott Air Force Base, Illinois. Meeting attendance was by invitation only, due to the nature of the information discussed and the need for a government-issued security clearance. Of the 52 U.S.-flag carrier corporate participants enrolled in the VISA program 19 companies participated in the JPAG meeting. Two representatives for maritime labor also participated in the meeting. In addition, representatives from MARAD and the Department of Defense attended the meeting.

Brig Gen Paul Selva, USAF, TCJ3, USTRANSCOM, and James Caponiti, Associate Administrator for National Security, MARAD, welcomed the participants. Brig Gen Selva noted that he maintains a deep appreciation of the capabilities the maritime industry delivers to support DOD sealift logistics. Mr. Caponiti remarked that while some progress has been made in recent JPAG meetings regarding the findings of DOD's Mobility Capabilities Study (MCS), future JPAG meetings should provide a more focused operational perspective on how the maritime industry will be able to respond to the MCS assumptions.

The purpose of the JPAG meeting was to brief participants on USTRANSCOM's Turbo Distribution Exercise 2006 and to provide an overview of the Department of Defense's Operations Plan (OPLAN). There was also a discussion related to activation of JPAG participants' capacity and intermodal resources to support the OPLAN.

The following VISA companies participated in the March 28, 2006 JPAG meeting: American President Lines, Ltd.; American Roll-On Roll-Off Carrier, LLC; American Shipping Group; APL Marine Services, Ltd.; APL Maritime Ltd; Central Gulf Lines, Inc.; CP Ships USA, LLC; Crowley Liner Services, Inc.; Crowley Marine Services, Inc.; Farrell Lines Incorporated; Fidelio Limited Partnership; Liberty Global Logistics, LLC; Liberty Shipping Group Limited Partnership; Maersk Line, Limited; Matson Navigation Company, Inc.; Patriot Shipping, LLC; Patriot Titan, LLC; Sealift Inc.; and Waterman Steamship Corporation.

**FOR FURTHER INFORMATION CONTACT:** Mr. Taylor E. Jones II, Director, Office of Sealift Support, (202) 366-2323.

(Authority: 49 CFR 1.66).

By Order of the Maritime Administrator.

Dated: May 5, 2006.

**Joel C. Richard,**

*Secretary.*

[FR Doc. E6-7156 Filed 5-10-06; 8:45 am]

**BILLING CODE 4910-81-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-55 (Sub-No. 667X)]

#### **CSX Transportation, Inc.— Abandonment Exemption—in Harlan County, KY**

CSX Transportation, Inc. (CSXT) has filed a notice of exemption under 49 CFR 1152 subpart F—*Exempt Abandonments* to abandon a 12.56-mile rail line on its Southern Region, Huntington Division-West, Cumberland Valley Subdivision, from milepost OWH 258.5 to the end of the track at milepost OWH-271.06, in Harlan County, KY. The line traverses United States Postal Service Zip Codes 40828, 40843 and 40927.

CSXT has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) any overhead traffic can be rerouted over other lines; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment and discontinuance shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on June 10, 2006, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,<sup>1</sup>

<sup>1</sup> The Board will grant a stay if an informed decision on environmental issues (whether raised

formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),<sup>2</sup> and trail use/rail banking requests under 49 CFR 1152.29 must be filed by May 22, 2006. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by May 31, 2006, with: the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to CSXT's representative: Steven C. Armbrust, Esq., 500 Water Street, Jacksonville, FL 32202.

If the verified notice contains false or misleading information, the exemption is void *ab initio*. CSXT has filed an environmental and historic report which addresses the effects, if any, of the abandonment on the environment and historic resources. SEA will issue an environmental assessment (EA) by May 16, 2006. Interested persons may obtain a copy of the EA by writing to SEA (Room 500, Surface Transportation Board, Washington, DC 20423-0001) or by calling SEA, at (202) 565-1539. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.] Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), CSXT shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned its line. If consummation has not been effected by CSXT's filing of a notice of consummation by May 11, 2007, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire. Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: May 4, 2006.

by a party or by the Board's Section of Environmental Analysis (SEA) in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

<sup>2</sup> Each OFA must be accompanied by the filing fee which as of April 19, 2006, is set for \$1,300. See *Regulations Governing Fees for Services Performed in Connection With Licensing and Related Services—2006 Update*, STB Ex Parte No. 542 (Sub-No. 13) (STB served Mar. 20, 2006). See 49 CFR 1002.2(f)(25).

By the Board, David M. Konschnik, Director, Office of Proceedings.

**Vernon A. Williams,**  
Secretary.

[FR Doc. E6-7214 Filed 5-10-06; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-33 (Sub-No. 223X)]

#### Union Pacific Railroad Company— Abandonment Exemption—in Smith County, TX

Union Pacific Railroad Company (UP) has filed a notice of exemption under 49 CFR part 1152 subpart F—*Exempt Abandonments* to abandon a 7.25-mile line of railroad, the Tyler Industrial Lead, extending from milepost 0.25 near Troup to milepost 7.50 near Whitehouse, in Smith County, TX. The line traverses United States Postal Service Zip Codes 75789 and 75791. UP has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic on the line; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on June 10, 2006, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,<sup>1</sup>

<sup>1</sup> The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Section of Environmental Analysis (SEA) in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-*

formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),<sup>2</sup> and trail use/rail banking requests under 49 CFR 1152.29 must be filed by May 22, 2006. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by May 31, 2006, with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to UP's representative: Mack H. Shumate, Jr., Senior General Attorney, 101 North Wacker Drive, Room 1920, Chicago, IL 60606.

If the verified notice contains false or misleading information, the exemption is void *ab initio*.

UP has filed a combined environmental report and historic report which addresses the effects, if any, of the abandonment on the environment and historic resources. SEA will issue an environmental assessment (EA) by May 16, 2006. Interested persons may obtain a copy of the EA by writing to SEA (Room 500, Surface Transportation Board, Washington, DC 20423-0001) or by calling SEA, at (202) 565-1539. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.] Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), UP shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the line. If consummation has not been effected by UP's filing of a notice of consummation by May 11, 2007, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

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

Decided: May 4, 2006.

*of-Service Rail Lines*, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

<sup>2</sup> Each OFA must be accompanied by the filing fee, which was increased to \$1,300 effective on April 19, 2006. See *Regulations Governing Fees for Services Performed in Connection With Licensing and Related Services—2006 Update*, STB Ex Parte No. 542 (Sub-No. 13) (STB served March 20, 2006).