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The FRA and Authority certified a Statewide Program EIR/EIS (Tier 1) for the California HST system in November 2005 as the first phase of a tiered environmental review process for the California HST system. In 2008, the FRA and Authority certified another program EIR/EIS for the Bay Area to Central Valley portion of the HST system. The Fresno to Bakersfield Section Draft EIR/EIS (Tier 2) analyzes the environmental impacts and benefits of implementing the high-speed train in the more geographically limited area between Fresno and Bakersfield, and is based on more detailed project planning and engineering. This Draft EIR/EIS analysis builds on the earlier decisions and program EIR/EISs, and provides more site-specific and detailed analysis.

The Authority plans to complete the California HST System in two phases. Phase 1 will connect San Francisco to Los Angeles/Anaheim via the Pacheco Pass and the Central Valley with a mandated express travel time of 2 hours and 40 minutes or less. Phase 2 will connect the Central Valley to the state's capital, Sacramento, and will extend the system from Los Angeles, CA to San Diego, CA. This Project is for one section in Phase 1 and is receiving funding from FRA for design and environmental review as well as for the construction of an initial Section in the Central Valley.

The American Recovery and Reinvestment Act of 2009 (Recovery Act), enacted February 17, 2009, contained \$8 billion to fund high-speed intercity passenger rail (HSIPR) projects. In response to the Recovery Act funding, FRA developed and began implementation of the HSIPR Program to fund projects to improve existing intercity passenger rail service and to develop new high speed intercity passenger rail corridors. FRA's HSIPR Program also received an additional \$2.1 billion from the Transportation, Housing, and Urban Development and

Related Agencies Appropriations Act of 2010. The California High-Speed Rail Authority applied for and was selected to receive over \$3.5 billion in HSIPR funds from FRA to complete preliminary engineering and NEPA reviews and associated documentation for all eight segments comprising the California HST System and to construct an initial Central Valley Section from Madera County to Bakersfield (Kern County) California. Completion of the environmental review process marked by issuance of a Record of Decision (ROD) by FRA is a prerequisite for any construction related Federal funding or approvals from FRA.

The approximately 114-mile-long Fresno to Bakersfield Section is a critical Phase 1 link connecting Merced to Fresno and Bay Area HST Sections to the north and the Bakersfield to Palmdale and Palmdale to Los Angeles HST Sections to the south. The Fresno to Bakersfield Section includes HST stations in the cities of Fresno and Bakersfield, with a third potential station located in the vicinity of Hanford (Kings/Tulare Regional Station) that would serve the Hanford, Visalia, and Tulare area. The Fresno and Bakersfield stations are this Section's beginning and ending points, or project termini.

This Draft EIR/EIS has been prepared by the FRA and the Authority consistent with the provisions of Section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4321 *et seq.*), the Counsel of Environmental Quality (CEQ) regulations implementing NEPA (40 CFR parts 1500 *et seq.*), FRA's Procedures for Considering Environmental Impacts (64 FR 28545 (May 26, 1999)), the California Environmental Quality Act (CEQA) (Public Resources Code § 21000–21178), and CEQA Guidelines (California Code of Regulations Title 14, Chapter 3 § 15000–15387).

Copies of the Draft EIR/EIS are available online at FRA's Web site: <http://www.fra.dot.gov>; the Authority's Web site: <http://www.cahighspeedrail.ca.gov>; and they are also available for viewing at the following locations near the planned rail system:

- *Fresno County Public Library, Central Branch*, Central Reference Department, 2420 Mariposa Street, Fresno, CA;
- *Fresno County Public Library, Clovis Regional Library*, 1155 Fifth Street, Clovis, CA;
- *Fresno County Public Library, Laton Branch*, 6313 DeWoody Street, Laton, CA;

- *Kern County Library, Beale Memorial Library*, 701 Truxtun Avenue, Bakersfield, CA;

- *Kern County Library, Corcoran Branch*, 1001 Chittenden Avenue, Corcoran, CA;

- *Kern County Library, Delano Branch*, 925 10th Avenue, Delano, CA;

- *Kern County Library, Shafter Branch*, 236 James Street, Shafter, CA;

- *Kern County Library, Wasco Branch*, 1102 7th Street, Wasco, CA;

- *Kings County Library, Hanford Branch (Main Library)*, 401 N. Douty Street, Hanford, CA;

- *Kings County Library, Lemoore Branch*, 457 C Street, Lemoore, CA;

- *Tulare County Library, Visalia Branch (Main Library)*, 200 West Oak Avenue, Visalia, CA; and

- *Tulare Public Library*, 475 North M Street, Tulare, CA.

Issued in Washington, DC on August 9, 2011.

**Corey W. Hill**,

*Director, Rail Project Development and Delivery.*

[FR Doc. 2011–20571 Filed 8–11–11; 8:45 am]

**BILLING CODE 4910–06–P**

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### **Notice of Availability of a Draft Environmental Impact Report/ Environmental Impact Statement for the California High-Speed Rail Project Merced to Fresno Section**

**AGENCY:** Federal Railroad Administration (FRA), United States Department of Transportation (DOT).

**ACTION:** Notice.

**SUMMARY:** FRA is issuing this notice to advise the public that a Draft Environmental Impact Report (EIR)/ Environmental Impact Statement (EIS) has been prepared for the California High-Speed Train (HST) Project Merced to Fresno Section (Project). FRA is the lead Federal agency and the California High-Speed Rail Authority (Authority) is the lead state agency for the environmental review process.

The Authority proposes to construct and operate a reliable high-speed electric-powered passenger train system along an approximately 65-mile corridor, from Merced, CA, to Fresno, CA that links those cities by delivering predictable and consistent travel times. The Project includes high-speed track alignments, stations in downtown Merced and Fresno. A heavy maintenance facility for assembly, testing, and commissioning of trains,

train inspection and service, and train overhaul may be constructed in the Merced to Fresno Section.

The Draft EIR/EIS presents the Project's purpose and need, identifies all reasonable alternatives including track alignments, stations, and heavy maintenance facilities as well as the no action alternative, describes the affected environment, analyzes the potential environmental impacts of all the reasonable alternatives and the no action alternative, and identifies appropriate mitigation measures to minimize the potential environmental impacts.

**DATES:** Written comments on the Draft EIR/EIS for the Project should be provided to the Authority on or before September 28, 2011. Public hearings are scheduled on September 14, 2011, September 15, 2011, and September 20, 2011 in Merced, CA, Madera, CA, and Fresno, CA respectively at the times and dates listed in the Addresses Section below.

**ADDRESSES:** Written comments on the Draft EIR/EIS should be sent to the California High-Speed Rail Authority, Merced to Fresno EIR/EIS Comment, 770 L Street, Suite 800, Sacramento, CA 95814, through the Authority's Web site at <http://www.cahighspeedrail.ca.gov>, or via e-mail with the subject line "Draft EIR/EIS" to [merced\\_fresno@hsr.ca.gov](mailto:merced_fresno@hsr.ca.gov). Comments may also be provided orally or in writing at the public hearings scheduled at the following locations:

- Merced, CA, Wednesday, September 14, 2011, 3 to 8 p.m., Merced Community Senior Center, 755 West 15th Street, Merced, CA 95340;
- Madera, CA, Thursday, September 15, 2011, 3 to 8 p.m., Madera City Council Chambers, 205 W. 4th Street, Madera, CA 93637; and
- Fresno, CA, Tuesday, September 20, 2011, 3 to 8 p.m., Fresno Convention Center, 848 M Street, Fresno, CA.

**FOR FURTHER INFORMATION CONTACT:** Mr. David Valenstein, Chief, Environment and Systems Planning Division, Office of Railroad Policy and Development, Federal Railroad Administration, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., MS-20, Washington, DC 20590 (telephone: 202-493-6368), or Mr. Dan Leavitt, Deputy Director for Environmental Review and Planning, California High-Speed Rail Authority, 770 L Street, Ste. 800, Sacramento, CA 95814 (telephone: 916-324-1541).

**SUPPLEMENTARY INFORMATION:** Once completed, the California HST system will provide intercity, high-speed passenger rail service on more than 800

miles of tracks throughout California, connecting the major population centers of Sacramento, the San Francisco Bay Area, the Central Valley, Los Angeles, the Inland Empire, Orange County, and San Diego. It will use state-of-the-art, electrically powered, high-speed, steel-wheel-on-steel-rail technology, including contemporary safety, signaling, and automated train-control systems, with trains capable of operating up to 220 miles per hour (mph) over a fully grade-separated, dedicated double track alignment.

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funds from FRA to complete preliminary engineering and NEPA reviews, and associated documentation for all eight segments comprising the California HST System and to construct an initial Central Valley Section from Madera County to Bakersfield (Kern County) California. Completion of the environmental review process marked by issuance of a Record of Decision (ROD) by FRA is a prerequisite for any construction related Federal funding or approvals from FRA.

The approximately 65-mile-long Merced to Fresno Section is an essential part of the statewide HST System. The Merced to Fresno Section is the location of the connection between the Bay Area and Sacramento branches of the HST System; it will provide Merced and Fresno access to a new transportation mode and will contribute to increased mobility throughout California. This Section will connect the central San Joaquin Valley region to the remainder of the HST System via Merced County, Madera County, and the northern part of the city of Fresno.

This Draft EIR/EIS has been prepared by the FRA and the Authority consistent with the provisions of Section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4321 *et seq.*), the Counsel of Environmental Quality (CEQ) regulations implementing NEPA (40 CFR parts 1500 *et seq.*), FRA's Procedures for Considering Environmental Impacts (64 FR 28545 (May 26, 1999)), and in conformity with the California Environmental Quality Act (CEQA) (California Public Resources Code Section 21000 *et seq.*), and the CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 *et seq.*).

Copies of the Draft EIR/EIS are available online at FRA's Web site: <http://www.fra.dot.gov> and the Authority's Web site: <http://www.cahighspeedrail.ca.gov>; they are also available for viewing at the following locations near the planned rail system:

- Fresno County Public Library, Central Branch, 2420 Mariposa Street, Fresno, CA 93721;
- Madera County Library, 121 North G Street, Madera, CA 93637;
- Chowchilla Branch Library (Madera County Library), 300 Kings Avenue, Chowchilla, CA 93610;
- Merced Community Senior Center, 755 West 15th Street, Merced, CA 95340;
- Merced County Library, 2100 O Street, Merced, CA 95340;
- Galilee Missionary Baptist Church, 22941 Fairmead Boulevard, Chowchilla, CA 93610;

- Le Grand Branch Library, 12949 Le Grand Road, Le Grand, CA 95333;
- Lao Family Community, 855 W. 15th Street, Merced, CA 95333;
- Madera Ranchos Branch Library, 37167 Avenue 12, Suite 4C, Madera, CA 95636;
- Merced County Los Banos Branch Library, 1312 South Seventh Street, Los Banos, CA 93635; and
- Atwater Branch Library, 1600 Third Street, Atwater, CA 95301.

Issued in Washington, DC, on August 9, 2011.

**Corey W. Hill,**

*Director, Rail Project Development and Delivery.*

[FR Doc. 2011-20582 Filed 8-11-11; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35541]

#### **Tyburn Railroad, LLC—Acquisition and Operation Exemption—Tyburn Railroad Company**

Tyburn Railroad, LLC (Tyburn), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire from Tyburn Railroad Company and operate approximately 0.9 miles of rail lines in Morrisville, Pa.

According to Tyburn, there are no mileposts associated with the lines, which are located at “1535 S. Pennsylvania Avenue” in Morrisville. The lines were formerly a yard owned by Consolidated Rail Corporation (Conrail) and are located in a Conrail Shared Asset Area. Tyburn states that it will be able to interchange traffic with Norfolk Southern Railway Company (NS) and CSX Transportation, Inc. (CSXT), and Tyburn will enter into standard agreements with Conrail, NS, and CSXT to effect such interchange.

This transaction is related to a concurrently filed verified notice of exemption in Docket No. FD 35542, *Regional Rail—Continuance in Control Exemption—Tyburn Railroad*, wherein Regional Rail, LLC seeks Board approval to continue in control of Tyburn, upon Tyburn’s becoming a Class III rail carrier.

The transaction may not be consummated until August 28, 2011 (30 days after the notice of exemption was filed).

Tyburn certifies that its projected annual revenues as a result of this transaction will not result in its becoming a Class II or Class I rail carrier and will not exceed \$5 million.

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 to stay must be filed no later than August 19, 2011 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35541, 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 Karl Morell, Suite 225, 655 15th St., NW., Washington, DC 20005.

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

Decided: August 5, 2011.

By the Board.

**Rachel D. Campbell,**

*Director, Office of Proceedings.*

**Jeffrey Herzig,**

*Clearance Clerk.*

[FR Doc. 2011-20556 Filed 8-11-11; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35542]

#### **Regional Rail, LLC—Continuance in Control Exemption—Tyburn Railroad, LLC**

Regional Rail, LLC (Regional), a noncarrier, has filed a verified notice of exemption pursuant to 49 CFR 1180.2(d)(2) to continue in control of Tyburn Railroad, LLC (Tyburn), upon Tyburn’s becoming a Class III rail carrier.

This transaction is related to a concurrently filed verified notice of exemption in Docket No. FD 35541, *Tyburn Railroad—Acquisition and Operation Exemption—Tyburn Railroad*, wherein Tyburn seeks Board approval to acquire from Tyburn Railroad Company and operate approximately 0.9 miles of rail lines in Morrisville, Pa.

The parties intend to consummate the transaction on or shortly after the effective date of the verified notice of exemption.

Regional is a Delaware limited liability company that currently controls 2 Class III railroads, East Penn Railroad, LLC (ESPN) and Middletown and New Jersey Railroad, LLC (Middletown). ESPN operates rail lines in

Pennsylvania and Delaware, and Middletown operates rail lines in New York. Regional also owns 100 percent of the issued and outstanding shares of Tyburn.

Regional represents that: (1) The rail lines to be operated by Tyburn do not connect with any other railroads in the corporate family; (2) the transaction is not part of a series of anticipated transactions that would connect the rail lines with any other railroads in the 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 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. Stay petitions must be filed no later than August 19, 2011 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35542, 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 Karl Morell, Suite 225, 655 15th St., NW., Washington, DC 20005.

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

Decided: August 5, 2011.

By the Board.

**Rachel D. Campbell,**

*Director, Office of Proceedings.*

**Jeffrey Herzig,**

*Clearance Clerk.*

[FR Doc. 2011-20553 Filed 8-11-11; 8:45 am]

**BILLING CODE 4915-01-P**