

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

Jeffrey Herzig,
Clearance Clerk.

[FR Doc. 2010-25939 Filed 10-14-10; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. FD 35414]

Gulf & Ohio Railways Holding Co., Inc., H. Peter Claussen and Linda C. Claussen—Continuance in Control Exemption—Lancaster & Chester Railroad, LLC

Gulf & Ohio Railways Holding Co., Inc. (G&O), H. Peter Claussen and Linda C. Claussen (the Claussens), noncarriers, have filed a verified notice of exemption to continue in control of Lancaster & Chester Railroad, LLC (L&C Railroad) upon L&C Railroad's becoming a Class III rail carrier.

This transaction is related to a concurrently filed verified notice of exemption in Docket No. FD 35413, *Lancaster & Chester Railroad, LLC—Acquisition and Operation Exemption—Line of Lancaster & Chester Railway Company*. In that proceeding, L&C Railroad seeks an exemption under 49 CFR 1150.31 to acquire and operate approximately 62 miles of rail line owned by Lancaster & Chester Railway Company between (1) Chester and Lancaster, S.C., and (2) Kershaw and Catawba, S.C.

The transaction may be consummated on or after October 31, 2010 (the effective date of the exemption).

The Claussens own a controlling share of voting stock of G&O. G&O, in turn, wholly owns the following Class III rail carriers: (a) Conecuh Valley Railroad Co., Inc., which operates in Alabama; (b) Knoxville & Holston River Railroad Co., Inc., which operates in east Tennessee; (c) Laurinburg & Southern Railroad Co., Inc., which operates in North Carolina; (d) Piedmont & Atlantic Railroad, Inc., which operates in northwestern North Carolina under the trade name of Yadkin Valley Railroad; (e) Rocky Mount & Western Railroad Co., Inc., which operates in central North Carolina under the trade name of Nash County Railroad; (f) Three Notch Railroad Co., Inc., which operates in Alabama; and (g) Wiregrass Central Railroad Company, Inc., which operates in southeast Alabama.

The parties represent that: (1) The rail lines to be acquired by L&C Railroad do not connect with any other railroad 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 railroad 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 sections 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 October 22, 2010 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35414, 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 Troy W. Garris, 2904 Corporate Cir., Flower Mound, Tex. 75028.

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

Decided: October 7, 2010.

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

Jeffrey Herzig,
Clearance Clerk.

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DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement: Cameron County, TX

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Rescind Notice of Intent (NOI) to prepare an EIS.

SUMMARY: FHWA is issuing this notice to advise the public that the NOI to prepare an environmental impact

statement (EIS) for proposed improvements to United States Highway 181/State Highway 286 (Crosstown Expressway), in Nueces County, Texas, is being rescinded.

FOR FURTHER INFORMATION CONTACT:

Gregory S. Punske, P.E. District Engineer, Federal Highway Administration, Texas Division, 300 East 8th Street, Room 826, Austin, Texas 78701, Telephone (512) 536-5960.

SUPPLEMENTARY INFORMATION: On April 6, 2007, TxDOT and FHWA announced their revised Notice of Intent to prepare an EIS pursuant to 40 CFR 1508.22 and 43 TAC Sec. 2.5(e)(2) for a proposal to replace the existing US 181 Harbor Bridge and construct improvements to SH 286, in Nueces County, Texas. The project limits were defined as the limits of the schematic design. The project limits were as follows: the northern limit was the US 181 and Beach Avenue interchange located north of the Corpus Christi Ship Channel but south of the Nueces Bay Causeway; the southern limit was the SH 286 and SH 358 (South Padre Island Drive) interchange; the eastern limit was the Interstate Highway (IH) 37/US 181 intersection with Shoreline Boulevard; and the western limit was the IH 37 and Nueces Bay Boulevard interchange. The project limits totaled approximately 7.5 miles in length from north to south along US 181 and SH 286, and 2.1 miles in length from east to west along IH 37. The study limits were defined as the limits of potential impacts from the proposed action. The study limits were as follows: the northern limit was the US 181 and SH 35 interchange just south of Gregory; the southern limit was the SH 286 and SH 358 (South Padre Island Drive) interchange; the eastern limit was Shoreline Boulevard; and the western limit was the IH 37 and SH 358 (North Padre Island Drive) interchange. The EIS was in the preliminary stages of development. Scoping meetings were held for representatives from various cooperating agencies and for the public. The scoping meeting for the representatives from various cooperating agencies was held May 17, 2007, at the TxDOT Corpus Christi District Office in Corpus Christi, Texas. The scoping meeting for the public was held May 17, 2007, at the Oveal Williams Senior Activity Center in Corpus Christi, Texas.

FHWA and TxDOT have decided to rescind the revised Notice of Intent because of changes in the scope (managed toll lanes) and limits. We intend to publish a new NOI in the future, which will describe the new project scope and limits. The review of