

been decided in favor of a complainant within the two-year period; and (4) the requirements at 49 CFR 1105.7(b) and 1105.8(c) (notice of environmental and historic reports), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to government agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho*, 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,<sup>1</sup> this exemption will be effective on October 1, 2023, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,<sup>2</sup> formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2), and interim trail use/railbanking requests under 49 CFR 1152.29 must be filed by September 11, 2023.<sup>3</sup> Petitions to reopen and requests for public use conditions under 49 CFR 1152.28 must be filed by September 21, 2023.

All pleadings, referring to Docket No. AB 55 (Sub-No. 812X), 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 CSXT's representative, Louis E. Gitomer, Law Offices of Louis E. Gitomer, LLC, 600 Baltimore Avenue, Suite 301, Towson, MD 21204.

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

CSXT has filed a combined environmental and historic report that addresses the potential effects, if any, of

<sup>1</sup> Persons interested in submitting an OFA must first file a formal expression of intent to file an offer, indicating the type of financial assistance they wish to provide (*i.e.*, subsidy or purchase) and demonstrating that they are preliminarily financially responsible. See 49 CFR 1152.27(c)(2)(i).

<sup>2</sup> The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Office of Environmental Analysis (OEA) in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-of-Serv. 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>3</sup> Filing fees for OFAs and trail use requests can be found at 49 CFR 1002.2(f)(25) and (27), respectively.

the abandonment on the environment and historic resources. OEA will issue a Draft Environmental Assessment (Draft EA) by September 8, 2023. The Draft EA will be available to interested persons on the Board's website, by writing to OEA, or by calling OEA at (202) 245-0294. If you require an accommodation under the Americans with Disabilities Act, please call (202) 245-0245.

Comments on environmental or historic preservation matters must be filed within 15 days after the Draft EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/railbanking 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 the Line. If consummation has not been effected by CSXT's filing of a notice of consummation by September 1, 2024, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

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

Decided: August 29, 2023.

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

**Jeffrey Herzig,**  
Clearance Clerk.

[FR Doc. 2023-18981 Filed 8-31-23; 8:45 am]

**BILLING CODE 4915-01-P**

## TENNESSEE VALLEY AUTHORITY

### Sugar Camp Energy LLC Mine No. 1 Significant Boundary Revision 8 Environmental Impact Statement

**AGENCY:** Tennessee Valley Authority.

**ACTION:** Notice of intent.

**SUMMARY:** The Tennessee Valley Authority (TVA) intends to prepare an Environmental Impact Statement evaluating the proposed expansion of mining operations (proposed mine expansion) by Sugar Camp Energy, LLC (Sugar Camp) to extract TVA-owned coal reserves in Franklin, Hamilton, and Jefferson counties, Illinois. The proposed 22,414-acre expansion area contains 21,868 acres of coal reserves owned by TVA that are under a coal lease agreement with Sugar Camp. TVA will consider whether to approve Sugar Camp's application to mine TVA-owned coal reserves within the project area. Additionally, TVA will evaluate the divestiture of TVA's mineral rights and associated land rights in Franklin,

Hamilton and Jefferson counties, Illinois.

**DATES:** To ensure considerations, comments on the scope, alternatives being considered, and environmental issues must be received or postmarked, emailed, or submitted online no later than October 2, 2023.

**ADDRESSES:** Written comments should be sent to Elizabeth Smith, NEPA Specialist, TVA, 400 W. Summit Hill Drive #WT11B, Knoxville, Tennessee 37902. Comments may be sent submitted online at <https://www.tva.gov/NEPA> or by email at [NEPA@tva.gov](mailto:NEPA@tva.gov).

**FOR FURTHER INFORMATION CONTACT:** Elizabeth Smith by phone at 865-632-3053, by email at [esmith14@tva.gov](mailto:esmith14@tva.gov), or by mail at the address above.

**SUPPLEMENTARY INFORMATION:** This notice is provided in accordance with the Council on Environmental Quality regulations (40 CFR parts 1500 to 1508) and TVA procedures for implementing the National Environmental Policy Act (NEPA). TVA is a federal corporation and instrumentality of the United States government, created in 1933 by an act of Congress to foster the social and economic well-being of the residents of the Tennessee Valley region. As part of its diversified energy strategy, TVA completed a series of land and coal mineral acquisitions from the 1960s through the mid-1980s that resulted in the ownership of approximately 65,000 acres of coal reserves. These reserves consist of approximately 1.35 billion tons of Illinois coal, including portions of the Springfield (also known as Number [No.] 5) and Herrin (also known as No. 6) coal seams. TVA executed a coal lease agreement with Sugar Camp in July 2002 to mine portions of the TVA Illinois coal reserves in an environmentally sound manner, as subject to environmental reviews in accordance with NEPA and other applicable laws and regulations. Based in part on TVA's evolving electricity generation priorities, and TVA's diminishing need for coal to supply TVA's electricity generating portfolio, TVA is considering divesting itself of these same land and mineral acquisitions.

### Background

On January 4, 2023, Sugar Camp submitted Permit 382 Significant Boundary Revision (SBR) 8 application to Illinois Department of Natural Resources (IDNR) proposing to expand its underground longwall mining operations at its Sugar Camp Mine No. 1 in Franklin, Hamilton, and Jefferson counties, Illinois, by approximately

22,414 acres (the project area). TVA-owned coal reserves underlie approximately 21,868 acres of the project area. Under the proposal, Sugar Camp would extract approximately 122 million raw tons of TVA-owned coal over a 25-year period (this excludes 45M tons currently permitted). Underground mining would be performed using room and pillar and continuous mining techniques during a development period, followed by longwall mining and associated planned subsidence (controlled settlement of the ground surface). Planned subsidence would occur within the project area once the coal has been removed through longwall mining methods. Sugar Camp would utilize its existing Sugar Camp Mine No. 1 facilities to process and ship the extracted coal, and expansion of these facilities is not needed to support the proposed mine expansion. Sugar Camp would also construct approximately six bleeder ventilation shafts (bleeder shafts, which ventilate the underground mine area) and install associated utilities needed to operate the bleeder shafts within the project area.

Under the terms of the lease agreement, Sugar Camp cannot commence mining of TVA-owned coal reserves until completion of all environmental reviews required under applicable laws and regulations have been finalized. TVA intends to prepare an Environmental Impact Statement (EIS) to consider whether to approve Sugar Camp's application to mine the TVA-owned coal reserves underlying the project area and/or divest all remaining TVA-owned mineral reserves in Illinois.

The EIS initiated by TVA will assess the environmental impact of approving the mining of TVA-owned coal under the mine plan and/or divesting all TVA-owned mineral reserves in IL. In doing so, TVA will address the cumulative impacts from other coal mining activities and identified federal and private actions. The cumulative impacts considered will include approved or completed activities associated with Sugar Camp Mine No. 1.

The operations of Sugar Camp Mine No. 1 have previously been subject to TVA review and approval. In 2008, Sugar Camp obtained Underground Coal Mine (UCM) Permit No. 382 from IDNR for underground longwall mining operations within approximately 12,103 acres in Franklin and Hamilton counties; the original permit did not include TVA-owned coal reserves. In 2010, Sugar Camp applied to IDNR for an expansion associated with UCM Permit No. 382 to mine TVA-owned

coal under an additional 817-acre area. The permit was issued in May 2010. In 2011, TVA prepared an Environmental Assessment (EA) to document the potential effects of Sugar Camp's proposed mining of TVA-owned coal underlying a 2,600-acre area.

In November 2017, Sugar Camp obtained approval from IDNR to expand Sugar Camp Mine No. 1 by 37,972 acres. This proposal included the expansion of operations along the northern perimeter of the original mine perimeter, into a 2,250-acre area referred to as Viking District No. 2. In November 2018, TVA completed an EA that addressed expansion of mining operations into Viking District No. 2. In May 2019, TVA supplemented this EA to consider Sugar Camp's proposal to expand its mining into a 155-acre area within the Viking District No. 3, adjacent to Viking District No. 2.

In August 2019, TVA issued a Notice of Intent in the **Federal Register** to complete an EIS for the mining of approximately 12,125 acres of TVA-owned coal reserves associated with SBR No. 6 of UCM Permit No. 382. In October 2020, TVA issued the Final EIS outlining the analysis of alternatives associated with this additional mining of TVA coal reserves. In November 2020, TVA published a Record of Decision and approved Sugar Camp's application to mine the additional TVA-owned coal reserves under the IDNR-approved SBR No. 6.

### Alternatives

TVA has initially identified four alternatives for evaluation in the EIS associated with the proposed purpose and need. These include a No Action Alternative and three Action Alternatives. Under the No Action Alternative, TVA would not approve the requested expansion to mine TVA-owned coal within the project area. Under Action Alternative A, TVA would implement the terms of the existing coal lease agreement, evaluate, and potentially approve the plan to mine 21,868 acres of TVA-owned coal as submitted by Sugar Camp in the current SBR of UCM Permit No. 382. Under Action Alternative B, TVA would implement the terms of the existing coal lease agreement, evaluate, and potentially allow mining of the 21,868 acres of TVA-owned coal, and consider divesting the remaining TVA-owned mineral rights/reserves including coal, oil, and gas in IL, and all associated surface rights. Under Action Alternative C, TVA considers divesting all remaining TVA-owned mineral rights/reserves including coal, oil, and gas in IL, and all associated surface rights, and

would not approve Sugar Camp's expansion request as detailed under UCM Permit No. 382.

The EIS will evaluate ways to mitigate impacts that cannot be avoided. The description and analysis of these alternatives in the EIS will inform decision makers, other agencies, and the public about the potential for environmental impacts associated with the proposed mine expansion and/or divesting TVA-owned mineral rights. TVA solicits comment on whether there are other alternatives that should be assessed in the EIS. TVA also requests information and analyses that may be relevant to the project.

### Resource Areas and Issues To Be Considered

Public scoping is integral to the process for implementing NEPA and ensures that (1) issues are identified early and properly studied, (2) issues of little significance do not consume substantial time and effort, and (3) the analysis of identified issues is thorough and balanced. This EIS will identify the purpose and need of the Action Alternatives and will contain descriptions of the existing environmental and socioeconomic resources within the area that could be affected by the proposed mine expansion. Evaluation of potential environmental impacts to these resources will include, but not be limited to, air quality and greenhouse gas emissions, surface water, groundwater, wetlands, floodplains, vegetation, wildlife, threatened and endangered species, land use, natural areas and parks and recreation, geology, soils, prime farmland, visual resources, noise, cultural resources, socioeconomic and environmental justice, solid and hazardous waste, public and occupational health and safety, utilities, and transportation. The EIS will analyze measures that would avoid, minimize, or mitigate environmental effects.

The final range of issues to be addressed in the environmental review will be determined, in part, from scoping comments received. TVA is particularly interested in public input on the scope of the EIS, alternatives being considered, and environmental issues that should be addressed as part of this EIS. The preliminary identification of reasonable alternatives and environmental issues in this notice is not meant to be exhaustive or final.

### Public Participation

The public is invited to submit comments on the scope of the EIS no later than the date identified in the

**DATES** section of this notice. Federal, state, and local agencies and Native American Tribes are also invited to provide comments. Information about this project is available on the TVA web page at [www.tva.gov/nepa](http://www.tva.gov/nepa), including a link to an online public comment page. Any comments received, including names and addresses, will become part of the administrative record and will be available for public inspection.

After consideration of comments received during the scoping period, TVA will develop a scoping document that will summarize public and agency comments that were received and identify the schedule for completing the EIS process. Following analysis of the resources and issues, TVA will prepare a draft EIS for public review and comment tentatively scheduled for fall 2024; the final EIS and decision is tentatively scheduled for completion in early 2025. In finalizing the EIS and in making its final decision, TVA will consider the comments that it receives on the draft EIS.

*Authority:* 40 CFR 1501.9.

**Rebecca Tolene,**

*Vice President, Environment and Sustainability.*

[FR Doc. 2023-18756 Filed 8-31-23; 8:45 am]

**BILLING CODE 8120-08-**

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**TENNESSEE VALLEY AUTHORITY**

**Hillsboro III Solar Project**

**AGENCY:** Tennessee Valley Authority.

**ACTION:** Notice of intent.

**SUMMARY:** The Tennessee Valley Authority (TVA) intends to prepare an environmental impact statement (EIS) for the purchase of electricity generated by the proposed Hillsboro III Solar Project in Lawrence County, Alabama. The EIS will assess the potential environmental effects of constructing, operating, and maintaining the proposed 200-megawatt (MW) alternating current (AC) solar facility. The proposed 200 MW AC solar facility would occupy approximately 1,500 acres of the 3,761-acre Project Study Area. Public comments are invited concerning the scope of the EIS, alternatives being considered, and environmental issues that should be addressed as a part of this EIS. TVA is also requesting data, information, and analysis relevant to the proposed action from the public; affected federal, state, tribal, and local governments, agencies, and offices; the scientific community; industry; or any other interested party. **DATES:** The public scoping period begins with the publication of this Notice of

Intent in the **Federal Register**. To ensure consideration, comments must be postmarked, emailed, or submitted online no later than October 2, 2023.

**ADDRESSES:** Written comments should be sent to Elizabeth Smith, NEPA Specialist, Tennessee Valley Authority, 400 West Summit Hill Drive, WT 11B, Knoxville, Tennessee 37902. Comments may be submitted online at: [www.tva.gov/nepa](http://www.tva.gov/nepa), or by email to [nepa@tva.gov](mailto:nepa@tva.gov). Please note that TVA encourages comments submitted electronically.

**FOR FURTHER INFORMATION CONTACT:**

Elizabeth Smith by email at [esmith14@tva.gov](mailto:esmith14@tva.gov), by phone at (865) 632-3053, or by mail at the address above.

**SUPPLEMENTARY INFORMATION:** This notice is provided in accordance with the Council on Environmental Quality's Regulations (40 CFR parts 1500 to 1508) and TVA's procedures for implementing the NEPA (18 CFR 1318). TVA is an agency and instrumentality of the United States, established by an act of Congress in 1933, to foster the social and economic welfare of the people of the Tennessee Valley region and to promote the proper use and conservation of the region's natural resources. One component of this mission is the generation, transmission, and sale of reliable and affordable electric energy.

**Background**

In June 2019, TVA completed the final 2019 Integrated Resource Plan (IRP) and associated EIS. The IRP is a comprehensive study of how TVA will meet the demand for electricity in its service territory over the next 20 years. The 2019 IRP recommends solar expansion and anticipates growth in all scenarios analyzed, with most scenarios anticipating 5,000-8,000 MW and one anticipating up to 14,000 MW by 2038. Customer demand for cleaner energy prompted TVA to release a Request for Proposal (RFP) for renewable energy resources (2022 Carbon-Free RFP).

TVA is considering entering into a Power Purchase Agreement (PPA) with Urban Grid Solar to purchase 200 MW AC of power generated by the proposed Hillsboro III Solar Project, hereafter referred to as the Project. The proposed 200 MW AC solar facility would occupy approximately 1,500 acres of the 3,761-acre Project Study Area which is located entirely in Lawrence County, Alabama. The project site is north of Wheeler, Alabama along US Highway 72 Alternate between Courtland and Hillsboro, Alabama. The project site is mostly farmland with areas of woody wetlands, deciduous forest, and hay/

pasture. The land surplus is to accommodate relocating the array if any areas need to be avoided as a result of the NEPA review. A map showing the project site is available at [www.tva.gov/nepa](http://www.tva.gov/nepa).

**Preliminary Proposed Action and Alternatives**

In addition to a No Action Alternative, TVA will evaluate the action alternative of purchasing power from the proposed Hillsboro III Solar Project under the terms of a PPA. In evaluating alternatives, TVA considered other solar proposals, prior to selecting the Hillsboro III site for further evaluation. Part of the screening process included a review of transmission options, including key connection points to TVA's transmission system. The Hillsboro site stood out as a viable option for connectivity. Environmental and cultural considerations are also included in TVA's screening. For the proposed site, the solar developer plans to consider the establishment of an alternative footprint so that impacts to cultural and/or biological resources could be avoided. The EIS will also evaluate ways to mitigate impacts that cannot be avoided. The description and analysis of these alternatives in the EIS will inform decision makers, other agencies, and the public about the potential for environmental impacts associated with the proposed solar facility. TVA solicits comments on whether there are other alternatives that should be assessed in the EIS.

**Project Purpose and Need**

The Hillsboro III Solar Project that was submitted as a result of TVA's 2022 Carbon-Free RFP will help TVA meet immediate needs for additional renewable generating capacity in response to customer demands and fulfill the renewable energy goals established in the 2019 IRP. To meet these goals, public scoping is integral to the process for implementing NEPA and ensures that (1) issues are identified early and properly studied, (2) issues of little significance do not consume substantial time and effort, and (3) the analysis of identified issues is thorough and balanced. This EIS will identify the purpose and need of the project and will contain descriptions of the existing environmental and socioeconomic resources within the area that could be affected by the proposed solar facility, including the documented historical, cultural, and environmental resources. Evaluation of potential environmental impacts to these resources will include, but not be limited to, air quality and greenhouse gas emissions, surface