

landowner requested that lands classified as Zone 4 because of their incorporation into a state wildlife management area be changed to zone 7 to allow residential access. Because the land in question has historically been used as part of the Mud Creek Wildlife Management Area and the wildlife management area easement with the state is proposed for extension, TVA plans to leave this property in zone 4, but to recognize the residential access rights for a 1.7-acre parcel. As part of any future conveyance to the state for wildlife management purposes, TVA would include both a general and specific reservation acknowledging these residential access rights.

### Decision

The TVA Board decided to adopt the Guntersville Reservoir Land Management Plan as described in Alternative B3 on September 19, 2001. TVA believes that Alternative B3 responds to community development and recreational development needs on Guntersville Reservoir, but also recognizes and preserves the aesthetic and sensitive resources which make the reservoir unique. Like the other alternatives considered, Alternative B3 sets aside parcels containing sensitive resources and habitats in the Sensitive Resource Protection and Natural Resource Conservation categories. For lands where TVA proposes to consider development proposals, following site-specific review of development plans, Alternative B3 adopts commitments that would further minimize the potential for adverse impacts to the environment. These commitments are listed below, under Environmental Commitments.

### Environmentally Preferable Alternative

TVA has concluded that Alternative B2, which would not grant recreational and industrial access requests on 13 parcels, is the environmentally preferable alternative. However, TVA's responsibilities for unified development of the Tennessee River system and adjoining properties encourage the use of portions of the reservoir lands to foster the economic development of the area. Local governments and a number of people commenting also support these projects. TVA believes that Alternative B3 helps to meet the multiple objectives of the Guntersville project, and would result in substantially better environmental protection than previous shoreline development practices. Further the environmental impacts of TVA's preferred alternative would be less than Alternative B1 and the No Action Alternative.

### Environmental Commitments

The land plan envisioned in Alternative B3 advances TVA's commitment to resource stewardship and habitat protection through strong conservation approaches. Alternative B3 was formulated using environmentally protective measures. Some of these measures include use of a sensitive resource protection zone and incorporation of buffers between development proposals and adjoining landowners. In addition, TVA is adopting the following measures to minimize environmental impacts:

- Wetlands will be avoided on residential access properties on parcels 12, 69, and 22 and any portion of parcel 26a and 165 allocated for recreational development.
- Recreational development on parcels 143, 154a, 159 and 168 will be designed to avoid historic properties and designed to enhance their interpretation.
- Agricultural licensing on Parcels 26a, 45, 121, 124, 132, and 260 will include buffers to avoid impacts to the reservoir and wetlands.
- All land disturbing activities shall be conducted in accordance with Best Management Practices as defined by Section 208 of the Clean Water Act and implementing regulations to control erosion and sedimentation. Forest management activities will be conducted in accordance with practices prescribed for forestry. Best Management Practices for agriculture, including maintenance of vegetative buffers, will be included in agricultural licenses.
- Visual and water quality enhancement buffers, between 50 feet and 100 feet wide, will be provided to screen timber harvest areas from public thoroughfares and shorelines and to minimize the potential for sediments or other nonpoint source pollutants to enter Guntersville Reservoir.
- Controlled burns will be conducted in accordance with the open burning regulations of the appropriate state.
- On parcel 2, TVA will place special emphasis on visual analysis during consideration of any management activities.

With the implementation of the above environmental protection measures, TVA has determined that adverse environmental impacts of future development proposals on the reservoir would be substantially reduced. These protective measures represent all of the practicable measures to avoid or minimize environmental harm that are associated with this alternative.

As TVA implements the Guntersville Reservoir Land Management Plan, the

agency will continue to work with all affected interests to promote environmentally sound stewardship of public lands.

Dated: October 29, 2001.

**Kathryn J. Jackson,**

*Executive Vice President, River System Operations and Environment.*

[FR Doc. 02-1166 Filed 1-17-02; 8:45 am]

**BILLING CODE 8120-08-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Environmental Impact Statement: Jefferson and Clearfield Counties, Pennsylvania

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice of intent.

**SUMMARY:** The FHWA is issuing this notice to advise the public that an Environmental Impact Statement will be prepared for a proposed highway project in Jefferson and Clearfield Counties, Pennsylvania.

#### FOR FURTHER INFORMATION CONTACT:

David W. Cough, P.E., Director of Operations, Federal Highway Administration, Pennsylvania Division, 228 Walnut Street, Room 536, Harrisburg, Pennsylvania 17101-1720, (717) 221-3411 or Mark S. Rozich, P.E., Project Manager, Pennsylvania Department of Transportation, District 10-0, Route 286 South, P.O. Box 429, Indiana, Pennsylvania 15701, (724) 357-2852.

**SUPPLEMENTARY INFORMATION:** The FHWA, in cooperation with the Pennsylvania Department of Transportation (PENNDOT), will prepare an Environmental Impact Statement (EIS) for a transportation improvement within the study area of U.S. Route 219 (eastern terminus), S.R. 0830 (western terminus), Interstate 80 (southern terminus), and the DuBois-Jefferson County Airport (northern terminus). The project will include the development of a reasonable range of alternatives that meet the project need and supporting environmental documentation and analysis to recommend a preferred alternative for implementation. A complete public involvement program is part of the project.

The purpose of the transportation improvement is to improve access to the DuBois-Jefferson County Airport and the associated Keystone Opportunity Zone (KOZ) and Foreign Trade Zone (FTZ). Based upon a needs analysis completed

in 2001, transportation improvements are needed to support the regional economic development goals planned for the area, encourage the regional intermodal needs of the area by providing safe and efficient access to the airport, and maintain consistency with the region's transportation goals and objectives as defined by the North Central Pennsylvania Regional Planning and Development Commission.

Alternatives that will be considered include: The no-build; upgrade of existing roadways within the study area; and new roadway alignment with a new interchange on Interstate 80. These alternatives will be the basis for a recommendation of alternatives to be carried forward for detailed environmental and engineering studies in the EIS. Incorporated into and studied with the various alternatives will be design variations of grade and alignment.

Public meetings have been and will continue to be held throughout the development of the EIS for the general public and agencies. A Project Mailing List, a Project Newsletter and a Project Web Site will be established to inform the public of project milestones.

Periodic meetings are scheduled with the state and federal environmental agencies through an Agency Coordination Meetings (ACM) to present project as well as receive comments and concerns from the agencies on the development of the project alternatives, the assessment of impacts and the identification of mitigations measures. Letters describing the proposed action and soliciting comments will be sent to appropriate federal, state and local agencies and to private organizations and citizens who have previously expressed or are known to have an interest in the project.

To ensure 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 and questions concerning this proposed action and the EIS should be directed to the FHWA or PENNDOT at the addresses provided above.

(Catalogue of Federal Domestic Assistance Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation of Federal programs and activities apply to this program)

**James A. Cheatham,**

*FHWA Division Administrator, Harrisburg, Pennsylvania.*

[FR Doc. 02-1285 Filed 1-17-02; 8:45 am]

**BILLING CODE 4910-22-M**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34151]

#### **Beaufort & Morehead Railway, Inc.— Acquisition and Operation Exemption—North Carolina Ports Railway Commission d/b/a Beaufort & Morehead Railway**

Beaufort & Morehead Railway, Inc. (BMRI), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire by lease, pursuant to an agreement with its owner the North Carolina Ports Railway Commission d/b/a Beaufort & Morehead Railway (NCPRC), all of NCPRC's railroad line extending from the connection with the Norfolk Southern Railway Company (Atlantic & East Carolina Railway) at milepost 0.0 in Morehead City to milepost 0.87 at Gallants Channel near Morehead City, a distance of .87 miles in Carteret County, NC, serving the intermediate stations of Marsh Island, Radio Island and Beaufort Team Track, together with all of the NCPRC's yard and interchange tracks.<sup>1</sup> BMRI will be the operator of the line. BMRI certifies that its projected annual revenues as a result of this transaction will not result in the creation of a Class II or Class I rail carrier, and that its projected annual revenues will not exceed \$5 million.

The transaction was scheduled to be consummated on December 28, 2001.

If this 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 transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34151, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Fritz R. Kahn, P.C., 1920 N Street, N.W., 8th Floor, Washington, DC 20036-1601.

Board decisions and notices are available on our website at "WWW.STB.DOT.GOV."

Decided: January 11, 2002.

<sup>1</sup> See *North Carolina Ports Railway Commission d/b/a Beaufort & Morehead Railway—Acquisition and Operation Exemption—Beaufort & Morehead Railway, Inc.*, STB Finance Docket No. 33826 (STB served Dec. 2, 1999).

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

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. 02-1276 Filed 1-17-02; 8:45 am]

**BILLING CODE 4915-00-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34125]

#### **South Dakota Railroad Authority— Acquisition Exemption—The Burlington Northern and Santa Fe Railway Company**

South Dakota Railroad Authority (SDRA), noncarrier, has filed a notice of exemption under 49 CFR 1150.31 to acquire approximately 49.48 miles of rail line located in Brown and Marshall Counties, SD, owned by The Burlington Northern and Santa Fe Railway Company (BNSF). The line to be acquired is located between milepost 115.08 near Aberdeen, SD, and milepost 65.60 near Kidder, SD, at the South Dakota/North Dakota border. SDRA will also acquire limited operating rights to conduct rail freight service only, for the sole purpose of interchanging freight cars and equipment, over BNSF's rail line at or near Aberdeen, SD, between milepost 115.08 and milepost 118.6 of BNSF's Geneseo subdivision, and between milepost 706.1 and milepost 707.1 of BNSF's main line, for the sole purpose of SDRA or its designee interchanging rail cars and equipment at BNSF's Aberdeen Yard.<sup>1</sup> SDRA certifies that its projected annual revenues will not exceed those that would qualify it as a Class III carrier.

SDRA reports that an agreement for the transaction was reached and the transaction was consummated on June 15, 2001. The effective date of the exemption was December 27, 2001 (7 days after the exemption was filed).

If the 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 transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34125 must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Bruce E.

<sup>1</sup> SDRA states that an operator on the track being acquired has not yet been determined.