

**DEPARTMENT OF TRANSPORTATION****Surface Transportation Board****[Docket No. AB 1061X]****Central Washington Railroad Company—Discontinuance of Trackage Rights Exemption—in Yakima County, WA**

Central Washington Railroad Company (CWRR)<sup>1</sup> has filed a verified notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments and Discontinuances of Service* to discontinue trackage rights over 2.25 miles of rail lines owned by Union Pacific Railroad Company (UP), consisting of 1.45 miles between UP milepost 57.3 and UP milepost 58.75 in Grandview, Wash., and 0.8 miles between UP milepost 62.75 and UP milepost 63.55 at Midvale, Wash.<sup>2</sup> The lines traverse United States Postal Service Zip Code 98930.

CWRR has certified that: (1) No local traffic has moved over the lines for at least 2 years; (2) no overhead traffic has moved over the lines for at least 2 years; (3) no formal complaint filed by a user of rail service on the lines (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the lines either is pending with the 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 1105.12 (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 discontinuance of service 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

<sup>1</sup> CWRR acquired the trackage rights in *Central Washington Railroad Company—Lease and Operation Exemption—The Burlington Northern and Santa Fe Railway Company*, FD 34640 (STB served Jan. 21, 2005).

<sup>2</sup> UP was authorized to abandon the 1.45-mile line of railroad in *Union Pacific Railroad Company—Abandonment Exemption—in Yakima County, Wash.*, AB 33 (Sub-No. 285X) (STB served June 22, 2010), and the 0.8-mile line of railroad in *Union Pacific Railroad Company—Abandonment Exemption—in Yakima County, Wash.*, AB 33 (Sub-No. 286X) (STB served June 22, 2010). In each notice, UP was advised it could not consummate the abandonment while existing trackage rights remained in effect.

assistance (OFA) has been received, this exemption will be effective on August 18, 2010, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues and formal expressions of intent to file an OFA for continued rail service under 49 CFR 1152.27(c)(2)<sup>3</sup> must be filed by July 29, 2010.<sup>4</sup> Petitions to reopen must be filed by August 9, 2010, with: Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to CWRR's representative: Karl Morell, Ball Janik LLP, 1455 F St., NW., Suite 225, Washington, DC 20005.

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

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

Decided: July 14, 2010.

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

**Jeffrey Herzig,**  
Clearance Clerk.

[FR Doc. 2010-17496 Filed 7-16-10; 8:45 am]

**BILLING CODE 4915-01-P**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****Notice of Intent To Rule on Request To Release Airport Property at Fort Smith Regional Airport, Fort Smith, AR**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of request to release airport property.

**SUMMARY:** The FAA proposes to rule and invites public comment on the release of land at Fort Smith Regional Airport under the provisions of Title 49, U.S.C. Section 47153(c).

**DATES:** Comments must be received on or before August 18, 2010.

**ADDRESSES:** Comments on this application may be mailed or delivered to the FAA at the following address: Mr. Edward N. Agnew, Manager, Federal Aviation Administration, Southwest Region, Airports Division, Arkansas/Oklahoma Airports Development Office, ASW-630, 2601 Meacham Boulevard, Fort Worth, Texas 76137.

<sup>3</sup> Each OFA must be accompanied by the filing fee, which currently is set at \$1,500. See 49 CFR 1002.2(f)(25).

<sup>4</sup> Because this is a discontinuance proceeding and not an abandonment, trail use/rail banking and public use conditions are not appropriate. Likewise, no environmental or historical documentation is required here under 49 CFR 1105.6(c) and 49 CFR 1105.8(b), respectively.

In addition, one copy of any comments submitted to the FM must be mailed or delivered to Mr. John Parker, Airport Director, Fort Smith Regional Airport, at the following address: Fort Smith Regional Airport, 6700 McKennon Blvd., Suite 200, Fort Smith, AR 72903.

**FOR FURTHER INFORMATION CONTACT:** Mr. Jimmy Pierre, Federal Aviation Administration, Airports Development Office, ASW-630, 2601 Meacham Boulevard, Fort Worth, Texas 76137.

The request to release property may be reviewed in person at this same location.

**SUPPLEMENTARY INFORMATION:** The FAA invites public comment on the request to release property at the Fort Smith Regional Airport.

On June 24, 2010, the FAA determined that the request to release property at Fort Smith Regional Airport submitted by the City of Fort Smith met the procedural requirements of the Federal Aviation Regulations, Part 155. The FAA may approve the request, in whole or in part, no later than August 1, 2010.

The following is a brief overview of the request:

The Fort Smith Regional Airport requests the release of 2.11 acres of airport property. The release of property will allow the Arkansas Highway Department to make improvements to Highway 255 and Century Drive. The release will also allow the airport to receive, in exchange for the 2.11 acres, a cash payment in the amount of \$257,400.00, which the Airport will use toward AIP eligible taxiway improvements in the general aviation area at Fort Smith Regional Airport.

Any person may inspect the request in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the Fort Smith Regional Airport.

Issued in Fort Worth, Texas, on June 24, 2010.

**Kelvin L. Solco,**  
Manager, Airports Division.

[FR Doc. 2010-17292 Filed 7-16-10; 8:45 am]

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