

by Alameda Belt Line (ABL)¹ between milepost 0.00 near Clement Avenue and milepost 1.80 near Sherman Street in the City of Alameda, Alameda County, CA (City).² The line traverses United States Postal Service Zip Code 94501.

UP has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic on the line; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service on the line 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 R. Co.—Abandonment—Goshen*, 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, this exemption will be effective on May 8, 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)³ must be filed by April 19, 2010.⁴ Petitions to reopen must be filed by April 28, 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 UP's representative: Mack H. Shumate, Jr.,

¹ ABL is jointly owned by UP and Burlington Northern and Santa Fe Railway Company (BNSF). UP acquired the trackage rights in *Union Pacific Railroad Company—Trackage Rights Exemption—Alameda Belt Line*, STB Finance Docket No. 33682 (STB served Nov. 24, 1998). Once the exemption became effective, UP handled rail cars as the operating agent for BNSF.

² UP states that the City has negotiated a purchase agreement with it and BNSF to purchase the line and, as a condition to closing the agreement, the City desires that UP and BNSF discontinue service over the line.

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

⁴ 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 1105.8(b), respectively.

101 North Wacker Drive, Room 1920, Chicago, IL 60606.

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 www.stb.dot.gov.

Decided: April 2, 2010.

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

Jeffrey Herzig,
Clearance Clerk.

[FR Doc. 2010–7854 Filed 4–7–10; 8:45 am]

BILLING CODE 4915–01–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of Availability regarding a Finding of No Significant Impact (FONSI): U.S. 421 Milton-Madison Bridge replacement.

SUMMARY: The FHWA, in coordination with the Kentucky Transportation Cabinet (KYTC) and Indiana Department of Transportation (INDOT), is issuing a Finding of No Significant Impact (FONSI) for improvement to the U.S. 421 Ohio River Bridge between Milton, KY and Madison, IN. The project is needed to improve the functionally obsolete/structurally deficient bridge; to maintain cross-river mobility and community connectivity between Milton and Madison; and to improve safety.

FOR FURTHER INFORMATION CONTACT:

Federal Highway Administration, Kentucky Division: Mr. Greg Rawlings, Transportation Specialist, 330 West Broadway, Frankfort, KY 40601–1981. Greg may be contacted by phone at 502–223–6728, or by e-mail at Gregory.Rawlings@dot.gov.

The FHWA, in coordination with the Kentucky Transportation Cabinet, has determined that the preferred alternative, replacement of the historic truss superstructure with a new 40-foot wide superstructure that mimics the historic profile, will have no significant impact on the human environment. The new cross-section includes 8-foot shoulders, bike lanes, and a cantilever sidewalk. Improvements will require the bridge be closed to traffic for an estimated 12 months. During this time, a free ferry service will maintain connectivity between the two communities. Extensive Section 106 coordination resulted in a Section 106 Memorandum of Agreement. The

project results in Section 4(f) impacts to the historic bridge, the public boat ramp in Milton (net benefit use), and Madison's city campground (net benefit use). A public park at the foot of the bridge in Milton will require a de minimis use if used for a construction staging area. This Finding of No Significant Impact (FONSI) is based on the Environmental Assessment (EA) which has been independently evaluated by the FHWA and determined to adequately and accurately discuss the need, environmental issues, and impacts of the proposed project and appropriate mitigation measures. It provides sufficient evidence and analysis for determining that an EIS is not required. The FHWA takes full responsibility for the accuracy, scope, and content of the EA, FONSI, and other supporting documents.

Electronic Access: An electronic copy of the EA and FONSI may be downloaded from the project Web site at <http://www.miltonmadisonbridge.com/project-documents.aspx>.

Authority: 23 U.S.C. 315; 49 CFR 1.48.

Issued on March 29, 2010.

Jose Sepulveda,
Division Administrator.

[FR Doc. 2010–7653 Filed 4–7–10; 8:45 am]

BILLING CODE 4910–22–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Membership in the National Parks Overflights Advisory Group Aviation Rulemaking Committee

ACTION: Notice.

SUMMARY: By **Federal Register** notice (See 75 FR 1834–1835; January 13, 2010) the National Park Service (NPS) and the Federal Aviation Administration (FAA) invited interested persons to apply to fill a vacant position on the National Parks Overflights Advisory Group (NPOAG) Aviation Rulemaking Committee (ARC). That previous notice invited interested persons to apply to fill the vacancy representing commercial air tour concerns due to the incumbent member's completion of a three-year term appointment on May 19, 2010.

This notice informs the public of the person selected to fill the vacancy on the NPOAG ARC.

FOR FURTHER INFORMATION CONTACT: Barry Brayer, Special Programs Staff, Federal Aviation Administration, Western-Pacific Region Headquarters, P.O. Box 92007, Los Angeles, CA