

**ACTION:** Notice of Intent.

**SUMMARY:** The Federal Highway Administration (FHWA) is issuing this notice to advise the public of its intent to prepare a supplemental Environmental Impact Statement (EIS) in cooperation with the Virginia Department of Transportation (VDOT) to more thoroughly examine the impacts associated with the selected bypass alternative (Alternative 10) from the Route 29 Corridor Study final EIS and the subsequent changes to the termini on the South Fork Rivanna River Reservoir and archeological resources not previously accounted for.

**FOR FURTHER INFORMATION CONTACT:** Edward Sundra, Senior Environmental Specialist, Federal Highway Administration, Post Office Box 10249, Richmond, Virginia 23240-0249, Telephone 804-775-3338.

**SUPPLEMENTARY INFORMATION:** In the late-1980s, an EIS was initiated to address congestion on Route 29 through the City of Charlottesville and Albemarle County in central Virginia. In 1993, a Record of Decision (ROD) was issued by FHWA which identified a series of improvements to address the project's purpose and need. This series of improvements included a bypass alternative known as Alternative 10 located west of existing Route 29. Shortly after issuing the ROD, changes were requested by the localities to the termini of the bypass. To address these changes, an Environmental Assessment was prepared which concluded that a supplemental EIS was not required. In 1996, a Reevaluation was initiated to address design changes to the bypass recommended by a local design advisory committee as well as other issues that arose since the EA. In 1998, litigation was brought against the project by the Southern Environmental Law Center on behalf of the Piedmont Environmental Council and Sierra Club alleging violations of the National Environmental Policy Act and section 4(f) of the U.S. Department of Transportation Act of 1966. On March 13, 2000, FHWA completed its Reevaluation and issued a revised ROD documenting the changes to the selected alternative and the mitigation for the bypass. In August of 2001, a judge for the United States District Court in the City of Charlottesville rendered his decision on the litigation granting the plaintiffs motion for summary judgment in part. As a result, the Court enjoined further action on the project until a supplemental EIS was completed which addressed the issues enumerated in the judge's memorandum opinion—impacts

to the South Fork Rivanna River Reservoir and archeological resources which had not been previously considered. On the other eight counts raised by the plaintiffs, the judge granted the defendants' motion for summary judgment concluding that FHWA adequately considered the issues raised by the plaintiffs in the NEPA process and were not arbitrary and capricious in rendering its decision. Therefore, this supplemental EIS will be of limited scope with the purpose of determining whether the FHWA decision for the selected alternative represented by the revised ROD dated March 13, 2001, remains reasonable once the impacts of the bypass on the South Fork Rivanna River Reservoir and archeological resources not currently accounted for are thoroughly examined and considered.

In accordance with 40 CFR 1502.9(c)(4), scoping will not be reinitiated for the project. To support the development of the supplemental EIS, local officials and State and Federal agencies will be coordinated with as necessary, given the limited scope of the supplemental EIS. Letters describing the proposed study and soliciting input will be sent to the appropriate agencies which are known to have an interest or legal role in the project. Once completed, copies of the supplemental EIS will be sent to all recipients of the final EIS for the Route 29 Corridor Study. A public hearing is planned where the draft supplemental EIS will be made available to the public for review and comment prior to and after the hearing. Notices of the public hearing will be given through various forums, including the newspaper, providing the time and place of the meeting along with other relevant information. Any comments that are received during the public comment period that address the issues for which the supplemental EIS is being prepared will be considered before FHWA renders its decision regarding the existing selected alternative. Any comments that are received which address issues which the Court has already determined have been adequately addressed will be reviewed but not considered unless they raise significant new information.

Comments and questions concerning the development of the supplemental EIS and its scope should be directed to FHWA at the address provided above. Preparation of this supplemental EIS does not require the withdrawal of any previous approvals or documents.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning

and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this proposed action.)

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

Issued on: September 14, 2001.

**Edward S. Sundra,**

*Senior Environmental Specialist.*

[FR Doc. 01-24287 Filed 9-27-01; 8:45 am]

**BILLING CODE 4910-22-M**

---

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Environmental Assessment or Environmental Impact Statement: Summit County, OH

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

**ACTION:** Notice of intent.

**SUMMARY:** The FHWA is issuing this notice to advise the public that an environmental assessment or environmental impact statement will be prepared for a proposed project in Summit County, Ohio.

**FOR FURTHER INFORMATION CONTACT:** Michael B. Armstrong, Urban Programs Engineer, Federal Highway Administration, 200 N. High Street, Room 328, Columbus, Ohio 43215, Telephone: (614) 280-6855.

**SUPPLEMENTARY INFORMATION:** The FHWA, in cooperation with the Ohio Department of Transportation (ODOT), will prepare an environmental assessment (EA) or environmental impact statement (EIS) on a proposal to upgrade 5.2 miles of SR 8 between SR 303 and I-271 in Summit County, Ohio.

Upgrading SR 8 is considered necessary to improve the traffic flow and to meet current design standards. The proposal will reduce the existing vehicular traffic congestion along SR8.

Alternatives under consideration include: (1) Taking no action; (2) upgrading the existing 4-lane controlled access facility to a 4-lane limited access facility; (3) constructing a highway on new alignment; and (4) upgrading the existing 4-lane controlled access facility to a 6-lane controlled access facility.

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 interest in this proposal. A public hearing was previously held for the project on May 24, 2000. In Spring of 2002, an additional public hearing will be held in the project area. Public notice will be

given of the time and place of the public hearing. The draft EA or draft EIS will be available for public and agency review and comment prior to the public hearing. No formal scoping meeting is planned at this time.

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

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

Issued on: September 20, 2001.

**Michael B. Armstrong,**

*Urban Programs Engineer, Federal Highway Administration, Columbus, Ohio.*

[FR Doc. 01-24284 Filed 9-27-01; 8:45 am]

**BILLING CODE 4910-22-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Intelligent Transportation Society of America; Public Meeting

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

**ACTION:** Notice of public meeting.

**SUMMARY:** The Intelligent Transportation Society of America (ITS AMERICA) will hold a meeting of its Coordinating Council on Wednesday, October 24, 2001. The meeting begins at 8:30 a.m. with a Breakfast Business Meeting (#41).

**Note:** There is a Coordinating Council Workshop on Tuesday, October 23, 2001 from 12:30 p.m.-6:30 p.m. The Council mission and objectives will be discussed. The recommended actions will be reported out on Wednesday, October 24, 2001, from 10:15 a.m.-12 p.m.

The letter designations that follow each item mean the following: (I) is an information item; (A) is an action item; (D) is a discussion item. The General Session includes the following items: (1) Housekeeping Items: Welcome, Introductions, Antitrust statement, previous minutes, etc. (I); (2) US DOT Federal Report (I/D); (3) President's Report (I/D); (4) Advanced Construction Management Systems Task Force (D/A); (5) Committee Reports/Updates/Issues (TBD); (6) Closing Housekeeping (Next meeting dates/locations); (7) Adjournment.

ITS AMERICA provides a forum for national discussion and recommendations on ITS activities including programs, research needs, strategic planning, standards, international liaison, and priorities.

The charter for the utilization of ITS AMERICA establishes this organization as an advisory committee under the Federal Advisory Committee Act (FACA) 5 U.S.C. app. 2, when it provides advice or recommendations to DOT officials on ITS policies and programs. (56 FR 9400, March 6, 1991). **DATES:** The Coordinating Council of ITS AMERICA will meet on Wednesday, October 24, 2001 from 8:30 a.m.-10 a.m. Room TBA. Note: There is a Coordinating Council Workshop on Tuesday, October 23, 2001 from 12:30 p.m.-6:30 p.m. The Council mission and objectives will be discussed. The recommended actions will be reported out on Wednesday, October 24, 2001, from 10:15 a.m.-12 p.m.

**ADDRESSES:** Bourbon Orleans—A Wyndham Historic Hotel, 717 Orleans Street, New Orleans, Louisiana, 70116 Phone: (504) 523-2222.

#### FOR FURTHER INFORMATION CONTACT:

Materials associated with this meeting may be examined at the offices of ITS AMERICA, 400 Virginia Avenue SW., Suite 800, Washington, DC 20024. Persons needing further information or who request to speak at this meeting should contact Debbie M. Busch at ITS AMERICA by telephone at (202) 484-2904 or by FAX at (202) 484-3483. The DOT contact is Kristy Frizzell, FHWA, HOIT, Washington, DC 20590, (202) 366-9536. Office hours are from 8:30 a.m. to 5 p.m., e.t., Monday through Friday, except for legal holidays. (23 U.S.C. 315; 49 CFR 1.48)

Issued on: September 24, 2001.

**Jeffrey Paniati,**

*Program Manager, ITS Joint Program Office, U.S. Department of Transportation.*

[FR Doc. 01-24422 Filed 9-27-01; 8:45 am]

**BILLING CODE 4910-22-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34091]

#### Delaware-Lackawanna Railroad Co., Inc.—Operation Exemption—Monroe County Railroad Authority

Delaware-Lackawanna Railroad Co., Inc. (D-L), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to operate over approximately 10 miles of rail line to be

acquired by Monroe County Railroad Authority (MCRA) pursuant to a sublease. The line, which has been operated by Norfolk Southern Railway Company (NSR), consists of that portion of the Stroudsburg Secondary Track extending between milepost 2.0, approximately old milepost 74.4 (Slate), and milepost 12.2, approximately old milepost 84.6 (Gravel), in Monroe and Northampton Counties, PA.<sup>1</sup>

This transaction is related to STB Finance Docket No. 34092, *Monroe County Railroad Authority—Lease Exemption—Norfolk Southern Railway Company and Pennsylvania Lines LLC*, wherein MCRA seeks to sublease the line involved here.

The transaction was scheduled to be consummated on or about September 14, 2001. The earliest the transaction could have been consummated was on September 14, 2001, the effective date of the exemption (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 does not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34091, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Keith G. O'Brien, Esq., REA, CROSS & AUCHINCLOSS, 1707 L Street, NW., Suite 570, Washington, DC 20036.

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

Decided: September 24, 2001.

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

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

[FR Doc. 01-24396 Filed 9-27-01; 8:45 am]

**BILLING CODE 4915-01-P**

<sup>1</sup> D-L's operation of the line is subject to the NSR's retention of overhead trackage rights.