

(e.g., mowing). Herbicides will not be used in this area.

- The location of the Alabama snow-wreath population will be included on the engineering design specification drawings for use during the design, construction, and maintenance of the transmission line. All construction occurring within 200 feet of the Alabama snow-wreath population will be strictly confined to areas within the Christiana Transmission Line ROW. In addition, fencing will be erected along the edge of the ROW during construction to ensure impacts to Alabama snow-wreath are avoided. Vegetation management within 200 feet of the snow-wreath population will be accomplished by mechanical clearing, and herbicides will not be used in this area.

- The location of Pynes ground-plum will be marked on the engineering design specification drawings for use during the design, construction, and maintenance of the transmission line. Vehicles, construction equipment, and unnecessary personnel will strictly be prohibited from disturbing the population. This will be accomplished by explicitly instructing construction crews to remain on the Christiana Transmission Line ROW in the immediate vicinity of the population and to avoid any activity in this area (felling trees, grading, inadvertently accessing the site with vehicles, etc.) that will alter the habitat. In addition, fencing will be erected along the edge of the ROW during construction to ensure impacts to Pynes ground-plum are avoided. Vegetation management within 500 feet of the ground-plum population will be accomplished by mechanical clearing; herbicides will not be used in this area.

- Prior to the transmission line construction clearing, TVA will contract with the state of Tennessee to treat all tree-of-heaven within the proposed Almaden Transmission Line ROW to reduce the risk of spreading within the designated critical habitat. This will be accomplished by using a basal bark application of Garlon 4 herbicide before trees are cleared from the proposed ROW. The tank mixture will consist of a 20 percent Garlon 4/80 percent carrier solution of specially formulated vegetable oil. Using a backpack sprayer, herbicide will be applied to the trunk of each tree-of-heaven stem from ground level to 18 inches high. All areas of the trunk in this band will be thoroughly wetted with herbicide.

- Timber harvesting for ROW clearing in six areas of moderately suitable habitat for the Indiana bat will take

place between October 15 and March 31.

- To minimize potential impacts to the gray bat, a 500-foot-radius buffer at the entrance to Nanna Cave and standard BMPs at all stream crossings (Muncy 1999) will be implemented during the construction and maintenance of the transmission lines.

- Access roads that contain habitat for federally and state-listed species will be resurveyed during the growing season prior to use for any ROW construction or clearing. Should an occurrence(s) be found within the area encompassing any of the access roads as proposed, the occurrence(s) will be avoided by either rerouting the access road or not using that particular access road. Any new roads that will be considered as alternatives will also be surveyed before their use.

- In order to avoid adverse effects to archaeological site 40WM35, TVA will not place transmission line structures within the site or cause other ground disturbance of the site. If impacts to the site cannot be avoided in this manner, TVA will conduct further Phase II archaeological testing to identify locations for structure placement that will not adversely affect the site.

- Archaeological sites 40RD280 and 40RD281 will be avoided by the rerouting of a section of the Christiana Transmission Line.

- TVA will implement the treatment measures necessary to mitigate adverse effects on two historic sites, the William Allison house and the Smithson-McCall farm. As described in a Memorandum of Agreement developed between TVA, the Tennessee State Historical Preservation Officer, and other interested parties (Appendix B-1), these measures include minimizing the number and height of the structures within the line-of-site and the use, where possible, of vegetative screening measures at the landowners request.

Dated: June 5, 2008.

**Jacinda B. Woodward,**

*Interim Vice President, Electric System Projects.*

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-33 (Sub-No. 264X)]

### Union Pacific Railroad Company— Abandonment Exemption—in Saline County, MO

Union Pacific Railroad Company (UP) has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments* to abandon the Marshall Industrial Lead, a 6.2-mile line of railroad, extending from milepost 0.0 to milepost 2.2, in Saline County, MO.<sup>1</sup> The line traverses United States Postal Service Zip Code 65340.

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 over 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 1105.7 (environmental report), 49 CFR 1105.8 (historic report), 49 CFR 1105.11 (transmittal letter), 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 abandonment 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 July 24, 2008, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,<sup>2</sup>

<sup>1</sup> This description is derived from the 1918 Missouri Pacific Railroad Company valuation map showing the line as being from survey station 0+00 at the connection with the River Subdivision, hereinafter equaling milepost 0.0, to survey station 116+59 at the connection with Kansas City Southern (KCS), hereinafter equaling milepost 2.2, in and around Marshall.

<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 Section of Environmental Analysis (SEA) in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible

Continued

formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),<sup>3</sup> and trail use/rail banking requests under 49 CFR 1152.29 must be filed by July 7, 2008. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by July 14, 2008, 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., 101 North Wacker Drive, Room 1920, Chicago, IL 60606.

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

UP has filed a combined environmental and historic report addressing the effects, if any, of the abandonment on the environment and historic resources. SEA will issue an environmental assessment (EA) by June 27, 2008. Interested persons may obtain a copy of the EA by writing to SEA (Room 1100, Surface Transportation Board, Washington, DC 20423-0001) or by calling SEA, at (202) 245-0305. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.] Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), UP 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 UP's filing of a notice of consummation by June 24, 2009, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

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

By the Board, Joseph H. Dettmar, Acting Director, Office of Proceedings.

Decided: June 18, 2008.

**Anne K. Quinlan,**  
Acting Secretary.

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so that the Board may take appropriate action before the exemption's effective date.

<sup>3</sup> Each OFA must be accompanied by the filing fee, which currently is set at \$1,300. See 49 CFR 1002.2(f)(25).

## DEPARTMENT OF THE TREASURY

### Office of the Comptroller of the Currency

#### Agency Information Collection Activities: Proposed Information Collection; Comment Request

**AGENCY:** Office of the Comptroller of the Currency (OCC), Treasury.

**ACTION:** Notice and request for comment.

**SUMMARY:** The OCC, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on a continuing information collection, as required by the Paperwork Reduction Act of 1995. An agency may not conduct or sponsor, and a respondent is not required to respond to, an information collection unless it displays a currently valid OMB control number. The OCC is soliciting comment concerning its information collection titled, "Fair Housing Home Loan Data System Regulation—12 CFR 27."

**DATES:** You should submit your comments by August 25, 2008.

**ADDRESSES:** You should direct all written comments to: Communications Division, Office of the Comptroller of the Currency, Public Information Room, Mailstop 1-5, Attention: 1557-0159, 250 E Street, SW., Washington, DC 20219. In addition, comments may be sent by fax to (202) 874-4448, or by electronic mail to [regs.comments@occ.treas.gov](mailto:regs.comments@occ.treas.gov). You can inspect and photocopy the comments at the OCC's Public Information Room, 250 E Street, SW., Washington, DC 20219. You can make an appointment to inspect the comments by calling (202) 874-5043. For security reasons, the OCC requires that visitors make an appointment to inspect comments. You may do so by calling (202) 874-5043. Upon arrival, visitors will be required to present valid government-issued photo identification and submit to security screening in order to inspect and photocopy comments.

Additionally, you should send a copy of your comments to OCC Desk Officer, 1557-0159, by mail to U.S. Office of Management and Budget, 725 17th Street, NW., #10235, Washington, DC 20503, or by fax to (202) 395-6974.

**FOR FURTHER INFORMATION CONTACT:** You can request additional information from Mary Gottlieb, OCC Clearance Officer, (202) 874-5090, Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, 250 E Street, SW., Washington, DC 20219.

**SUPPLEMENTARY INFORMATION:** The OCC is proposing to revise the following information collection:

*Title:* Fair Housing Home Loan Data System Regulation—12 CFR 27.

*OMB Control No.:* 1557-0159.

*Description:* The Fair Housing Act (42 U.S.C. 3605) prohibits discrimination in the financing of housing on the basis of race, color, religion, sex, or national origin. The Equal Credit Opportunity Act (15 U.S.C. 1691 *et. seq.*) prohibits discrimination in any aspect of a credit transaction on the basis of race, color, religion, national origin, sex, marital status, age, receipt of income from public assistance, or exercise of any right under the Consumer Credit Protection Act. The OCC is responsible for ensuring that national banks comply with those laws. This information collection is needed to promote national bank compliance and for OCC to fulfill its statutory responsibilities.

The information collection requirements in 12 CFR part 27 are as follows:

- Section 27.3(a) requires a national bank that is required to collect data on home loans under 12 CFR part 203 to present the data on Federal Reserve Form FR HMDA-LAR,<sup>1</sup> or in automated format in accordance with the HMDA-LAR instructions, and to include one additional item (the reason for denial) on the HMDA-LAR. Section 27.3(a) also lists exceptions to the HMDA-LAR recordkeeping requirements.

- Section 27.3(b) lists the information banks should obtain from an applicant as part of a home loan application, and states information that a bank must disclose to an applicant.

- Section 27.3(c) sets forth additional information required to be kept in the loan file.

- Section 27.4 states that the OCC may require a national bank to maintain a Fair Housing Inquiry/Application Log found in Appendix III to part 27 if there is reason to believe that the bank is engaging in discriminatory practices or if analysis of the data compiled by the bank under the Home Mortgage Disclosure Act (12 U.S.C. 2801 *et. seq.*) and 12 CFR part 203 indicates a pattern of significant variation in the number of home loans between census tracts with similar incomes and home ownership levels differentiated only by race or national origin.

- Section 27.5 requires a national bank to maintain the information required by § 27.3 for 25 months after the bank notifies the applicant of action

<sup>1</sup> Loan Application Register, <http://www.ffiec.gov/hmda/doc/hmdalar2007.doc>.