

only the first three categories of funding in the June 16, 1995 NOFA. To pay for the congressionally mandated FY 1995 funding actions under the first three NOFA categories, HUD will recapture prior year unobligated funds from funding awards not within congressionally protected categories.

* * * * *

This notice amends this second paragraph to add the following new third sentence so that the second full paragraph in the third column on page 46747 reads as follows:

Because of the enactment of the Rescissions Act, HUD is now able to address only the first three categories of funding in the June 16, 1995 NOFA. To pay for the congressionally mandated FY 1995 funding actions under the first three NOFA categories, HUD is recapturing prior year unobligated funds from funding awards not within congressionally protected categories. HUD is exempting from recapture prior awards (1) for new construction, to a PHA in an Empowerment Zone (but not to a PHA in any lesser category such as an Enterprise Community or Supplemental Empowerment Zone); (2) from Headquarters Reserve for natural disasters; or (3) where HUD determines, in its discretion, that a gross error by HUD prevented an ACC, that was fully executed and submitted to HUD by the PHA prior to June 30, 1995, from being executed by HUD prior to June 30, 1995.

No other changes are made to the notice published on September 7, 1995.

Dated: October 2, 1995.

Michael B. Janis,

General Deputy Assistant Secretary for Public and Indian Housing.

[FR Doc. 95-25627 Filed 10-16-95; 8:45 am]

BILLING CODE 4210-33-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Availability of an Environmental Assessment/Habitat Conservation Plan and Receipt of Application for Incidental Take Permit for Construction of 11 Single Family Residences on 31.26 Acres Located 400 Feet East of Turtle Lane and Foundation Road, Travis County, Texas

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice.

SUMMARY: Rustin Craig Andrus, *et al.*, (Applicants) have applied to the Fish and Wildlife Service (Service) for an incidental take permit pursuant to Section 10(a) of the Endangered Species Act (Act). The Applicant has been assigned permit numbers PRT-806828.

The requested permit, which is for a period of 10 years, would authorize the incidental take of the endangered golden-cheeked warbler (*Dendroica chrysoparia*). The proposed take would occur as a result of the construction of 11 single family residences locate 400 feet east of the intersection of Turtle Lane and Foundation Road, Travis County, Texas.

The Service has prepared the Environmental Assessment/Habitat Conservation Plan (EA/HCP) for the incidental take applications. A determination of jeopardy to the species of a Finding of No Significant Impact (FONSI) will not be made before 30 days from the date of publication of this notice. This notice is provided pursuant to Section 10(c) of the Act and National Environmental Policy Act regulations (40 CFR 1506.6).

DATES: Written comments on the application should be received by no later than November 16, 1995.

ADDRESSES: Persons wishing to review the application of EA/HCP may obtain a copy by contacting Joseph E. Johnston or Sybil Vosler, Ecological Sciences Field Office, 10711 Burnet Road, Suite 200, Austin, TX 78758 (512/490-0063). Documents will be available for public inspection by written request, by appointment only, during normal business hours (8:00 to 4:30) U.S. Fish and Wildlife Service, Austin, Texas. Written data or comments concerning the application(s) and EA/HCPs should be submitted to the Acting Field Supervisor, Ecological Field Office, Austin, Texas (see **ADDRESS** above). Please refer to permit number PRT-806828 when submitting comments.

FOR FURTHER INFORMATION CONTACT: Joseph E. Johnston or Sybil Vosler at the above Austin Ecological Service Field Office.

SUPPLEMENTARY INFORMATION: Section 9 of the Act prohibits the "taking" of endangered species such as the golden-cheeked warbler. However, the Service, under limited circumstances, may issue permits to take endangered wildlife species incidental to, and not the purpose of, otherwise lawful activities. Regulations governing permits for endangered species are at 50 CFR 17.22.

The action will eliminate less than 11 acres of land and indirectly impact less than 15 additional acres of golden-cheeked warbler habitat. The applicant proposes to compensate for this incidental take of golden-cheeked warbler habitat by preserving 17 acres of habitat and providing funds to the Texas Nature Conservancy sufficient to acquire/manage lands for the

conservation of the golden-cheeked warbler.

Alternatives to this action were rejected because selling or not developing the subject property with federally listed species present was not economically feasible.

Nancy M. Kaufman,

Regional Director, Region 2, Albuquerque, New Mexico.

[FR Doc. 95-25701 Filed 10-16-95; 8:45 am]

BILLING CODE 4510-55-M

National Park Service

National Register of Historic Places; Notification of Pending Nominations

Nominations for the following properties being considered for listing in the National Register were received by the National Park Service before October 7, 1995. Pursuant to section 60.13 of 36 CFR Part 60 written comments concerning the significance of these properties under the National Register criteria for evaluation may be forwarded to the National Register, National Park Service, P.O. Box 37127, Washington, D.C. 20013-7127. Written comments should be submitted by November 1, 1995.

Antoinette J. Lee,

Acting Chief of Registration, National Register.

ALASKA

- Skagway-Yakutat-Angoon Borough-Census Area, Alexander Lake Shelter Cabin, (CCC Historic Properties in Alaska MPS), Admiralty Island National Monument, Angoon vicinity, 95001296
- Beaver Lake Dam, (CCC Historic Properties in Alaska MPS), Admiralty Island National Monument, Angoon vicinity, 95001295
- Big Shaheen Cabin, (CCC Historic Properties in Alaska MPS), Admiralty Island National Monument, Angoon vicinity, 95001292
- Davidson Lake Shelter Cabin, (CCC Historic Properties in Alaska MPS), Admiralty Island National Monument, Angoon vicinity, 95001303
- Distin Lake Shelter Cabin, (CCC Historic Properties in Alaska MPS), Admiralty Island National Monument, Angoon vicinity, 95001294
- Hasselborg Cabin, (CCC Historic Properties in Alaska MPS), Admiralty Island National Monument, Angoon vicinity, 95001291
- Hasselborg Lake East Shelter Cabin, (CCC Historic Properties in Alaska MPS), Admiralty Island National Monument, Angoon vicinity, 95001308
- Hasselborg Lake North Shelter Cabin, (CCC Historic Properties in Alaska MPS), Admiralty Island National Monument, Angoon vicinity, 95001307
- Hasselborg Lake South Shelter Cabin, (CCC Historic Properties in Alaska MPS), Admiralty Island National Monument, Angoon vicinity, 95001300

Lake Guerin East Shelter Cabin, (CCC Historic Properties in Alaska), Admiralty Island National Monument, Angoon vicinity, 95001306

Lake Guerin West Shelter Cabin, (CCC Historic Properties in Alaska MPS), Admiralty Island National Monument, Angoon vicinity, 95001301

Mitchell Bay Shelter Cabin, (CCC Historic Properties in Alaska MPS), Admiralty Island National Monument, Angoon vicinity, 95001302

Mole Harbor Shelter Cabin, (CCC Historic Properties in Alaska MPS), Admiralty Island National Monument, Angoon vicinity, 95001297

Thayer Lake East Shelter Cabin, (CCC Historic Properties in Alaska MPS), Admiralty Island National Monument, Angoon vicinity, 95001309

Thayer Lake North Shelter Cabin, (CCC Historic Properties in Alaska MPS), Admiralty Island National Monument, Angoon vicinity, 95001304

Thayer Lake South Shelter Cabin, (CCC Historic Properties in Alaska MPS), Admiralty Island National Monument, Angoon vicinity, 95001298

Windfall Harbor Shelter Cabin, (CCC Historic Properties in Alaska), Admiralty Island National Monument, Angoon vicinity, 95001299

ARIZONA

Maricopa County

Azatlan Archeological Site, Address Restricted, Rio Verde Estates vicinity, 95001283

COLORADO

Delta County, Garnethurst, 509 Leon St., Delta, 95001245

El Paso County

Colorado Springs City Auditorium, 231 E. Kiowa St., Colorado Springs, 95001244

Las Animas County

First Christian Church, 200 S. Walnut St., Trinidad, 95001246

Montezuma County

Ertel Funeral Home, 42 N. Market St., Cortez, 95001248

Otero County

Carnegie Public Library, 1005 Sycamore Ave., Rocky Ford, 95001247

ILLINOIS

Fulton County

Oak Hill Cemetery, 1000 Blk. N. Main St. (IL 97 and 100), Lewistown, 95001240

Greene County

Hotel Roodhouse, 303 Morse St., Roodhouse, 95001238

Jo Daviess County

Warren Commercial Historic District, 102-165 E. Main St., 204-210 E. Bunett, 102-108 S. Railroad, Warren, 95001241

Lake County

Green Bay Road Historic District, Roughly, area surrounding 10 S to 1596 N Green Bay

Rd. and Ahwahnee Rd., Lake Forest, 95001235

La Salle County

Chicago, Rock Island and Pacific Railroad Depot, 150 Washington St., Marseilles, 95001239

Ogle County

Buffalo Township Public Library, 302 W. Mason St., Polo, 95001236

Saline County

Eldorado City Hall, 1604 Locust St., Eldorado, 95001237

Sangamon County

Miller, Bell, Apartments, 835 S. Second St., Springfield, 95001242

Whiteside County

First Congregational Church of Sterling, 311 Second Ave., Sterling, 95001234

KENTUCKY

Rockcastle County

Lair, John, House and Stables, Jct. of US 25 and Hummel Rd., NE corner, Renfro Valley, 95001270

Woodford County

Clifton Country Club, 1190 Buck Run Rd., Versailles vicinity, 95001271
Labrot & Graham Distillery, 7855 McCracken Pike, Frankfort vicinity, 95001272

LOUISIANA

Natchitoches Parish

Carnahan Store, Main St. (LA 495), Cloutierville, 95001243

Vermilion Parish

Downtown Abbeville Historic District, Roughly bounded by State and First Sts., Vermilion Bayou, Pere Megret and Concord Sts., Abbeville, 95001261

MISSISSIPPI

Adams County

Woodlawn Historic District, Roughly bounded by Martin Luther King St., E. Stiers and Old College Lns., Elm and Bishop Sts., Natchez, 95001250

Hinds County

Houses at 500, 505, 512 and 513 North State Street, 500, 505, 512 and 513 N. State St., Jackson, 95001249

MONTANA

Lewis and Clark County

Appleton House No. 9, 1999 Euclid Ave., Helena, 95001264
Childs Carriage House, 318 E. Sixth Ave., Helena, 95001263

NEW JERSEY

Cumberland County

A.J. MEERWALD (Schooner), 22 Miller Ave. on Maurice River, Commercial Township, Bivalve, 95001256

Essex County

Canfield—Morgan House, 899-903 Pompton Ave. (NJ 23), Cedar Grove, 95001265

NEW YORK

Cayuga County

Moravia Union Cemetery, (Moravia MPS), NY 38, Moravia, 95001278

Monroe County

Chase Cobblestone Farmhouse, (Cobblestone Architecture of New York State MPS), 1191 Manitou Rd., Town of Parma, Hilton vicinity, 95001279

Covert, William, Cobblestone Farmhouse, (Cobblestone Architecture of New York State MPS), 978 N. Greece Rd., Greece, 95001280

Oneida County

Western Town Hall, Main St. at jct. with Stokes—Westernville Rd., Westernville, 95001277

Orange County

Dickerson, Abraham, Farmhouse, 171 W. Searsville Rd., Montgomery, 95001286
Pelton, Gideon, Farm, 250 Rockefeller Ln., Montgomery, 95001287
Waring, Daniel, House, 730 River Rd., Montgomery, 95001285

Otsego County

East Main Street Historic District, Roughly, E. Main St. from Church St. to the Richfield Springs reservoirs, Richfield Springs, 95001282

Suffolk County

Parsons, Ambrose, House, Springs—Fireplace Rd. at jct. with Old Stone Hwy., Town of East Hampton, Springs, 95001276

Wayne County

Baker, J. and E., Cobblestone Farmstead, 815 Canandaigua Rd., Macedon, 95001281

PENNSYLVANIA

Berks County

Morgantown Historic District, Roughly, area surrounding Main St. between Walnut and Washington Sts., Caernarvon Township, Morgantown, 95001255

Butler County

Butler County National Bank, 302 S. Main St., Butler, 95001251

Cambria County

Old Conemaugh Borough Historic District, Roughly bounded by Railroad, Adams, and Steel Sts., and Church Ave., Johnstown, 95001253

Somerset County

Uptown Somerset Historic District, Roughly bounded by N. Kimbery, Main, Columbia, and W. Catherine Sts., Somerset, 95001254

Westmoreland County

Warden, Samuel, House, 200 S. Church St., Mount Pleasant, 95001252

RHODE ISLAND

Kent County

Weaver, Clement—Daniel Howland House, 125 Howland Rd., East Greenwich, 95001266

Newport County

Clambake Club of Newport, 353 Tuckerman Ave., Middletown, 95001267

Washington County

Black Farm, Bounded by the Rockville—Alton Rd. (RI 112) and the Wood R., Hopkinton, 95001268

Westerly Downtown Historic District (Boundary Increase), Union St., Westerly, 95001288

TENNESSEE

Hamilton County

Missionary Ridge Historic District, N. and S. Crest Rd. from DeLong Reservation to 700 S. Crest Rd., Chattanooga, 95001257

Wilson County

Cedars of Lebanon State Park Historic District, (State Parks in Tennessee Built by the CCC and WPA, 1934–1942 TR), Cedar Forest Rd., Cedars of Lebanon State Park, Lebanon vicinity, 95001274

Turner, Ida New and William Madison, Farm, (Historic Family Farms in Middle Tennessee MPS), 3964 Old Murfreesboro Rd., Lebanon vicinity, 95001275

TEXAS

Hidalgo County

Louisiana—Rio Grande Canal Company Irrigation System, S. 2nd St. at River Levee, Hidalgo vicinity, 95001284

UTAH

San Juan County

Bluff Historic District, Roughly bounded by Main St., US 191, 2nd E. St., and the bluffs, Bluff, 95001273

VERMONT

Addison County

Salisbury Town Hall, W of the jct. of Maple and Prospect Sts., Salisbury, 95001262

Chittenden County

Buell Street—Bradley Street Historic District, 2–71 Bradley St., 24–125 Buell St., 16–75 Orchard Terr., 9–96 S. Union St., 11–87 Hungerford Terr., Burlington, 95001260

Windham County

Rice Farm Road Bridge, (Metal Truss, Masonry, and Concrete Bridges of Vermont MPS), Town Hwy. 62, off VT 30, Dummerston, 95001259

Windsor County

Johnson, Wales N., House, 37 US 4, Woodstock, 95001258

VIRGINIA

Alleghany County

Old Friends Archeological Site, Restricted Address, Jamestown, 95001269

[FR Doc. 95–25727 Filed 10–16–95; 8:45 am]

BILLING CODE 4310–70–P

INTERSTATE COMMERCE COMMISSION

[Docket No. AB–55 (Sub-No. 513X)]

CSX Transportation, Inc.—Abandonment Exemption—in Ben Hill County, GA

CSX Transportation, Inc. (CSXT), has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments* to abandon approximately 0.48 miles of its line of railroad between milepost ANK–770.73 and milepost ANK–770.25 at the end of track, in Fitzgerald, Ben Hill County, GA.

CSXT 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 Commission or with any U.S. District Court or has been decided in favor of the 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 use of 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. 10505(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 November 12, 1995, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,¹ formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),² and trail use/rail banking

¹ A stay will be issued routinely by the Commission in those proceedings where an informed decision on environmental issues (whether raised by a party or by the Commission's Section of Environmental Analysis in its independent investigation) cannot be made before the effective date of the notice of exemption. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C.2d 377 (1989). Any entity seeking a stay on environmental concerns is encouraged to file its request as soon as possible in order to permit the Commission to review and act on the request before the effective date of this exemption.

² See *Exempt. of Rail Abandonment—Offers of Finan. Assist.*, 4 I.C.C.2d 164 (1987).

requests under 49 CFR 1152.29³ must be filed by October 23, 1995. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by November 2, 1995, with: Office of the Secretary, Case Control Branch, Interstate Commerce Commission, 1201 Constitution Ave., NW., Washington, DC 20423.

A copy of any pleading filed with the Commission should be sent to applicant's representative: Charles M. Rosenberger, 500 Water St. J150, Jacksonville, FL 32202.

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

CXST has filed an environmental report which addresses the abandonment's effects, if any, on the environment and historic resources. The Section of Environmental Analysis (SEA) will issue an environmental assessment (EA) by October 18, 1995. Interested persons may obtain a copy of the EA by writing to SEA (Room 3219, Interstate Commerce Commission, Washington, DC 20423) or by calling Elaine Kaiser, Chief of SEA, at (202) 927–6248. Comments on environmental and historic preservation matters must be filed within 15 days after the EA is available to the public.

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

Decided: October 11, 1995.

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

Vernon A. Williams,

Secretary.

[FR Doc. 95–25683 Filed 10–16–95; 8:45 am]

BILLING CODE 7035–01–M

[Docket No. AB–443 (Sub-No. 2X)]

Danbury Terminal Railroad Company—Discontinuance Exemption—Westchester and Putnam Counties, NY

Danbury Terminal Railroad Company (DTRR) has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments and Discontinuances* to discontinue freight service over approximately 11.8 miles of the Harlem Line, between milepost 43.4 (Golden's Bridge) and milepost 55.2 (Dykemans), in Westchester and Putnam Counties, NY. The Harlem line is owned by American Premier Underwriters, Inc., and, after the proposed discontinuance, will continue to be used for rail passenger service by Metro North

³ The Commission will accept a late-filed trail use request as long as it retains jurisdiction to do so.