

accompanying documentation submitted by the Lee County Port Authority. The documentation that constitutes the "Noise Exposure Maps" as defined in Section 150.7 of 14 CFR Part 150 includes: Table 4.1, RSW Noise Measurement Locations; Table 7.1, 2011 Annual Operations; Table 7.2, 2011 Annual-Average Day Fleet Mix (Itinerant Operations); Table 7.3, 2011 Annual-Average Day Fleet Mix (Local Operations); Table 7.4, 2017 Annual Operations; Table 7.5, 2017 Annual-Average Day Fleet Mix (Itinerant Operations); Table 7.6, 2017 Annual-Average Day Fleet Mix (Local Operations); Table 7.7, 2011 and 2017 Air Carrier Aircraft Stage Length Percentages; Table 7.8, 2011 Runway Use Percentages; Table 7.9, 2011 and 2017 Departure Flight Track Use Percentages; Table 7.10, 2011 and 2017 Arrival Flight Track Use Percentages; Table 7.11, 2011 and 2017 Local (Touch and Go) Flight Track Use Percentages; Table 8.1, 2012 DNL Contour Surface Areas; Table 8.2, 2017 DNL Contour Surface Areas; Table 8.3, 14 CFR Part 150 Land Use Compatibility Guidelines; Table 8.4, Lee County Airport Noise Zones; Figure 1.2, Airport Location Map; Figure 1.3, Existing Land Uses; Figure 2.1, Airport Diagram; Figure 2-2, U.S. National Airspace System; Figure 2.3, Southwest Florida International Airspace; Figure 2-7, RSW Published Arrivals and Departures; Figure 5.1, RSW RNAV Departures Established Since the 2006 14 CFR Part 150 Study; Figure 5-2, RSW RNAV Arrivals Established Since the 2006 14 CFR Part 150 Study; Figure 5-3, Monthly Operations; Figure 7.1, Modeled Flight Tracks—Northeast Flow; Figure 7.2, Modeled Flight Tracks—Southwest Flow; Figure 7.3, Modeled Flight Tracks—Touch and Go; Figure 8.1, 2012 DNL Noise Contours; Figure 8.2, 2017 DNL Noise Contours; Figure 8.3, Future Land Use; Figure 8.4, Airport Noise Zones; Appendix C, RSW Published IFR Procedures; Appendix L, Map "A" 2012 NEM and Map "B", 2017; NEM Chapter 9, Page 9-1, Airport Sponsor's Noise Exposure Map Certification; November 1, 2012 Airport Sponsor NEM Submittal Letter.

The FAA has determined that these Noise Exposure Maps and accompanying documentation are in compliance with applicable requirements. This determination is effective on January 30, 2013.

FAA's determination on the airport operator's Noise Exposure Maps is limited to a finding that the maps were developed in accordance with the procedures contained in Appendix A of 14 CFR Part 150. Such determination

does not constitute approval of the airport operator's data, information or plans, or a commitment to approve a Noise Compatibility Program or to fund the implementation of that Program. If questions arise concerning the precise relationship of specific properties to noise exposure contours depicted on a Noise Exposure Map submitted under Section 47503 of the Act, it should be noted that the FAA is not involved in any way in determining the relative locations of specific properties with regard to the depicted noise exposure contours, or in interpreting the Noise Exposure Maps to resolve questions concerning, for example, which properties should be covered by the provisions of Section 47506 of the Act. These functions are inseparable from the ultimate land use control and planning responsibilities of local government. These local responsibilities are not changed in any way under 14 CFR Part 150 or through FAA's review of Noise Exposure Maps. Therefore, the responsibility for the detailed overlaying of noise exposure contours onto the map depicting properties on the surface rests exclusively with the airport operator that submitted those maps, or with those public agencies and planning agencies with which consultation is required under Section 47503 of the Act. The FAA has relied on the certification by the airport operator, under Section 150.21 of 14 CFR Part 150, that the statutorily required consultation has been accomplished.

Copies of the full Noise Exposure Maps documentation and of the FAA's evaluation of the maps are available for examination at the following locations: Federal Aviation Administration, Orlando Airports District Office, 5950 Hazeltine National Drive, Citadel International Building, Suite 400, Orlando, FL 32822.

Questions may be directed to the individual named above under the heading, **FOR FURTHER INFORMATION CONTACT**.

Issued in Orlando, FL, on January 30, 2013.

**Bart Vernace,**

*Manager, Orlando Airports District Office,  
Federal Aviation Administration.*

[FR Doc. 2013-02894 Filed 2-7-13; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION**

**Surface Transportation Board**

[Docket No. FD 35661]

**Grand Trunk Western Railroad Company—Acquisition of Operating Easement—CSX Transportation, Inc.**

**AGENCY:** Surface Transportation Board, DOT.

**ACTION:** Notice of exemption.

**SUMMARY:** The Board is granting an exemption under 49 U.S.C. 10502 from the prior approval requirements at 49 U.S.C. 11323-25 for Grand Trunk Western Railroad Company (GTW), an indirect, wholly owned subsidiary of Canadian National Railway Company, to acquire from CSX Transportation, Inc. (CSXT) an exclusive, perpetual, non-assignable railroad operating easement over approximately 2.1 miles of CSXT's Memphis Terminal Subdivision, between Leewood, Tenn., milepost 00F371.4, and Aulon, Tenn., milepost 00F373.4 (Leewood-Aulon Line), subject to employee protective conditions. The Leewood-Aulon Line is currently owned by CSXT. Illinois Central Railroad Company, a GTW affiliate, operates over it via trackage rights. Along with the proposed easement acquisition by GTW, CSXT would retain local and overhead trackage rights over the Leewood-Aulon Line.

GTW's easement acquisition is one part of an Agreement for Exchange of Perpetual Easements between GTW and CSXT. In exchange for GTW's acquiring an easement from CSXT over the Leewood-Aulon Line, GTW has agreed to grant CSXT an exclusive, perpetual, non-assignable railroad operating easement over 22.37 miles of GTW track on the Elsdon Subdivision between the connection with CSXT at Munster, Ind., milepost 31.07, and Elsdon, Ill., milepost 8.7, which connects to the southern end of the BNSF Railway Company's Corwith Yard. The Board is separately granting authority for CSXT's acquisition of this operating easement in the Chicago area in Docket Nos. FD 35522 *et al.*<sup>1</sup>

**DATES:** This exemption will be effective on March 10, 2013. Petitions to stay must be filed by February 19, 2013. Petitions to reopen must be filed by February 28, 2013.

**ADDRESSES:** Send an original and 10 copies of all pleadings referring to Docket No. FD 35661 to: Surface Transportation Board, 395 E Street SW.,

<sup>1</sup> See *CSX Transp. Inc.—Acquis. of Operating Easement—Grand Trunk W. R.R.*, FD 35522, *et al.* (STB served February 8, 2013).

Washington, DC 20423-0001. In addition, send one copy of pleadings to David A. Hirsh, Harkins Cunningham LLP, 1700 K Street NW., Suite 400, Washington, DC 20006-3804.

**FOR FURTHER INFORMATION CONTACT:** Scott M. Zimmerman, (202) 245-0386. Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at (800) 877-8339.

**SUPPLEMENTARY INFORMATION:** Additional information is contained in the Board's decision served February 8, 2013, which is available on our Web site at [www.stb.dot.gov](http://www.stb.dot.gov).

Decided: February 4, 2013.

By the Board, Chairman Elliott, Vice Chairman Begeman, and Commissioner Mulvey.

**Derrick A. Gardner,**  
Clearance Clerk.

[FR Doc. 2013-02917 Filed 2-7-13; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. MCF 21049]

#### **Academy Express, L.L.C.—Acquisition of Property—Golden Ring Travel & Transportation, Inc.**

**AGENCY:** Surface Transportation Board, DOT.

**ACTION:** Notice Tentatively Authorizing Finance Transaction.

**SUMMARY:** On January 10, 2013, Academy Express, L.L.C. (Academy), a motor carrier of passengers, filed an application for authority under 49 U.S.C. 14303 to acquire the property of Golden Ring Travel & Transportation, Inc. (Golden Ring), also a motor carrier of passengers. The Board is tentatively approving and authorizing the transaction, and, if no opposing comments are timely filed, this notice will be the final Board action. Persons wishing to oppose the application must follow the rules set forth at 49 CFR 1182.5 and 1182.8.

**DATES:** Comments must be filed by March 25, 2013. Academy may file a reply by April 9, 2013. If no comments are filed by March 25, 2013, this notice shall be effective on March 26, 2013.

**ADDRESSES:** Send an original and 10 copies of any comments referring to Docket No. MCF 21049 to: Surface Transportation Board, 395 E Street SW., Washington, DC 20423-0001. In addition, send copies of comments to Academy's representative: Fritz R.

Kahn, Fritz R. Kahn, P.C., 1919 M Street NW., 7th Floor, Washington, DC 20036.

**FOR FURTHER INFORMATION CONTACT:** Scott M. Zimmerman, (202) 245-0386. Federal Information Relay Service (FIRS) for the hearing impaired: 1-800-877-8339.

**SUPPLEMENTARY INFORMATION:** Academy (MC-413682) is a motor carrier of passengers principally providing charter bus and contract carrier services, with a fleet of approximately 400 motor coaches and more than 500 drivers. Academy is indirectly controlled by the Tedesco Family ESB Trust, which also indirectly controls Academy Lines, L.L.C., a motor carrier of passengers principally rendering commuter operations, and No. 22 Hillside, L.L.C., a motor carrier of passengers rendering a variety of services. Golden Ring (MC-233098) is a motor carrier of passengers principally providing special and charter operations and has no affiliates.

Under the proposed transaction, Academy seeks permission to acquire the properties of Golden Ring—namely, three motor coaches, customer lists, and goodwill, as well as Golden Ring's authority to render intrastate motor carrier operations in Maryland. According to the application, Golden Ring would surrender its interstate operating authority and cease operating as an interstate motor carrier of passengers on the effective date of the property acquisition.

Under 49 U.S.C. 14303(b), the Board must approve and authorize a transaction that it finds consistent with the public interest, taking into consideration at least: (1) The effect of the proposed transaction on the adequacy of transportation to the public; (2) the total fixed charges that result; and (3) the interest of affected carrier employees. Academy has submitted information, as required by 49 CFR 1182.2, including the information to demonstrate that the proposed transaction is consistent with the public interest under 49 U.S.C. 14303(b), and a statement that Academy's gross operating revenue for the preceding 12 months exceeded \$2 million, *see* 49 U.S.C. 14303(g).

With respect to the effect of the transaction on the adequacy of transportation to the public, Academy states that the proposed acquisition would greatly benefit Golden Ring's patrons. According to Academy, passengers would be able to travel in newer buses and would have a far greater selection of tours and special operations than was previously afforded to them. Academy states that the separate management functions of the

two companies would be integrated and the purchases of fuel and other supplies would be combined, thereby lowering the operating costs and rendering the operations formerly conducted by Golden Ring more competitive. Academy further states that the proposed transaction would have no effect on total fixed charges. Academy states that the transaction would have no adverse effect upon the majority of Golden Ring's employees, as most of these employees would retain their jobs.

On the basis of the application, the Board finds that the proposed acquisition is consistent with the public interest and should be tentatively approved and authorized. If any opposing comments are filed by March 25, 2013, these findings will be deemed vacated, and, unless a final decision can be made on the record as developed, a procedural schedule will be adopted to reconsider the application. *See* 49 CFR 1182.6(c). If no opposing comments are filed by the expiration of the comment period, this notice will take effect automatically and will be the final Board action.

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

This decision will not significantly affect either the quality of the human environment or the conservation of energy resources.

#### *It is ordered:*

1. The proposed transaction is approved and authorized, subject to the filing of opposing comments.
2. If opposing comments are timely filed, the findings made in this notice will be deemed vacated.
3. This notice will be effective March 26, 2013, unless opposing comments are timely filed by March 25, 2013.
4. A copy of this notice will be served on: (1) U.S. Department of Transportation, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE., Washington, DC 20590; (2) the U.S. Department of Justice, Antitrust Division, 10th Street & Pennsylvania Avenue NW., Washington, DC 20530; and (3) the U.S. Department of Transportation, Office of the General Counsel, 1200 New Jersey Avenue SE., Washington, DC 20590.

Decided: February 4, 2013.

By the Board, Chairman Elliott, Vice Chairman Begeman, and Commissioner Mulvey.

**Raina S. White,**  
Clearance Clerk.

[FR Doc. 2013-02890 Filed 2-7-13; 8:45 am]

**BILLING CODE 4915-01-P**