

**SURFACE TRANSPORTATION BOARD****[Docket No. FD 36049]****CSX Transportation, Inc.—Trackage Rights Exemption—Central Railroad Company of Indianapolis, Chicago d/b/a Ft. Wayne and Eastern Railroad Division**

CSX Transportation, Inc. (CSXT), a Class I rail carrier, has filed a verified notice of exemption under 49 CFR 1180.2(d)(7) for its acquisition of limited overhead trackage rights over a 70.4-mile portion of a rail line that Central Railroad Company of Indianapolis, d/b/a Chicago, Ft. Wayne and Eastern Railroad Division (CFE) leases from CSXT.<sup>1</sup> The limited overhead trackage rights are between Lima, Ohio (milepost QF 260.3) and Arcola/Columbia City, Ind. (milepost PC 330.4), the connection to the SDI Facility (Facility) at Arcola, including all sidings, yard tracks, and yard leads now existent or hereafter constructed along the subject tracks.<sup>2</sup>

CSXT states that the parties will enter into a written agreement for the limited overhead trackage rights, and a copy of the final trackage rights agreement will be filed with the Board when it is executed.

CSXT states that it acquires finished rail from the Facility for use throughout its system. CFE handles the traffic from the Facility to an interchange with CSXT at Lima. CSXT states that it is more efficient to handle the traffic from the origin at the Facility in single-line service to the various locations on its system where the rail will be used. As part of the lease, CFE agreed to grant CSXT limited overhead trackage rights to directly access the Facility at Arcola. CSXT states it is seeking the trackage rights to directly reach the Facility solely for the purpose of transporting finished rail for use on its system and empty cars in the opposite direction.

The transaction is scheduled to be consummated on November 5, 2016, the effective date of the exemption (30 days after the verified notice of exemption was filed).

As a condition to this exemption, any employees affected by the trackage

rights will be protected by the conditions imposed in *Norfolk & Western Railway—Trackage Rights—Burlington Northern, Inc.*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Railway—Lease & Operate—California Western Railroad*, 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d)(7). 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 will not automatically stay the effectiveness of the exemption. Petitions for stay must be filed by October 28, 2016 (at least seven days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 36049, must be filed with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Louis E. Gitomer, 600 Baltimore Ave., Suite 301, Towson, MD 21204.

Board decisions and notices are available on our Web site at “[WWW.STB.GOV](http://WWW.STB.GOV).”

Decided: October 18, 2016.

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

**Rena Laws-Byrum,**  
Clearance Clerk.

[FR Doc. 2016-25523 Filed 10-20-16; 8:45 am]

**BILLING CODE 4915-01-P**

**DEPARTMENT OF TRANSPORTATION****Federal Highway Administration****Notice of Final Federal Agency Actions on Proposed Highway in Utah**

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

**ACTION:** Notice of Limitation of Claims for Judicial Review of Actions by FHWA and Other Federal Agencies.

**SUMMARY:** This notice announces actions taken by the FHWA that are final within the meaning of 23 U.S.C. 139(l)(1). The actions relate to the proposed 106th South, Redwood Road to Jordan Gateway, Project in Salt Lake County in the State of Utah. These actions grant approvals for the project.

**DATES:** By this notice, FHWA is advising the public of final agency actions subject to 23 U.S.C. 139(l)(1). A claim seeking judicial review of FHWA actions on the highway project will be barred unless the claim is filed on or before March 20, 2017. If the Federal

law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such claim, then that shorter time period still applies.

**FOR FURTHER INFORMATION CONTACT:** Bryan Dillon, Area Engineer, FHWA Utah Division, 2520 West 4700 South, Suite 9A, Salt Lake City, Utah 84129; telephone: 801-955-3517; email: [bryan.dillon@dot.gov](mailto:bryan.dillon@dot.gov). The FHWA Utah Division Office's normal business hours are 7:30 a.m. to 4:30 p.m. (Mountain Standard Time), Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that FHWA has taken final agency action subject to 23 U.S.C. 139(l)(1) by issuing licenses, permits, and approvals for the 106th South, Redwood Road to Jordan Gateway, Project in the State of Utah. The 106th South, Redwood Road to Jordan Gateway, Project proposes to provide transportation improvements along 106th South between Redwood Road and Jordan Gateway in South Jordan City, Salt Lake County, Utah.

The project consists of the following improvements: Add one travel lane in each direction between Redwood Road and Jordan Gateway, generally within the present roadway width; Provide 5-ft shoulder for bicyclists where right turns are not required and 8-ft outside shoulders where there are existing access points for right turns; Maintain two-way left-turn lane between approximately 1540 West and 1300 West; Remove pedestrian structure at 1300 West; Add dual left-turn lanes on all four legs of the 1300 West and 10600 South Intersection; Remove the landscaped center median and replace it in most locations with back-to-back curb between 1300 West and Jordan Gateway; Maintain existing left turn accesses at all locations with the exception of the access into the office plaza at 406 South Jordan Parkway which would be restricted to a right-in/right-out only access; Re-stripe River Front Parkway and 10600 South Intersection to include dual left-turn and dual right-turn lanes; Add dual left-turn lanes on all four legs of the Jordan Gateway and 10600 South Intersection; and Incorporate Transportation Management System (TSM) activities or strategies to maximize the efficiency of the existing system (e.g., signal coordination and optimization, Intelligent Transportation Systems (ITS), and access management).

The actions by FHWA and the laws under which such actions were taken are described in the Environmental Assessment (EA) and Section 4(f) Evaluation and in the Finding of No

<sup>1</sup> CFE was granted authority to lease and operate approximately 273 miles of rail line from CSXT in *Central Railroad Co. of Indianapolis—Lease & Operation Exemption—CSX Transportation, Inc.*, FD 34508 (STB served July 30, 2004).

<sup>2</sup> CSX states that the parties have entered into a written agreement for the limited overhead trackage rights and a copy of the final Agreement will be filed with the Board when executed. CSX simultaneously filed a motion for a protective order to protect the confidential and commercially sensitive information contained in the Agreement, which CSXT submitted under seal in this proceeding. That motion will be handled separately.

Significant Impact (FONSI) issued on September 21, 2016.

This notice applies to all FHWA decisions as of the issuance date of this notice and all laws under which such actions were taken. Laws generally applicable to such actions include but are not limited to:

- *General*: National Environmental Policy Act (NEPA) [42 U.S.C. 4321–4351; Federal-Aid Highway Act [23 U.S.C. 109].
- *Wildlife*: Endangered Species Act [16 U.S.C. 1531–1544 and 1536]; Fish and Wildlife Coordination Act [16 U.S.C. 661–667(d); Migratory Bird Treaty Act [16 U.S.C. 703–712].
- *Cultural Resources*: Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470(f) *et seq.*]; Archaeological and Historic Preservation Act [16 U.S.C. 469–469(c)]; Archaeological Resources Protection Act of 1977 [16 U.S.C. 470(aa)–11].
- *Noise*: Federal-Aid Highway Act of 1970 [Pub. L. 91–605, 84 Stat. 1713]
- *Executive Orders*: E.O. 11593 Protection and Enhancement of Cultural Resources; E.O. 13287 Preserve America.

(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 program.)

**Authority:** 23 U.S.C. 139(l)(1).

**Ivan Marrero,**

*Division Administrator, Federal Highway Administration.*

[FR Doc. 2016–25256 Filed 10–20–16; 8:45 am]

**BILLING CODE 4910-RY-P**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket No. MARAD–2016–0099]

#### Requested Administrative Waiver of the Coastwise Trade Laws: Vessel HOLOHOLO; Invitation for Public Comments

**AGENCY:** Maritime Administration, Department of Transportation.

**ACTION:** Notice.

**SUMMARY:** As authorized by 46 U.S.C. 12121, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief

description of the proposed service, is listed below.

**DATES:** Submit comments on or before November 21, 2016.

**ADDRESSES:** Comments should refer to docket number MARAD–2016–0099. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at <http://www.regulations.gov>. All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at <http://www.regulations.gov>.

#### FOR FURTHER INFORMATION CONTACT:

Bianca Carr, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W23–453, Washington, DC 20590. Telephone 202–366–9309, Email [Bianca.carr@dot.gov](mailto:Bianca.carr@dot.gov).

**SUPPLEMENTARY INFORMATION:** As described by the applicant the intended service of the vessel HOLOHOLO is:

*Intended commercial use of vessel:* “Non fishing ecotourism charters. Day eco tours, sightseeing and special events. Overnight eco tour charters for multi days up to 2 weeks for a maximum of up to 6 overnight guests plus captain and crew, for a total of 8 maximum people.”

*Geographic region:* “Washington, Alaska (excluding waters in Southeastern Alaska and waters north of a line between Gore Point to Cape Suckling [including the North Gulf Coast and Prince William Sound]).”

The complete application is given in DOT docket MARAD–2016–0099 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD’s regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter’s interest in the waiver

application, and address the waiver criteria given in § 388.4 of MARAD’s regulations at 46 CFR part 388.

#### Privacy Act

Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT’s complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78).

By Order of the Maritime Administrator.

Dated: October 4, 2016.

**T. Mitchell Hudson, Jr.,**

*Secretary, Maritime Administration.*

[FR Doc. 2016–25229 Filed 10–20–16; 8:45 am]

**BILLING CODE 4910-81-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA–2015–0126; Notice 2]

#### Supreme Corporation, Grant of Petition for Decision of Inconsequential Noncompliance

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

**ACTION:** Grant of petition.

**SUMMARY:** Supreme Corporation (Supreme), has determined that certain model year (MY) 2015–2016 Supreme Classic American Trolley buses manufactured between October 1, 2014 and November 2, 2015, do not fully comply with paragraph S6 of Federal Motor Vehicle Safety Standard (FMVSS) No. 205, *Glazing Materials*. Supreme filed a report dated November 20, 2015, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports*. Supreme then petitioned NHTSA under 49 CFR part 556 requesting a decision that the subject noncompliance is inconsequential to motor vehicle safety.

**ADDRESSES:** For further information on this decision contact Luis Figueroa, Office of Vehicles Safety Compliance, the National Highway Traffic Safety Administration (NHTSA), telephone (202) 366–5298, facsimile (202) 366–5930.

#### SUPPLEMENTARY INFORMATION:

##### I. Overview

Pursuant to 49 U.S.C. 30118(d) and 30120(h) (see implementing rule at 49