

**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.