

required under 49 CFR 1150.42(e) for new carriers whose projected annual revenue exceeds \$5 million. Further, under 49 CFR 1150.32(b), a change in operators exemption requires that notice be given to shippers. CSP states that it has provided notice of the proposed change in operators to all shippers on the Line.

The earliest this transaction may be consummated is August 31, 2019, the effective date of the exemption (30 days after the verified notice was filed). CSP states that it intends to consummate the proposed lease transaction and assume operation of the Line on September 1, 2019.

If the verified 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 no later than August 23, 2019 (at least seven days before the exemption becomes effective).

All pleadings, referring to Docket No. FD 36327, must be filed with the Surface Transportation Board either via e-filing or in writing addressed to 395 E Street SW, Washington, DC 20423. In addition, a copy of each pleading must be served on CSP's representative, Bradon J. Smith, Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 800, Chicago, IL 60606.

According to CSP, this action is excluded from environmental review under 49 CFR 1105.6(c) and from historic preservation reporting requirements under 49 CFR 1105.8(b)(1).

Board decisions and notices are available at [www.stb.gov](http://www.stb.gov).

Decided: August 13, 2019.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.

**Jeffrey Herzig,**  
Clearance Clerk.

[FR Doc. 2019-17650 Filed 8-15-19; 8:45 am]

BILLING CODE 4915-01-P

## SURFACE TRANSPORTATION BOARD

[Docket No. FD 36340]

### Watco Holdings, Inc.—Continuance in Control Exemption—Wisconsin Rapids Railroad, L.L.C.

Watco Holdings, Inc. (Watco), a noncarrier, has filed a verified notice of exemption under 49 CFR 1180.2(d)(2) to continue in control of Wisconsin Rapids Railroad, L.L.C. (WRR), a noncarrier

controlled by Watco, upon WRR's becoming a Class III rail carrier.

This transaction is related to a verified notice of exemption filed concurrently in *Wisconsin Rapids Railroad—Lease & Operation Exemption—Line of Wisconsin Central Ltd.*, Docket No. FD 36339, in which WRR seeks to lease from Wisconsin Central Ltd. (WCL) and operate approximately 1.1 miles of rail line extending from milepost 0.4 at Plover Road to milepost 1.5 at Biron Drive in Biron, Wis.

The transaction may be consummated on or after September 1, 2019, the effective date of the exemption (30 days after the verified notice of exemption was filed).

According to the verified notice of exemption, Watco currently controls indirectly 37 Class III railroads<sup>1</sup> and one Class II railroad, collectively operating in 27 states.<sup>2</sup> For a complete list of these rail carriers and the states in which they operate, see the August 2, 2019 verified notice of exemption at page 8. The verified notice is available at [www.stb.gov](http://www.stb.gov).

Watco represents that: (1) The rail line to be operated by WRR does not connect with any of the rail lines operated by railroads in the Watco corporate family; (2) this transaction is not part of a series of anticipated transactions that would connect WRR with any railroad in the Watco corporate family; and (3) the transaction does not involve a Class I rail carrier. The proposed transaction is therefore exempt from the prior approval requirements of 49 U.S.C. 11323 pursuant to 49 CFR 1180.2(d)(2). Watco states that the transaction will allow it to exercise common control of its existing rail carrier subsidiaries and WRR and that, in turn, the control exemption will

<sup>1</sup> Watco states that Geaux Geaux Railroad is a trade name for Bogalusa Bayou Railroad, L.L.C.; however, it is unclear whether that is the case. Geaux Geaux Railroad may be an additional, distinct carrier. See Watco Notice of Exemption, 8-9, *Watco Holdings, Inc.—Continuance in Control Exemption—Savannah & Old Fort R.R.*, FD 36337 (listing "Geaux Geaux River" as an additional Watco carrier); see also Watco, <https://www.watcocompanies.com/services/rail/geaux-geaux-railroad-gogr/> and <https://www.watcocompanies.com/services/rail/bogalusa-bayou-railroad-bbay/> (separately listing Geaux Geaux Railroad and Bogalusa Bayou Railroad as apparently distinct carriers). Moreover, Watco's exemption to continue in control of an additional entity, Savannah & Old Fort Railroad, on its becoming a Class III railroad is scheduled to become effective on August 29, 2019. See *Watco Holdings, Inc.—Continuance in Control Exemption—Savannah & Old Fort R.R.*, FD 36337 (STB served Aug. 15, 2019).

<sup>2</sup> Although Watco's verified notice indicates that the carriers it controls operate in 25 states, the notice lists 27 different states.

allow WRR to proceed with the lease and operation of the Line as contemplated in Docket No. FD 36339.

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. Because the transaction involves the control of one Class II and one or more Class III rail carriers, the transaction is subject to the labor protection requirements of 49 U.S.C. 11326(b) and *Wisconsin Central Ltd.—Acquisition Exemption—Lines of Union Pacific Railroad*, 2 S.T.B. 218 (1997).

If the verified 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 no later than August 23, 2019 (at least seven days before the exemption becomes effective).

All pleadings, referring to Docket No. FD 36340, must be filed with the Surface Transportation Board either via e-filing or in writing addressed to 395 E Street SW, Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Watco's representative, Audrey L. Brodrick, Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 800, Chicago, IL 60606-3208.

According to Watco, this action is categorically excluded from environmental review under 49 CFR 1105.6(c) and from historic reporting requirements under 49 CFR 1105.8(b).

Board decisions and notices are available at [www.stb.gov](http://www.stb.gov).

Decided: August 13, 2019.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.

**Jeffrey Herzig,**  
Clearance Clerk.

[FR Doc. 2019-17664 Filed 8-15-19; 8:45 am]

BILLING CODE 4915-01-P

## SURFACE TRANSPORTATION BOARD

[Docket No. FD 36339]

### Wisconsin Rapids Railroad, L.L.C.—Lease and Operation Exemption—Line of Wisconsin Central Ltd.

Wisconsin Rapids Railroad, L.L.C. (WRR), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to lease from Wisconsin Central Ltd. (WCL) and operate approximately 1.1 miles of rail line (the Line), extending from milepost 0.4 at Plover

Road to milepost 1.5 at Biron Drive in Biron, Wis.

This transaction is related to a concurrently filed verified notice of exemption in *Watco Holdings, Inc.—Continuance in Control Exemption—Wisconsin Rapids R.R.*, Docket No. FD 36340, in which Watco Holdings, Inc., seeks to continue in control of WRR upon WRR's becoming a Class III rail carrier.

WRR states that it and WCL will shortly execute a Track Lease and Operating Agreement pursuant to which WRR will lease the Line from WCL and will be the operator of the Line.<sup>1</sup> WRR further states that the proposed agreement between WRR and WCL does not contain any provision that limits WRR's future interchange of traffic on the Line with a third-party connecting carrier.

WRR certifies that its projected annual revenues as a result of this transaction will not result in WRR's becoming a Class II or Class I rail carrier. WRR further certifies that the projected annual revenue of WRR will not exceed \$5 million.

The transaction may be consummated on or after September 1, 2019, the effective date of the exemption (30 days after the verified notice was filed).

If the verified 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 no later than August 23, 2019 (at least seven days before the exemption becomes effective).

<sup>1</sup> WRR states that it, WCL, and ND Paper, Inc. (ND), the sole shipper on the Line, have entered into arrangements that contemplate WCL's abandonment of, and WRR's discontinuance of service on, the Line; ND's subsequent acquisition of the trackage as a noncarrier; and WRR's provision of switching service for ND on what will then be ND industry trackage. WRR states that it is leasing the Line from WCL and submitting its verified notice of exemption here at the request of ND, so that WRR service to ND can begin immediately while the parties' longer-term arrangements are implemented. Acquisitions of active rail lines under 49 U.S.C. 10901 are supposed to be for continued rail use. See, e.g., *Land Conservancy—Acquis. & Operation Exemption—Burlington N. & Santa Fe Ry.*, 2 S.T.B. 673 (1997), *recons. denied*, FD 33389 (STB served May 13, 1998), *pet. for judicial review dismissed sub nom. Land Conservancy of Seattle & King Cty. v. STB*, 238 F.3d 429 (9th Cir. 2000). If WRR elects to file for discontinuance authority, it must submit evidence showing that discontinuance of service over the Line is warranted under the Board's statutory authority and rules, and must, under these circumstances, demonstrate (e.g., by providing the parties' agreement or a statement from ND) that the interests of the shipper here will be protected. See *Almono LP—Acquis. & Operation Exemption—Line of Monogahela Connecting R.R.*, FD 34250, slip op. 1 n.2 (STB served Oct. 2, 2002).

All pleadings, referring to Docket No. FD 36339, must be filed with the Surface Transportation Board either via e-filing or in writing addressed to 395 E Street SW, Washington, DC 20423-0001. In addition, a copy of each pleading must be served on WRR's representative, Audrey L. Brodrick, Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 800, Chicago, IL 60606.

According to WRR, this action is excluded from environmental review under 49 CFR 1105.6(c) and from historic reporting requirements under 49 CFR 1105.8(b).

Board decisions and notices are available at [www.stb.gov](http://www.stb.gov).

Decided: August 13, 2019.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.

Jeffrey Herzog,  
Clearance Clerk.

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BILLING CODE 4915-01-P

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice of Final Federal Agency Actions on Proposed Highway in California

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

**ACTION:** Notice of Limitation on Claims for Judicial Review of Actions by the California Department of Transportation (Caltrans), pursuant to 23 U.S.C. 327.

**SUMMARY:** The FHWA, on behalf of Caltrans, is issuing this notice to announce actions taken by Caltrans that are final. The actions relate to a proposed highway project, the San Antonio Creek Bridge Scour Mitigation Project located approximately 12 miles north of the City of Lompoc in the County of Santa Barbara, California. Those actions grant licenses, permits, and approvals for the project.

**DATES:** By this notice, the FHWA, on behalf of Caltrans, is advising the public of final agency actions subject to 23 U.S.C. 139(j)(1). A claim seeking judicial review of the Federal agency actions on the highway project will be barred unless the claim is filed on or before January 13, 2020. 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:** For Caltrans, Matt Fowler, Branch Chief, Central Region Environmental, Caltrans District 5, 50 Higuera Street, San Luis

Obispo, CA 93401, 805-542-4603, [matt.c.fowler@dot.ca.gov](mailto:matt.c.fowler@dot.ca.gov), Monday-Friday, 9:00 a.m.-5:00 p.m. PDT.

**SUPPLEMENTARY INFORMATION:** Effective July 1, 2007, the Federal Highway Administration (FHWA) assigned, and the California Department of Transportation (Caltrans) assumed, environmental responsibilities for this project pursuant to 23 U.S.C. 327. Notice is hereby given that the Caltrans, have taken final agency actions subject to 23 U.S.C. 139(j)(1) by issuing licenses, permits, and approvals for the following highway project in the State of California: San Jose Creek Bridge Scour Mitigation Project on State Route 1 at postmile 33.1, approximately 12 miles north from the City of Lompoc in the County of Santa Barbara, California. Caltrans proposes to prevent further scour damage on the southwestern bank of the San Antonio Creek by extending the existing erosion control features in order to protect the foundations of San Antonio Creek Bridge. Project activities will occur in an area of less than one acre, within existing Caltrans right-of-way and outside of the creek channel. FHWA project reference number P001(610). The actions by the Federal agencies, and the laws under which such actions were taken, are described in the Final Environmental Assessment (FEA) with Finding of No Significant Impact (FONSI) for the project, approved on June 12, 2019 and in other documents in Caltrans' project records. The FEA, FONSI and other project records are available by contacting Caltrans at the addresses provided above.

This notice applies to all Federal agency decisions as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. National Environmental Policy Act (NEPA) [42 U.S.C. 4321-4335]
2. The National Historic Preservation Act (NHPA) of 1966 [16 U.S.C. 470(f) *et seq.*]
3. Archaeological Resource Protection Act (ARPA) of 1977 [16 U.S.C. 470(aa)-470(ll)]
4. Archaeological and Historic Preservation Act [16 U.S.C. 469-489(c)]
5. Native American Grave protection and Repatriation Act (NAGPRA) [25 U.S.C. 30001-3013]
6. Clean Water Act [33 U.S.C. 1344]
7. Wild and Scenic Rivers Act [16 U.S.C. 1271-1287]
8. Federal Endangered Species Act (FESA) [16 U.S.C. 1531-1543]
9. Migratory Bird Treaty Act [16 U.S.C. 760c-760g]