

consummation with the Board to signify that it has exercised the authority granted and fully abandoned the Line. If consummation has not been effected by CSXT's filing of a notice of consummation by February 8, 2020, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

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

Decided: February 5, 2019.

By the Board, Allison C. Davis, Acting Director, Office of Proceedings.

**Jeffrey Herzig,**  
*Clearance Clerk.*

[FR Doc. 2019-01641 Filed 2-7-19; 8:45 am]

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## SURFACE TRANSPORTATION BOARD

[Docket No. AB 1252X]

### Eastern Idaho Railroad, L.L.C.— Abandonment Exemption—in Fremont County, Idaho

Eastern Idaho Railroad, L.L.C. (EIRR) has filed a verified notice of exemption under 49 CFR pt. 1152 subpart F—*Exempt Abandonments* to abandon a five-mile rail line located between milepost 28.80 at Egin and milepost 33.80 at Parker, in Fremont County, Idaho (the Line).<sup>1</sup> The Line traverses U.S. Postal Service ZIP Codes 83445 and 83438.

EIRR has certified that: (1) No local freight traffic has moved over the Line for at least two years; (2) the Line is stub-ended and not capable of handling overhead traffic; (3) no formal complaint filed by a user of rail service on the Line (or a state or local government entity acting on behalf of such user) regarding cessation of service over the Line either is pending with the Surface Transportation Board or any U.S. District Court or has been decided in favor of a complainant within the two-year period; and (4) the requirements at 49 CFR 1105.7 and 1105.8 (environmental and historic report), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line Railroad—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. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received,<sup>2</sup> this exemption will be effective on March 12, 2019, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,<sup>3</sup> formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),<sup>4</sup> and interim trail use/rail banking requests under 49 CFR 1152.29 must be filed by February 15, 2019. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by February 28, 2019, with the Surface Transportation Board, 395 E Street SW, Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to EIRR's representative, Karl Morell, Karl Morell and Associates, 440 1st Street NW, Suite 440, Washington, DC 20001.

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

EIRR has filed a combined environmental and historic report that addresses the effects, if any, of the abandonment on the environment and historic resources. OEA will issue an environmental assessment (EA) by February 15, 2019. Interested persons may obtain a copy of the EA by writing to OEA, Surface Transportation Board, Washington, DC 20423-0001, or by calling OEA at (202) 245-0305. Assistance for the hearing impaired is available through the Federal Information Relay Service at (800) 877-8339. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

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

<sup>2</sup> The Board modified its OFA procedures effective July 29, 2017. Among other things, the OFA process now requires potential offerors, in their formal expression of intent, to make a preliminary financial responsibility showing based on a calculation using information contained in the carrier's filing and publicly available information. See *Offers of Financial Assistance*, EP 729 (STB served June 29, 2017); 82 FR 30997 (July 5, 2017).

<sup>3</sup> The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Office of Environmental Analysis (OEA) in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-of-Serv. Rail Lines*, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

<sup>4</sup> Each OFA must be accompanied by the filing fee, which currently is set at \$1,800. See 49 CFR 1002.2(f)(25).

Pursuant to the provisions of 49 CFR 1152.29(e)(2), EIRR shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the Line. If consummation has not been effected by EIRR's filing of a notice of consummation by February 8, 2020, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

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

Decided: February 5, 2019.

By the Board, Allison C. Davis, Acting Director, Office of Proceedings.

**Jeffrey Herzig,**  
*Clearance Clerk.*

[FR Doc. 2019-01633 Filed 2-7-19; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice of Final Federal Agency Actions on Proposed Highway Project in Rhode Island

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

**ACTION:** Notice of limitation on claims for judicial review of actions by FHWA.

**SUMMARY:** This notice announces actions taken by the FHWA that are final pursuant to the statute. The actions relate to a proposed highway project, Toll Locations 3,4 & 6 through 13 in the Cities/Towns of Warwick, Providence, Pawtucket, Cranston, Johnston, Cumberland, East Providence, Lincoln and North Smithfield in the State of Rhode Island, FHWA Project Number TOLL002, Rhode Island Department of Transportation (RIDOT) Contract Number 2017-OT-002.

**DATES:** By this notice, the FHWA is advising the public of final agency actions subject to 23 U.S.C. 139(1)(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 July 8, 2019. 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 FHWA: Mr. Carlos E. Padilla-Fresse, MSCE, Program Delivery Supervisor, Federal Highway Administration Rhode Island Division, 380 Westminster Mall, Suite 601, Providence, Rhode Island 02903; telephone: (401) 528-4577;

<sup>1</sup> Publication of this notice was delayed due to the partial shutdown of the Federal government from December 22, 2018, through January 25, 2019. See 49 CFR 1152.50(d)(3).

email: [Carlos.Padilla@dot.gov](mailto:Carlos.Padilla@dot.gov). The FHWA Rhode Island Division Office's normal business hours are 8:00 a.m. to 4:30 p.m. (Eastern Standard Time), Monday through Friday, except Federal Holidays. For RIDOT: Mr. David Fish, P.E., Administrator of Project Management, Rhode Island Department of Transportation, Two Capitol Hill, Providence, Rhode Island 02903-1124, telephone: (401) 222-2023, email: [david.fish@dot.ri.gov](mailto:david.fish@dot.ri.gov). RIDOT normal business hours are 8:00 a.m. to 4:30 p.m. (Eastern Standard Time), Monday through Friday, except Federal Holidays.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the FHWA has taken final agency actions subject to 23 U.S.C. 139(l)(1) by issuing a Finding of No Significant Impact (FONSI) for the following highway project in the State of Rhode Island: Toll Locations 3, 4 & 6 through 13 in the Cities/Towns of Warwick, Providence, Pawtucket, Cranston, Johnston, Cumberland, East Providence, Lincoln and North Smithfield. RIDOT proposes to construct and operate electronic toll systems at ten locations along Interstates 95, 195 and 295, and Route 146 and US Route 6 (Proposed Action). Revenue from Toll Locations 3, 4 & 6 through 13 would be generated and used in accordance with *The Rhode Island Bridge Replacement, Reconstruction and Maintenance Fund Act of 2016*. The proposed toll systems would be used to collect toll revenue from a tractor or truck tractor as defined in 23 CFR 658.5, pulling a trailer or trailers traveling across select bridges associated with the toll locations. Each toll system would be comprised of one or more gantries with communication and electrical connections, a roadside cabinet on a concrete pad, and additional safety guardrail.

The actions by the FHWA, and the laws under which such actions were taken, are described in the Environmental Assessment (EA) for the project approved on November 8, 2018, and a Finding of No Significant Impact (FONSI) issued on December 14, 2018, and in other documents in the project records. The EA, FONSI, and other project records are available by contacting the FHWA or the Rhode Island Department of Transportation at the addresses provided above. The EA and FONSI can be viewed and downloaded from the project website at <http://www.dot.ri.gov/rhodeworks/>.

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. *General*: National Environmental Policy Act (NEPA) [42 U.S.C. 4321-4370h]; Federal-Aid Highway Act [Title 23] and associated regulations [CFR part 23].

2. *Hazardous Materials*: Comprehensive Environmental Response, Compensation, and Liability Act [42 U.S.C. 9601-9675]; Superfund Amendments and Reauthorization Act of 1986 [P.L. 99-499]; Resource Conservation and Recovery Act [42 U.S.C. 6901-6992(k)]; Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976 [42 U.S.C. 6901, *et seq.*].

3. *Air*: Clean Air Act, [42 U.S.C. 7401-7671(q)] (transportation conformity).

4. *Noise*: 23 U.S.C. 109(i) (P.L. 91-605) (P.L. 93-87).

5. *Wildlife*: Endangered Species Act [16 U.S.C. 1531-1544]; Fish and Wildlife Coordination Act [16 U.S.C. 661-667(e)]; Migratory Bird Treaty Act [16 U.S.C. 703-712]. Plant Protection Act [7 U.S.C. 7701 *et seq.*].

6. *Historic and Cultural Resources*: Section 106 of the National Historic Preservation Act of 1966, [54 U.S.C. 306108]; Archeological Resources Protection Act of 1977 [16 U.S.C. 470(aa)-470(mm)]; Archeological and Historic Preservation Act [16 U.S.C. 469-469 c-2]; Native American Grave Protection and Repatriation Act [25 U.S.C. 3001-3013].

7. *Land*: Section 4(f) of The Department of Transportation Act: [49 U.S.C. 303; 23 U.S.C. 138] Farmland Protection Policy Act (FPPA) [7 U.S.C. 4201-4209].

8. *Wetlands and Water Resources*: Clean Water Act [33 U.S.C. 1251-1387 (Sections 319, 401, and 404)]; Flood Disaster Protection Act (42 U.S.C. 4012a 4106).

9. *Executive Orders*: E.O. 11990 Protection of Wetlands; E.O. 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations; E.O. 11988 Floodplain Management; E.O. 13175 Consultation and Coordination with Indian Tribal Governments.

(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).

Issued on: December 20, 2018.

**Carlos C. Machado,**

*FHWA Rhode Island Division Administrator, Providence, Rhode Island.*

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**BILLING CODE 4910-22-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

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

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

**ACTION:** Notice of limitation on claims for judicial review of actions taken by UDOT on behalf of FHWA.

**SUMMARY:** This notice announces certain actions taken by UDOT that are final Federal agency actions within the meaning of 23 U.S.C. 139(l)(1). These actions relate to a proposed highway project on Interstate 15 (I-15) Northbound, from Bangerter Highway to Interstate 215 (I-215), in the County of Salt Lake, State of Utah. Those actions grant licenses, permits and/or approvals for the project.

**DATES:** By this notice, the FHWA, on behalf of UDOT, is advising the public of final Federal agency actions subject to 23 U.S.C. 139(l)(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 July 8, 2019. 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:

Brandon Weston, Director of Environmental Services, UDOT Environmental Services, PO Box 143600, Salt Lake City, UT 84114; telephone: (801) 965-4603; email: [brandonweston@utah.gov](mailto:brandonweston@utah.gov). UDOT's normal business hours are 8:00 a.m. to 5:00 p.m. (Mountain Standard Time), Monday through Friday, except State and Federal holidays.

**SUPPLEMENTARY INFORMATION:** Effective January 17, 2017, FHWA assigned to UDOT certain responsibilities of FHWA for environmental review, consultation, and other actions required by applicable Federal environmental laws and regulations for highway projects in Utah, pursuant to 23 U.S.C. 327. Actions taken by UDOT on FHWA's behalf pursuant to 23 U.S.C. 327 constitute Federal agency actions for purposes of Federal law. Notice is hereby given that