

Baldwin, Fla., at or near CSXT milepost SP 653.3, and Chattahoochee, Fla., at or near CSXT milepost SP 842.5; (2) the P&A Subdivision between Chattahoochee, at or near CSXT milepost 00K810.7, and Pensacola, Fla., at or near CSXT milepost 00K651.0; and (3) portions of the Bainbridge Subdivision between Tallahassee, Fla., at or near CSXT milepost SLC 52.0, and Attapulugus, Ga., at or near CSXT milepost SLC 79.0 (collectively, the "Lines").

As part of this transaction, CSXT will retain limited overhead trackage rights only for the movement of certain CSXT freight traffic, in CSXT's trains, locomotives, cars, and equipment with CSXT's own crews over the following segments of the Lines: (1) The Tallahassee Subdivision between the connection with CSXT at Baldwin, at or near CSXT milepost SP 653.3 and Chattahoochee, at or near CSXT milepost SP 842.5; and (2) the P&A Subdivision between Chattahoochee, at or near CSXT milepost 00K810.7, and the connection with CSXT at Pensacola, at or near CSXT milepost 00K 651.0. In addition, FGA will acquire trackage rights to operate its trains, locomotives, cars and equipment with its own crews, solely for the purposes of conducting interchange with CSXT, on the following segments of CSXT rail lines: (1) CSXT milepost 00K651.0 to milepost 00K 649.0, near Pensacola; and (2) CSXT milepost SP 653.3 to milepost S 653.0, near Baldwin.

This transaction is related to a concurrently filed verified notice of exemption under 49 CFR 1180.2(d)(2) in *RailUSA, LLC & American Rail Partners, LLC—Continuance in Control Exemption—Florida Gulf & Atlantic Railroad, LLC*, Docket No. FD 36248, in which RailUSA, LLC, and American Rail Partners, LLC, the direct owner and indirect owner of FGA, respectively, seek Board approval to continue in control of FGA upon FGA's becoming a Class III rail carrier.

As required under 49 CFR 1150.33(h)(1), FGA has disclosed in its verified notice that the freight operating agreement between FGA and CSXT<sup>1</sup> contains an interchange commitment that affects the interchange with carriers other than CSXT at the interchange points of Chattahoochee and Cottondale, Fla. In addition, FGA has provided the additional information regarding the

interchange commitment required by section 1150.33(h)(1).

FGA certifies that its projected annual revenues do not exceed those that would qualify it as a Class III rail carrier. FGA notes, however, that its annual operating revenues will exceed \$5 million. Accordingly, in compliance with 49 CFR 1150.32(e), FGA certified on November 6, 2018, that, on that day, the required 60-day notice of this transaction was posted at the workplaces of CSXT employees on the Lines and served on the national offices of those employees' unions.

The earliest this transaction may be consummated is January 6, 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 to stay must be filed no later than December 28, 2018 (at least seven days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 36247, 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 Peter W. Denton, Steptoe & Johnson LLP, 1330 Connecticut Ave. NW, Washington, DC 20036.

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

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

Decided: December 14, 2018.

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

**Jeffrey Herzig,**  
Clearance Clerk.

[FR Doc. 2018-27524 Filed 12-20-18; 8:45 am]

**BILLING CODE 4915-01-P**

## **SURFACE TRANSPORTATION BOARD**

**[Docket No. EP 290 (Sub-No. 5) (2019-1)]**

### **Quarterly Rail Cost Adjustment Factor**

**AGENCY:** Surface Transportation Board.

**ACTION:** Approval of rail cost adjustment factor.

**SUMMARY:** The Board has approved the first quarter 2019 Rail Cost Adjustment Factor (RCAF) and cost index filed by the Association of American Railroads.

The first quarter 2019 RCAF (Unadjusted) is 1.058. The first quarter 2019 RCAF (Adjusted) is 0.448. The first quarter 2019 RCAF-5 is 0.419.

**DATES:** *Applicability Date:* January 1, 2019.

**FOR FURTHER INFORMATION CONTACT:** Pedro Ramirez, (202) 245-0333. Federal Information Relay Service (FIRS) for the hearing impaired: (800) 877-8339.

**SUPPLEMENTARY INFORMATION:** Additional information is contained in the Board's decision, which is available on our website at [www.stb.gov](http://www.stb.gov). Copies of the decision may be purchased by contacting the Office of Public Assistance, Governmental Affairs, and Compliance at (202) 245-0238. Assistance for the hearing impaired is available through FIRS at (800) 877-8339.

This action is categorically excluded from environmental review under 49 CFR 1105.6(c).

By the Board, Board Members Begeman and Miller.

Decided: December 17, 2018.

**Jeffrey Herzig,**  
Clearance Clerk.

[FR Doc. 2018-27750 Filed 12-20-18; 8:45 am]

**BILLING CODE 4915-01-P**

## **SURFACE TRANSPORTATION BOARD**

**[Docket No. FD 36248]**

### **RailUSA, LLC and American Rail Partners, LLC—Continuance in Control Exemption—Florida Gulf & Atlantic Railroad, LLC**

RailUSA, LLC (RailUSA) and American Rail Partners, LLC (ARP), each a noncarrier, have filed a verified notice of exemption pursuant to 49 CFR 1180.2(d)(2) to continue in control of Florida Gulf & Atlantic Railroad, LLC (FGA), upon FGA's becoming a Class III rail carrier. FGA is a newly formed noncarrier entity that is wholly owned by RailUSA. RailUSA, in turn, is wholly owned by ARP. Thus, RailUSA directly controls FGA, and ARP indirectly controls FGA.

This transaction is related to a concurrently filed verified notice of exemption in *Florida Gulf & Atlantic Railroad—Acquisition & Operation Exemption With Interchange Commitment—CSX Transportation, Inc.*, Docket No. FD 36247. In that proceeding, FGA seeks an exemption under 49 CFR 1150.31 to acquire and operate approximately 373 miles of rail line in Florida and Georgia currently owned and operated by CSX Transportation, Inc., consisting of the

<sup>1</sup> FGA filed a confidential version of the freight operating agreement with its notice of exemption to be kept confidential by the Board under 49 CFR 1104.14(a) without need for the filing of an accompanying motion for protective order under 49 CFR 1104.14(b).

following: (1) The Tallahassee Subdivision between Baldwin, Fla., at or near CSXT milepost SP 653.3, and Chattahoochee, Fla., at or near CSXT milepost SP 842.5; (2) the P&A Subdivision between Chattahoochee, at or near CSXT milepost 00K810.7, and Pensacola, Fla., at or near CSXT milepost 00K651.0; and (3) portions of the Bainbridge Subdivision between Tallahassee, Fla., at or near CSXT milepost SLC 52.0, and Attapulugus, Ga., at or near CSXT milepost SLC 79.0.

The earliest this transaction may be consummated is January 6, 2019, the effective date of the exemption (30 days after the verified notice was filed).

RailUSA and ARP currently control one rail carrier, Grenada Railroad, LLC (GRR), a Class III carrier that leases and operates on lines in Mississippi and Tennessee. RailUSA and ARP represent that: (1) The lines to be acquired and operated by FGA do not connect with the GRR lines; (2) the continuance in control is not part of a series of anticipated transactions that would connect any rail line to be operated by FGA with any GRR rail line; and (3) the transaction does not involve a Class I rail carrier. Therefore, the proposed transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. See 49 CFR 1180.2(d)(2).

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. Section 11326(c), however, does not provide for labor protection for transactions under sections 11324 and 11325 that involve only Class III rail carriers. Accordingly, the Board may not impose labor protective conditions here, because only Class III carriers are involved.

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 to stay must be filed no later than December 28, 2018 (at least seven days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 36248, 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 Peter W. Denton, Steptoe & Johnson LLP, 1330 Connecticut Ave. NW, Washington, DC 20036.

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

Decided: December 14, 2018.

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

**Jeffrey Herzig,**  
Clearance Clerk.

[FR Doc. 2018-27522 Filed 12-20-18; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice of Final Federal Agency Actions on State Route 303 Loop, State Route 30 to Interstate 10 (Papago Freeway) in Goodyear, AZ

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

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

**SUMMARY:** This notice announces actions taken by FHWA and other Federal agencies that are final. The actions relate to the Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) for the State Route (SR) 303 Loop (L), SR 30 to Interstate 10 (I-10) project in Goodyear, AZ. The actions grant licenses, permits, and 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 the Federal agency actions on the highway project will be barred unless the claim is filed on or before May 20, 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:** Mr. Alan Hansen, Team Leader Planning, Environment, Air Quality, Realty, and Civil Rights Team, Federal Highway Administration, 4000 N Central Avenue, Suite 1500, Phoenix, Arizona 85012-3500; telephone: (602) 379-3646, fax: (602)382-8998, email: [Alan.Hansen@dot.gov](mailto:Alan.Hansen@dot.gov). The FHWA Arizona Division Office's normal business hours are 7:30 a.m. to 4 p.m. (Mountain Standard Time).

You may also contact: Ms. Rebecca Yedlin, Environmental Coordinator, Federal Highway Administration, 4000 N Central Ave., Suite 1500, Phoenix, Arizona 85012-3500; telephone: (602) 379-3646, fax: (602) 382-8998, email: [Rebecca.Yedlin@dot.gov](mailto:Rebecca.Yedlin@dot.gov).

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that FHWA and other Federal agencies have taken final agency actions by issuing licenses, permits, and approvals for the following project in

the State of Arizona: SR 303L, SR 30 to I-10. The actions by the Federal agencies and the laws under which such actions were taken, are described in the Draft EA approved on June 12, 2018, Final EA approved on November 6, 2018, in the FHWA Finding of No Significant Impact issued on November 6, 2018, and in other documents in the FHWA administrative record. Project decision documents are also available online at: <https://www.azdot.gov/planning/transportation-studies/loop-303-from-i-10-to-sr-30/documents>. 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. 4321-4351]; Federal-Aid Highway Act [23 U.S.C. 109].

2. *Air:* Clean Air Act [42 U.S.C. 7401-7671(q)].

3. *Land:* Section 4(f) of the US Department of Transportation Act of 1966 [49 U.S.C. 303]; Landscaping and Scenic Enhancement (Wildflowers) [23 U.S.C. 319].

4. *Wildlife:* Endangered Species Act [16 U.S.C. 1531-1544 and Section 1536], Marine Mammal Protection Act [16 U.S.C. 1361], Fish and Wildlife Coordination Act [16 U.S.C. 661-667(d)], Migratory Bird Treaty Act [16 U.S.C. 703-712].

5. *Historic and Cultural Resources:* Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470(f) *et seq.*]; Archeological Resources Protection Act of 1977 [16 U.S.C. 470(aa)-11]; Archeological and Historic Preservation Act [16 U.S.C. 469-469(c)]; Native American Grave Protection and Repatriation Act (NAGPRA) [25 U.S.C. 3001-3013].

6. *Social and Economic:* Civil Rights Act of 1964 [42 U.S.C. 2000(d)-2000(d)(1)]; American Indian Religious Freedom Act [42 U.S.C. 1996]; Farmland Protection Policy Act (FPPA) [7 U.S.C. 4201-4209].

7. *Wetlands and Water Resources:* Land and Water Conservation Fund (LWCF) [16 U.S.C. 4601-4604]; Safe Drinking Water Act (SDWA) [42 U.S.C. 300(f)-300(j)(6)]; Rivers and Harbors Act of 1899 [33 U.S.C. 401-406]; Wild and Scenic Rivers Act [16 U.S.C. 1271-1287]; Emergency Wetlands Resources Act [16 U.S.C. 3921, 3931]; Flood Disaster Protection Act [42 U.S.C. 4001-4128].

8. *Water:* Clean Water Act 33 U.S.C. 1251-1387.

9. *Executive Orders:* E.O. 11990 Protection of Wetlands; E.O. 11988 Floodplain Management; E.O. 12898,