

safeguards, appropriate disclosure to Subadvised Funds' shareholders and notification about sub-advisory changes and enhanced Board oversight to protect the interests of the Subadvised Funds' shareholders.

4. Section 6(c) of the Act provides that the Commission may exempt any person, security, or transaction or any class or classes of persons, securities, or transactions from any provisions of the Act, or any rule thereunder, if such relief is necessary or appropriate in the public interest and consistent with the protection of investors and purposes fairly intended by the policy and provisions of the Act. Applicants believe that the requested relief meets this standard because, as further explained in the application, the Investment Management Agreement will remain subject to shareholder approval, while the role of the Sub-Advisers is substantially equivalent to that of individual portfolio managers, so that requiring shareholder approval of Sub-Advisory Agreements would impose unnecessary delays and expenses on the Subadvised Funds. Applicants believe that the requested relief from the Disclosure Requirements meets this standard because it will improve the Adviser's ability to negotiate fees paid to the Sub-Advisers that are more advantageous for the Subadvised Funds.

For the Commission, by the Division of Investment Management, under delegated authority.

**Eduardo A. Aleman,**  
*Deputy Secretary.*

[FR Doc. 2019-01890 Filed 2-8-19; 8:45 am]

**BILLING CODE 8011-01-P**

**SMALL BUSINESS ADMINISTRATION**

**[Disaster Declaration #15863 and #15864; NORTH CAROLINA Disaster Number NC-00104]**

**Presidential Declaration of a Major Disaster for Public Assistance Only for the State of North Carolina**

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Notice.

**SUMMARY:** This is a Notice of the Presidential declaration of a major disaster for Public Assistance Only for the State of North Carolina (FEMA-4412-DR), dated 01/31/2019.

*Incident:* Tropical Storm Michael.  
*Incident Period:* 10/10/2018 through 10/12/2018.

**DATES:** Issued on 01/31/2019.

*Physical Loan Application Deadline Date:* 04/01/2019.

*Economic Injury (EIDL) Loan Application Deadline Date:* 10/31/2019.

**ADDRESSES:** Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

**FOR FURTHER INFORMATION CONTACT:** A Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205-6734.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that as a result of the President's major disaster declaration on 01/31/2019, Private Non-Profit organizations that provide essential services of a governmental nature may file disaster loan applications at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

*Primary Counties:* Alamance, Brunswick, Caswell, Chatham, Dare, Davidson, Davie, Forsyth, Granville, Hyde, Iredell, McDowell, Montgomery, Orange, Person, Randolph, Rockingham, Stokes, Surry, Vance, Yadkin

The Interest Rates are:

	Percent
<i>For Physical Damage:</i>	
Non-Profit Organizations With Credit Available Elsewhere ...	2.500
Non-Profit Organizations Without Credit Available Elsewhere .....	2.500
<i>For Economic Injury:</i>	
Non-Profit Organizations Without Credit Available Elsewhere .....	2.500

The number assigned to this disaster for physical damage is 15863B and for economic injury is 158640.

(Catalog of Federal Domestic Assistance Number 59008)

**Rafaela Monchek,**  
*Acting Associate Administrator for Disaster Assistance.*

[FR Doc. 2019-01858 Filed 2-8-19; 8:45 am]

**BILLING CODE 8025-01-P**

**SMALL BUSINESS ADMINISTRATION**

**[Disaster Declaration #15798 and #15799; California Disaster Number CA-00295]**

**Presidential Declaration Amendment of a Major Disaster for the State of California**

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Amendment 3.

**SUMMARY:** This is an amendment of the Presidential declaration of a major disaster for the State of California (FEMA-4407-DR), dated 11/12/2018.

*Incident:* Wildfires.  
*Incident Period:* 11/08/2018 through 11/25/2018.

**DATES:** Issued on 01/30/2019.

*Physical Loan Application Deadline Date:* 02/15/2019.

*Economic Injury (EIDL) Loan Application Deadline Date:* 08/12/2019.

**ADDRESSES:** Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

**FOR FURTHER INFORMATION CONTACT:** A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205-6734.

**SUPPLEMENTARY INFORMATION:** The notice of the President's major disaster declaration for the State of California, dated 11/12/2018, is hereby amended to extend the deadline for filing applications for physical damages as a result of this disaster to 02/15/2019.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Number 59008)

**Rafaela Monchek,**  
*Acting Associate Administrator for Disaster Assistance.*

[FR Doc. 2019-01860 Filed 2-8-19; 8:45 am]

**BILLING CODE 8025-01-P**

**DEPARTMENT OF STATE**

[Public Notice: 10671]

**Issuance of Presidential Permit to the General Services Administration to Construct, Operate, and Maintain a Vehicular and Pedestrian Border Crossing Called "Otay Mesa East" Near San Diego, California, at the International Boundary Between the United States and Mexico**

**SUMMARY:** The Under Secretary of State for Political Affairs issued a Presidential permit to the General Services Administration on November 19, 2018, authorizing it to construct, operate, and maintain the Otay Mesa East border crossing at the international boundary between the United States and Mexico. Prior to the Under Secretary's determination, other Federal Agency heads were consulted, as required by Executive Order 11423, as amended. Public comments on the proposed

permit were solicited (83 FR 5504, February 7, 2018).

**FOR FURTHER INFORMATION CONTACT:**

Contact Tammy Baker at 202-647-9894 or the Office of Mexican Affairs' Border Affairs Unit via email at [WHABorderAffairs@state.gov](mailto:WHABorderAffairs@state.gov), or by mail at Office of Mexican Affairs—Room 3924, Department of State, 2201 C St. NW, Washington, DC 20520.

**SUPPLEMENTARY INFORMATION:** The following is the text of the issued permit:

**Presidential Permit**

*Authorizing the General Services Administration to Construct, Operate, and Maintain a Vehicular and Pedestrian Border Crossing Called "Otay Mesa East" Near San Diego, California, at the International Boundary Between the United States and Mexico*

By virtue of the authority vested in the Secretary of State by Executive Order 11423, 33 FR 11741 (1968); as amended by Executive Order 12847 of May 17, 1993, 58 FR 29511 (1993), Executive Order 13284 of January 23, 2003, 68 FR 4075 (2003), and Executive Order 13337 of April 30, 2004, 69 FR 25299 (2004); and delegated to the Under Secretary of State for Political Affairs pursuant to Department of State Delegation of Authority 118-2 of January 26, 2006; having considered the environmental effects of the proposed action consistent with the National Environmental Policy Act of 1969, as amended (83 Stat. 852, 42 U.S.C. 4321 *et seq.*), and other statutes relating to environmental concerns; having considered the proposed action consistent with the National Historic Preservation Act of 1966, as amended (80 Stat. 917, 16 U.S.C. 470f *et seq.*); taking into account the Existing Permit issued to the General Services Administration on November 20, 2008 ("Existing Permit"); and having requested and received the views of various of the federal departments and other interested persons; I hereby grant permission, subject to the conditions herein set forth, to the General Services Administration (hereinafter referred to as "permittee"), to construct, operate, and maintain a new commercial vehicle, passenger vehicle, and pedestrian land border crossing (hereinafter referred to as Otay Mesa East POE) approximately two miles east of the existing Otay Mesa border crossing near San Diego, California.

The term "facilities" as used in this permit means the facilities proposed to be constructed at the Otay Mesa East POE near San Diego, California. These

facilities are likely to consist of the following improvements and structures, as described in the California Department of Transportation's (Caltrans) November 22, 2017 application for a Presidential permit (the "Application").

- Inspection and X-Ray Facilities
- Containment Areas and Docks
- Commercial Inspection Building with Import and Export Docks
- Export Inspection
- Main Administrative Building with Pedestrian Facilities
- Entry and Exit Control Booths and related improvements
- Roadways and related Infrastructure, Pathways, Parking Lots, and related Lots
- Landscaping
- Ancillary Support Facilities
- Commercial Cargo and Passenger Vehicle lanes
- Fiber Optic Cables
- Related Improvements and Infrastructure

This permit is subject to the following conditions:

*Article 1.* (1) The U.S. facilities herein described, and all aspects of their operation, shall be subject to all the conditions, provisions, and requirements of this permit, and any amendment thereof. This permit may be terminated at the will of the Secretary of State or the Secretary's delegate or may be amended by the Secretary of State or the Secretary's delegate at will or upon proper application therefore. The permittee shall make no substantial change in the location of the U.S. facilities or in the operation authorized by this permit until such changes have been approved by the Secretary of State or the Secretary's delegate.

(2) The construction, operation, and maintenance of the facilities shall be in all material respects as described in the Application and, to the extent not inconsistent with that Application, the application for Existing Permit.

*Article 2.* The standards for, and the manner of, the construction, operation, and maintenance of the U.S. facilities shall be subject to inspection and approval by the representatives of appropriate federal, state, and local agencies. The permittee shall allow duly authorized officers and employees of such agencies free and unrestricted access to said facilities in the performance of their official duties.

*Article 3.* The permittee shall comply with all applicable federal, state, and local laws and regulations regarding the construction, operation, and maintenance of the U.S. facilities and with all applicable industrial codes. The

permittee shall obtain all requisite permits from the relevant Mexican authorities as well as from the relevant state and local government entities and relevant federal agencies.

*Article 4.* In the event that the Otay Mesa East POE is permanently closed and is no longer used as an international crossing, this permit shall terminate and the permittee may manage, utilize, or dispose of the facilities in accordance with its statutory authorities.

*Article 5.* As authorized by applicable federal laws and regulations, the permittee is a federal agency that is responsible for managing and operating the existing Otay Mesa border crossing and, upon acceptance of the facilities by the United States of America, the Otay Mesa East POE. This permit shall continue in full force and effect for only so long as the permittee shall continue the operations hereby authorized.

*Article 6.* This Article applies to transfer of the facilities or any part thereof as an operating land border crossing. The permittee shall immediately notify the United States Department of State ("Department") of any decision to transfer custody and control of the facilities or any part thereof to any other agency or department of the United States Government. Said notice shall identify the transferee agency or department and seek the approval of the Department for the transfer of the permit. In the event of approval by the Department of such transfer of custody and control to another agency or department of the United States Government, the permit shall remain in force and effect, and the facilities shall be subject to all the conditions, permissions, and requirements of this permit and any amendments thereof. The permittee may transfer ownership or control of the facilities to a non-federal entity or individual only upon the prior express approval of such transfer by the Department, which approval may include such conditions, permissions, and requirements that the Secretary, in his discretion, determines are appropriate and necessary for inclusion in the permit, to be effective on the date of transfer.

*Article 7.* (1) The permittee or its agent shall acquire such right-of-way grants or easements and permits as may become necessary and appropriate.

(2) The permittee shall maintain the U.S. facilities and every part.

(3) Before issuing, or causing the issuance of, the notice to proceed for construction, the permittee or its agent shall obtain the concurrence of the U.S. Section of the International Boundary and Water Commission.

*Article 8.* The permittee shall file any applicable statements and reports that might be required by applicable federal law in connection with this project.

*Article 9.* The permittee shall take all appropriate measures to prevent or mitigate adverse environmental impacts or disruption of significant archeological resources in connection with the operation and maintenance of the U.S. facilities, including those mitigation measures set forth in the 2007 Programmatic Environmental Tier I EIR/EIS and the 2012 Tier II Final EIR/EIS.

*Article 10.* The permittee shall not begin construction until it has been informed that the Government of the United States and the Government of Mexico have exchanged diplomatic notes confirming that both governments authorized the commencement of construction of the new POE.

*Article 11.* The permittee shall provide written notice to the Department at such time as the construction authorized by this permit has begun and again at such time as construction is completed, interrupted for more than 90 days, or discontinued.

*Article 12.* This permit is not intended to, and does not, create any right, benefit, or trust responsibility, substantive or procedural, enforceable at law or in equity, by any party against the United States, its departments, agencies, instrumentalities or entities, its officers or employees, in their individual or official capacities, or any other person. The issuance of this permit does not create any obligation on the part of the permittee or the United States of America to construct, operate, maintain, fund, or accept the donation of all or any portion of the Otay Mesa East POE; provided, however, if the permittee does operate the facilities then it will do so in accordance with the terms and conditions of this permit.

*Article 13.* This permit shall expire 10 years from the date of issuance in the event that the permittee has neither issued nor caused to be issued the notice to proceed for construction activities.

*In witness whereof,* I, Under Secretary of State for Political Affairs, have hereunto set my hand this 19 day of November 2018, in the City of Washington, District of Columbia.

David Hale,

*Under Secretary of State for Political Affairs*

End of permit text.

**Colleen A. Hoey,**

*Director, Office of Mexican Affairs,  
Department of State.*

[FR Doc. 2019-01828 Filed 2-8-19; 8:45 am]

**BILLING CODE 4710-29-P**

## **SURFACE TRANSPORTATION BOARD**

**[Docket No. FD 36239]**

### **Delmarva Central Railroad Company— Modified Rail Certificate**

On November 21, 2018, Delmarva Central Railroad Company (DCR), a Class III rail carrier,<sup>1</sup> filed a notice for a modified certificate of public convenience and necessity under 49 CFR pt. 1150 subpart C—*Modified Certificate of Public Convenience and Necessity*, to operate over two lines (together, the Lines) owned by the Delaware Transit Corporation, an operating division of the Delaware Department of Transportation (the State). The first line is approximately 6.75 miles in length and is located between milepost 24.42 at Georgetown, Del., and milepost 31.17 at Harbeson, Del. (Lewes Running Track). The second line is approximately 4.92 miles in length and is located between milepost 0.00 at Ellendale, Del., and milepost 4.92 at Milton, Del. (Milton Industrial Track).<sup>2</sup>

DCR states that the Lewes Running Track previously was owned by a component of the Penn Central Transportation Company (PCTC) and abandoned pursuant to section 304 of the Regional Rail Reorganization Act of 1973, 45 U.S.C. 744. According to DCR, the Milton Industrial Track also was owned by PCTC but was transferred to Consolidated Rail Corporation (Conrail), which subsequently abandoned it as authorized in *Conrail Abandonment Between Ellendale & Milton, Del.*, AB 167 (Sub-No. 188N) (ICC served Mar. 26, 1982).<sup>3</sup> DCR indicates that the State acquired the Lines after they were abandoned, and it contracted with Delaware Coast Line Railroad Company (DCLR) to operate them under a modified certificate of public convenience and necessity. *See Del. Coast Line R.R.—Modified Rail Certificate*, FD 30035 (ICC served Sept. 22, 1982). On November 13, 2018, DCLR filed notice, pursuant to 49 CFR

<sup>1</sup>DCR operates approximately 177 miles of rail line on the Delmarva Peninsula in Delaware, Maryland, and Virginia. *See Delmarva Cent. R.R.—Change in Operator Exemption—Cassatt Mgmt., LLC*, FD 36196 (STB served June 4, 2018); *Delmarva Cent. R.R.—Lease & Operation Exemption with Interchange Commitment—Norfolk S. Ry.*, FD 36071 (STB served Dec. 2, 2016).

<sup>2</sup>DCR states that outer extensions of the Lewes Running Track and the Milton Industrial Track that were previously served by prior operators pursuant to modified certificates are no longer active and are not included in its notice for a modified certificate.

<sup>3</sup>In its notice, DCR indicates that the Interstate Commerce Commission served the abandonment authorization on April 21, 1982 and August 4, 1982; however, it appears that abandonment authorization was first served on March 26, 1982.

1150.24, of its intent to discontinue rail service over the Lines in Docket No. FD 30035.

On May 25, 2018, DCR and the State signed an operating agreement, which authorizes DCR to provide service on the Lines from January 1, 2019, to December 31, 2023, with one five-year renewal option. DCR's notice includes a copy of the operating agreement. (*See Notice Ex. B.*)

According to DCR, the sole interline connections for the Lines are with DCR, at Georgetown for the Lewes Running Track and at Ellendale for the Milton Industrial Track. DCR states that it intends to provide rail service on the Lines up to five days per week.

The Lines qualify for a modified certificate of public convenience and necessity. *See Common Carrier Status of States, State Agencies & Instrumentalities & Political Subdivisions*, FD 28990F (ICC served July 16, 1981); 49 CFR 1150.22.

DCR states that no subsidy is involved and there are no preconditions that shippers must meet to receive rail service and provides information regarding the nature and extent of its liability insurance coverage. *See* 49 CFR 1150.23(b)(4)–(5).

This notice will be served on the Association of American Railroads (Car Service Division), as agent for all railroads subscribing to the car-service and car-hire agreement, at 425 Third Street SW, Suite 1000, Washington, DC 20024; and on the American Short Line and Regional Railroad Association at 50 F Street NW, Suite 7020, Washington, DC 20001.

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

Decided: February 6, 2019.

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

**Brendetta Jones,**  
*Clearance Clerk.*

[FR Doc. 2019-01815 Filed 2-8-19; 8:45 am]

**BILLING CODE 4915-01-P**

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Highway Administration**

#### **Notice of Final Federal Agency Actions on Proposed Highways in Nevada**

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