

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 March 11, 2022 (at least seven days before the exemption becomes effective).

All pleadings, referring to Docket No. FD 36583, should be filed with the Surface Transportation Board via e-filing on the Board's website. In addition, a copy of each pleading must be served on Applicant's representative, Richard H. Streeter, Law Office of Richard H. Streeter, 5255 Partridge Lane NW, Washington, DC 20016.

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

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

Decided: February 28, 2022.

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

**Tammy Lowery,**

*Clearance Clerk.*

[FR Doc. 2022-04633 Filed 3-3-22; 8:45 am]

**BILLING CODE 4915-01-P**

## SURFACE TRANSPORTATION BOARD

[Docket No. FD 36582]

### Columbia Shipyards Railroad LLC— Change in Operator Exemption— Portland Vancouver Junction Railroad, LLC, Clark County, Wash.

Columbia Shipyards Railroad LLC (CSBP), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to permit CSBP to acquire from its corporate affiliate, Portland Vancouver Junction Railroad, LLC (PVJR),<sup>1</sup> a Class III rail carrier, the rights and obligations to perform common carrier switching service over approximately three miles of tracks owned by the Columbia Business Center, a non-carrier. The tracks, which include no mileposts, are located within a business park in Clark County, Wash., and interconnect with the lines of BNSF Railway Company.

According to the verified notice, Columbia Business Center, pursuant to

<sup>1</sup> The verified notice was initially submitted as a request for an operation exemption. On February 24, 2022, CSBP filed a supplement clarifying that the transaction involves a change in operators. Accordingly, the docket has been recaptioned as a change in operator exemption.

an agreement signed by its agent, FC Services, LLC (FC Services), also a non-carrier, entered into an agreement with PVJR to provide switching services as a common carrier in 2017.<sup>2</sup> PVJR also operates over a 33-mile line owned by Clark County, Wash. PVJR's owner subsequently concluded that the establishment of a new corporation would be in the best interests of the corporate family as it would draw a distinction between the generalized freight rail operations conducted by PVJR and the common carrier railroad switching services it performed on behalf of Columbia Business Center.

This transaction is related to a concurrently filed verified notice of exemption in *Eric Temple—Continuance in Control—Central Washington Railroad, Columbia Basin Railroad, Portland Vancouver Junction Railroad, and Columbia Shipyards Railroad*, Docket No. FD 36583, in which Eric Temple seeks to continue in control of CSBP upon CSBP's becoming a Class III rail carrier.

CSBP certifies that the transaction involves no provision or agreement that would limit future interchange with a third-party connecting carrier. CSBP also certifies that its projected annual revenues as a result of this transaction will not result in its becoming a Class II or Class I rail carrier and that its projected annual revenues will not exceed \$5 million.

Under 49 CFR 1150.32(b), a change in operator requires that notice be given to shippers. By supplement filed February 24, 2022, CSBP certifies that notice of the change in operator was served on all shippers affected by this transaction.<sup>3</sup>

The transaction may be consummated on or after March 26, 2022, the effective date of the exemption (30 days after the verified notice was filed).<sup>4</sup>

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 March 18, 2022 (at

<sup>2</sup> See *Portland Vancouver Junction R.R.—Operation Exemption—Rail Lines of Columbia Bus. Ctr., Clark Cnty., Wash.*, FD 36134 (STB served July 28, 2017).

<sup>3</sup> By letter filed February 21, 2022, CSBP also submitted a letter from FC Services, stating that it consents to the transfer of operations from PVJR to CSBP.

<sup>4</sup> CSBP's supplement, indicating that it was seeking a change in operator exemption and that all shippers had been notified, was filed on February 24, 2022, which therefore is deemed the filing date of the verified notice.

least seven days before the exemption becomes effective).

All pleadings, referring to Docket No. FD 36582, should be filed with the Surface Transportation Board via e-filing on the Board's website. In addition, a copy of each pleading must be served on CSBP's representative, Richard H. Streeter, Law Office of Richard H. Streeter, 5255 Partridge Lane NW, Washington, DC 20016.

According to CSBP, this action is categorically 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: February 28, 2022.

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

**Tammy Lowery,**

*Clearance Clerk.*

[FR Doc. 2022-04632 Filed 3-3-22; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA-2022-0004]

### Equivalent Protective Arrangements for Railroad Employees

**AGENCY:** Federal Railroad Administration (FRA), U.S. Department of Transportation (DOT).

**ACTION:** Notice of proposed guidance.

**SUMMARY:** FRA proposes guidance for its grantees on protective arrangements that are required to protect employees impacted by certain projects financed by the Federal Government. FRA intends its final guidance (FRA Guidance) on this topic to inform its grantees on how to comply with statutory requirements for these protections in the performance of their grants.

**DATES:** Written comments on this proposed guidance must be received on or before April 18, 2022. Comments received after that date will be considered to the extent possible without incurring additional expense or delay.

**ADDRESSES:** You may submit comments, identified by the docket number FRA-2022-0004 by using the Federal eRulemaking Portal: <https://www.regulations.gov>. Follow the instructions for submitting comments.

**Instructions:** All submissions received must include the agency name and docket number for this guidance. All comments received will be posted

without change to <https://www.regulations.gov>, including any personal information provided. Please see the Privacy Act heading in the **SUPPLEMENTARY INFORMATION** section of this document for Privacy Act information related to any submitted comments or materials.

**Docket:** For access to the docket to read the proposed FRA Guidance, background documents, or comments received, go to <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Kevin MacWhorter, Attorney Advisor, Office of the Chief Counsel, telephone: (202) 641-8727, email: [kevin.macwhorter@dot.gov](mailto:kevin.macwhorter@dot.gov).

**SUPPLEMENTARY INFORMATION:** In 1976, pursuant to the Railroad Revitalization and Regulatory Reform Act of 1976 (4R Act), representatives of the railroads and their employees agreed on “[flair and equitable arrangements” to protect employees impacted by certain projects financed by the Federal Government. The Secretary of Labor adopted these protections in a letter to the Secretary of Transportation dated July 6, 1976. FRA has placed a copy of this letter and the accompanying protections in the docket for this guidance. In general, these protections provided that a railroad employee who is adversely affected by a project receiving certain financing from the Federal Government was entitled to receive a displacement allowance, and/or a dismissal allowance, among other benefits.

Many of FRA’s current discretionary grant programs, including the Consolidated Rail Infrastructure and Safety Improvements Program and the Federal-State Partnership for State of Good Repair Program, are subject to the grant conditions described in section 22905(c) of title 49, U.S.C. As relevant here, section 22905(c)(2)(B), requires grant applicants, for any grant for a project that uses rights-of-way owned by a railroad, to agree to comply with “the protective arrangements that are equivalent to the protective arrangements established under” the 4R Act. While this requirement is a condition of many FRA grants, it is not often applicable (as FRA’s grants do not typically cause an adverse impact to railroad employees). With that said, FRA developed the FRA Guidance to assist grantees and to facilitate compliance with these important protections. Once final, FRA intends to include the FRA Guidance as an appendix to all new grant and cooperative agreements subject to section 22905(c)(2)(B), and grantees will be required to ensure the inclusion of

the FRA Guidance, as applicable, in all contracts for the FRA-funded project. Costs incurred to comply with the FRA Guidance and in a manner consistent with 2 CFR part 200 are eligible for reimbursement under the applicable grant.

Section 22905(c)(2)(B) specifically requires protective arrangements “equivalent” to those established under the 4R Act. As such, in the FRA Guidance, FRA did not deviate from the protections adopted by the Secretary of Labor in 1976. The FRA Guidance only seeks to clarify the protections and to ensure grant applicants understand them. FRA did not create new, or remove existing, protections. As noted, FRA has included a copy of the Secretary of Labor’s letter and the accompanying protections in the docket to facilitate review of the FRA Guidance.

The FRA Guidance describes both procedural and substantive protections. The substantive protections include dismissal and displacement allowances and moving assistance, among other items included in the original 4R Act protections. The procedural protections include opportunities for employees (or their representatives) to engage in negotiations with respect to application of the protections.

#### Privacy Act

FRA may solicit comments from the public to better inform its guidance process. FRA posts these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at [www.dot.gov/privacy](http://www.dot.gov/privacy). In order to facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

**Allison Ishihara Fultz,**

*Chief Counsel.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

#### FY 2022 Competitive Funding Opportunity: Low or No Emission Grant Program and the Grants for Buses and Bus Facilities Competitive Program

**AGENCY:** Federal Transit Administration (FTA), Department of Transportation (DOT).

**ACTION:** Notice of Funding Opportunity (NOFO).

**SUMMARY:** The Federal Transit Administration (FTA) announces the opportunity to apply for approximately \$1.1 billion in competitive grants under the fiscal year (FY) 2022 Low or No Emission Grant Program (Low-No Program) (Federal Assistance Listing: 20.526) and approximately \$372 million in FY 2022 funds under the Grants for Buses and Bus Facilities Program (Buses and Bus Facilities Program) (Federal Assistance Listing 20.526), subject to availability of appropriated funding.

**DATES:** Complete proposals must be submitted electronically through the GRANTS.GOV “APPLY” function by 11:59 p.m. Eastern time on May 31, 2022. Prospective applicants should initiate the process by registering on the GRANTS.GOV website promptly to ensure completion of the application process before the submission deadline.

**ADDRESSES:** Instructions for applying can be found on FTA’s website at <https://www.transit.dot.gov/howtoapply> and in the “FIND” module of GRANTS.GOV. The funding opportunity ID is FTA-2022-001-TPM-LWNO for Low-No applications and FTA-2022-002-TPM-BUSC for Buses and Bus Facilities applications. Please note, if an application is choosing to apply to both programs, the applicant must submit a GRANTS.GOV package to each opportunity ID. Mail and fax submissions will not be accepted.

**FOR FURTHER INFORMATION CONTACT:** For further information concerning this notice, please contact the Low-No/Bus grant program staff via email at [ftalownobusnofo@dot.gov](mailto:ftalownobusnofo@dot.gov), or call Amy Volz at 202-366-7484.

**SUPPLEMENTARY INFORMATION:** As required by Federal public transportation law, Low or No Emission Grant Program funds will be awarded competitively for the purchase or lease of low or no emission vehicles that use advanced technologies for transit revenue operations, including related equipment or facilities. As required by Federal public transportation law, Buses and Bus Facilities Program funds will be