

continued rail service has been received, this exemption will be effective on June 17, 2018, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues and formal expressions of intent to file an OFA to subsidize continued rail service under 49 CFR 1152.27(c)(2)<sup>2</sup> must be filed by May 28, 2018.<sup>3</sup> Petitions for reconsideration must be filed by June 7, 2018, with the Surface Transportation Board, 395 E Street SW, Washington, DC 20423-0001.

A copy of any petition filed with Board should be sent to CSXT's representative, Louis E. Gitomer, Law Offices of Louis E. Gitomer, LLC, 600 Baltimore Avenue, Suite 301, Towson, MD 21204.

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

Board decisions and notices are available on our website at "[WWW.STB.GOV](http://WWW.STB.GOV)."

Decided: May 10, 2018.

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

**Jeffrey Herzig,**  
Clearance Clerk.

[FR Doc. 2018-10348 Filed 5-17-18; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF STATE

### OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Public Notice 10418]

#### Notice of Termination of United States- Ecuador Bilateral Investment Treaty

**ACTION:** Notice of termination.

**SUMMARY:** The Government of Ecuador has delivered to the United States a notice of termination for the bilateral investment treaty between the two countries. As a result, the treaty terminates as of May 18, 2018, except that it will continue to apply for another 10 years to investments made or acquired prior to the date of termination

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 30,997 (July 5, 2017).

<sup>2</sup> Each OFA must be accompanied by the filing fee, which currently is set at \$1,800. See 49 CFR 1002.2(f)(25).

<sup>3</sup> Because this is a discontinuance proceeding and not an abandonment, trail use/rail banking and public use conditions are not appropriate. Because there will be an environmental review during abandonment, this discontinuance does not require environmental review.

(May 18, 2018) and to which the treaty otherwise applies.

**FOR FURTHER INFORMATION CONTACT:**

Pamela Phan, Senior Treaty Negotiator, Office of Investment Affairs at the Department of State, at [PhanPN@state.gov](mailto:PhanPN@state.gov) or (202) 736-4246, or Lauren Mandell, Deputy Assistant U.S. Trade Representative for Investment at the Office of the U.S. Trade Representative, at [Lauren\\_A\\_Mandell@ustr.eop.gov](mailto:Lauren_A_Mandell@ustr.eop.gov) or (202) 395-9444.

**SUPPLEMENTARY INFORMATION:** Ecuador delivered a notice dated May 18, 2017, that it was terminating the "Treaty between the United States of America and the Republic of Ecuador Concerning the Encouragement and Reciprocal Protection of Investment" ("the Treaty"). Pursuant to the terms of the Treaty, termination takes effect one year from the date of that notice.

The Treaty was signed at Washington on August 27, 1993, and entered into force on May 11, 1997. Under the terms of the Treaty, either Party may terminate the Treaty at the end of the initial ten-year period, or any time thereafter, by giving one year's written notice to the other Party. The provisions of the Treaty will continue to apply for an additional 10 years to all investments made or acquired prior to the date of termination and to which the Treaty otherwise applies. The Treaty provides protections to cross-border investment between the two countries and the option to resolve investment disputes through international arbitration. The Department of State and the Office of the U.S. Trade Representative, which co-lead the U.S. bilateral investment treaty program, are providing this notice so that existing or potential U.S. investors in Ecuador can factor the termination of the Treaty into their business planning, as appropriate.

**Pamela Phan,**

*Senior Treaty Negotiator and Advisor, Office of Investment Affairs, Department of State.*

**Lauren Mandell,**

*Deputy Assistant U.S. Trade Representative, Office of the U.S. Trade Representative.*

[FR Doc. 2018-10659 Filed 5-17-18; 8:45 am]

**BILLING CODE 4710-AE-P**

## DEPARTMENT OF TRANSPORTATION

### Notice of Final Federal Agency Actions on SH 205 From North of John King (Rockwall County Line) to SH 78 in Collin County, Texas

**AGENCY:** Texas Department of Transportation (TxDOT), Federal Highway Administration (FHWA), U.S. Department of Transportation.

**ACTION:** Notice of limitation on claims for judicial review of actions by TxDOT and federal agencies.

**SUMMARY:** This notice announces actions taken by TxDOT and Federal agencies that are final. The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried-out by TxDOT pursuant to statute and a Memorandum of Understanding dated December 16, 2014, and executed by FHWA and TxDOT. The actions relate to a proposed highway project, SH 205 from North of John King (Rockwall County Line) to SH 78 in Collin County, in the State of Texas. These actions grant licenses, permits, and approvals for the project.

**DATES:** By this notice, TxDOT is advising the public of final agency actions subject to 23 U.S.C. 139(l)(1). A claim seeking judicial review of TxDOT and Federal agency actions on the highway project will be barred unless the claim is filed on or before October 15, 2018. If the Federal law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such a claim, then that shorter time period still applies.

**FOR FURTHER INFORMATION CONTACT:**

Carlos Swonke, Environmental Affairs Division, Texas Department of Transportation, 125 East 11th Street, Austin, Texas 78701; telephone: (512) 416-2734; email: [carlos.swonke@txdot.gov](mailto:carlos.swonke@txdot.gov). TxDOT's normal business hours are 8:00 a.m.-5:00 p.m. (central time), Monday through Friday.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that TxDOT and Federal agencies have taken final agency actions by issuing licenses, permits, and approvals for the following highway project in the State of Texas: SH 205 from North of John King (Rockwall County Line) to SH 78 in Collin County, Texas. The proposed improvements would widen the existing facility from a two-lane rural to an ultimate six-lane urban divided highway. Interim improvements would include constructing a four-lane urban roadway with an inside 12-foot wide travel lane in each direction and an outside 14-foot travel lane in each direction for shared use by bicycles and vehicles. A 42-foot wide median would divide the northbound and southbound lanes. In the ultimate phase of construction, inside widening would occur within the 42-foot wide median and an additional 12-foot wide lane would be constructed in each direction with an 18-foot median remaining. The length of the

proposed project is approximately 2.9 miles. The purpose of the proposed project is to improve mobility and safety within the SH 205 corridor.

The actions by TxDOT and Federal agencies and the laws under which such actions were taken are described in the documentation supporting the Categorical Exclusion (CE) Determination approved on April 24, 2018, and other documents in the TxDOT project file. The CE Determination and other documents are available by contacting TxDOT at the address provided above or the TxDOT Dallas District Office at 4777 E. Highway 80, Mesquite, TX 75150; telephone: (214) 320-6244.

This notice applies to all TxDOT and 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 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 [54 U.S.C. 300101 *et seq.*]; Archeological Resources Protection Act of 1977 [16 U.S.C. 470(aa)-11]; Archeological and Historic Preservation Act [54 U.S.C. 312501 *et seq.*]; 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*: Clean Water Act, 33 U.S.C. 1251-1377 (Section 404, Section 401, Section 319); 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; TEA-21 Wetlands Mitigation, 23 U.S.C. 103(b)(6)(m),

133(b)(11); Flood Disaster Protection Act, 42 U.S.C. 4001-4128.

8. *Executive Orders*: E.O. 11990 Protection of Wetlands; E.O. 11988 Floodplain Management; E.O. 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations; E.O. 11593 Protection and Enhancement of Cultural Resources; E.O. 13007 Indian Sacred Sites; E.O. 13287 Preserve America; E.O. 13175 Consultation and Coordination with Indian Tribal Governments; E.O. 11514 Protection and Enhancement of Environmental Quality; E.O. 13112 Invasive Species. (Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction.)

**Authority**: 23 U.S.C. 139(l)(1).

Issued on: May 3, 2018.

**Michael T. Leary**,

*Director, Planning and Program Development, Federal Highway Administration.*

[FR Doc. 2018-09985 Filed 5-17-18; 8:45 am]

**BILLING CODE 4910-22-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Notice of Funding Opportunity for Positive Train Control Systems Grants Under the Consolidated Rail Infrastructure and Safety Improvements Program

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

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

**SUMMARY**: This NOFO details the application procedures and requirements to obtain grant funding for eligible positive train control (PTC) system projects of the Consolidated Rail Infrastructure and Safety Improvements (CRISI) Program. The funding in this NOFO is provided by the Consolidated Appropriations Act, 2018, Division L, Title I, Public Law 115-141 (2018 Appropriation). The opportunity described in this notice is made available under Catalog of Federal Domestic Assistance (CFDA) number 20.325, "Consolidated Rail Infrastructure and Safety Improvements."

**DATES**: Applications under this solicitation are due no later than 5:00 p.m. EDT, July 2, 2018. Applications for funding or supplemental material in support of such an application received after 5:00 p.m. EDT on July 2, 2018 will

not be considered for funding. Incomplete applications will not be considered for funding. See Section D of this notice for additional information on the application process.

**ADDRESSES**: Applications must be submitted via [www.Grants.gov](http://www.Grants.gov). Only applicants who comply with all submission requirements described in this notice and submit applications through [www.Grants.gov](http://www.Grants.gov) will be eligible for award. For any supporting application materials that an applicant is unable to submit via [www.Grants.gov](http://www.Grants.gov) (such as oversized engineering drawings), an applicant may submit an original and two (2) copies to Ms. Amy Houser, Office of Program Delivery, Federal Railroad Administration, 1200 New Jersey Avenue SE, Room W36-412, Washington, DC 20590. However, due to delays caused by enhanced screening of mail delivered via the U.S. Postal Service, applicants are advised to use other means of conveyance (such as courier service) to assure timely receipt of materials before the application deadline.

**FOR FURTHER INFORMATION CONTACT**: For further information in this notice, please contact Ms. Amy Houser, Office of Program Delivery, Federal Railroad Administration, 1200 New Jersey Avenue SE, Room W36-412, Washington, DC 20590; email: [amy.houser@dot.gov](mailto:amy.houser@dot.gov); phone: 202-493-0303.

#### SUPPLEMENTARY INFORMATION:

*Notice to applicants*: FRA recommends that applicants read this notice in its entirety prior to preparing application materials. A list providing the definitions of key terms used throughout the NOFO is in Section A(2) below. These key terms are capitalized throughout the NOFO. There are several administrative prerequisites and specific eligibility requirements described herein that applicants must comply with to submit an application. Additionally, applicants should note that the required Project Narrative component of the application package may not exceed 25 pages in length.

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