

traffic has operated; and, therefore, none needs to be rerouted over other lines; (3) no formal complaint filed by a user of rail service on the Line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the Line is either pending with the Surface Transportation Board (Board) or with any U.S. District Court or has been decided in favor of complainant within the two-year period; and (4) the requirements at 49 CFR 1105.7(c) (environmental report), 49 CFR 1105.11 (transmittal letter), 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 Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho*, 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, this exemption will be effective on November 10, 2016, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,<sup>1</sup> formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),<sup>2</sup> and trail use/rail banking requests under 49 CFR 1152.29 must be filed by October 17, 2016. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by October 27, 2016, with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423–0001.<sup>3</sup>

A copy of any petition filed with the Board should be sent to DM&E's representative: W. Karl Hansen, Stinson Leonard Street LLP, 150 South Fifth

Street, Suite 2300, Minneapolis, MN 55402.

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

DM&E has filed environmental and historic reports that address the effects, if any, of the abandonment on the environment and historic resources. OEA will issue an environmental assessment (EA) by October 14, 2016. Interested persons may obtain a copy of the EA by writing to OEA (Room 1100, 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.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), CSXT 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 DM&E's filing of a notice of consummation by October 7, 2017, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

Board decisions and notices are available on our Web site at “[WWW.STB.GOV](http://WWW.STB.GOV).”

Decided: October 4, 2016.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

**Rena Laws-Byrum,**  
Clearance Clerk.

[FR Doc. 2016–24330 Filed 10–6–16; 8:45 am]

**BILLING CODE 4915–01–P**

## **SURFACE TRANSPORTATION BOARD**

**[Docket No. FD 36057]**

### **Cedar Rapids and Iowa City Railway Company—Change in Operator Exemption—Iowa Interstate Railroad, Ltd.**

Cedar Rapids and Iowa City Railway Company (CRANDIC), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to assume operations over a line of railroad known as the Hills Line extending from milepost 25.0 near Burlington Street in Iowa City, Iowa, to the end of the track at milepost 33.4 in Hills, Iowa, a distance of approximately 8.4 miles.

CRANDIC states that it owns the Hills Line, which is currently leased to and operated by Iowa Interstate Railroad, Ltd. (IAIS).<sup>1</sup>

CRANDIC notes that CRANDIC and IAIS have agreed that the lease of the Hills Line by IAIS will terminate on October 26, 2016, under the terms of the governing lease agreement and that, as of that date, IAIS will relinquish to CRANDIC (and CRANDIC alone will assume) the legal obligation to provide common carrier rail service over the Hills Line.

CRANDIC states that the proposed change in operator does not involve any provision or agreement that would limit future interchange with a third-party connecting carrier. CRANDIC certifies that its projected annual revenues as a result of this transaction will not result in CRANDIC's becoming a Class II or Class I rail carrier. However, because its projected annual revenues exceed \$5 million, CRANDIC certifies that, pursuant to 49 CFR 1150.42(e), it provided notice on August 18, 2016, to employees on the Hills Line and on the national offices of the labor unions for those employees' unions. Additionally, under 49 CFR 1150.42(b), a change in operator requires that notice be given to shippers. CRANDIC certifies that it has provided notice of the proposed change in operator to shippers on the Hills Line.

The earliest this transaction can be consummated is October 23, 2016, the effective date of the exemption.

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 October 14, 2016 (at least seven days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 36057, must be filed with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423–0001. In addition, one copy of each pleading must be served on Robert A. Wimbish, Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 920, Chicago, IL 60606–2832.

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

Decided: October 4, 2016.

<sup>1</sup> See *Iowa Interstate R.R.—Lease Exemption—Line of Cedar Rapids & Iowa City Ry.*, FD 35562 (STB served Jan. 25, 2012).

<sup>1</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>2</sup> Each OFA must be accompanied by the filing fee, which is currently set at \$1,600. See 49 CFR 1002.2(f)(25).

<sup>3</sup> DM&E states that the Line may be suitable for other public purposes or trail use, and is not aware of any restriction on title to the property, including any reversionary interest which would affect the transfer of title or the use of the property for non-rail purposes.

By the Board, Rachel D. Campbell,  
Director, Office of Proceedings.

**Tammy Lowery,**  
Clearance Clerk.

[FR Doc. 2016-24322 Filed 10-6-16; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

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

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

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

**SUMMARY:** This notice announces actions taken by FHWA that are final within the meaning of 23 U.S.C. 139(l)(1). The actions relate to a proposed highway project, Interstate 94 (I-94) East-West Corridor, 70th Street to 16th Street, in Milwaukee County, Wisconsin. Those actions grant 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 March 6, 2017. 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:

Michael Davies, Division Administrator, FHWA Wisconsin Division Office, 525 Junction Road Suite 8000, Madison, Wisconsin 53717; telephone: (608) 829-7500; email: [Wisconsin.FHWA@dot.gov](mailto:Wisconsin.FHWA@dot.gov). The FHWA Wisconsin Division's normal office hours are 7 a.m. to 4 p.m. central time. For the Wisconsin Department of Transportation (WisDOT): Jason Lynch, PE, Wisconsin Department of Transportation, Southeast Region, 141 NW Barstow Street, Waukesha, Wisconsin 53187; telephone: (414) 750-1803; email: [jason.lynch@dot.wi.gov](mailto:jason.lynch@dot.wi.gov).

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that FHWA has taken final agency actions subject to 23 U.S.C. 139(l)(1) by issuing approval for the following highway project: Interstate 94 (I-94) East-West Corridor, 70th Street to 16th Street, in Milwaukee County, Wisconsin, Wisconsin DOT Project I.D. 1060-27-00. The purpose of the project is to address the deteriorated condition of I-94, obsolete roadway and bridge

design, existing and future traffic demand, and high crash rates along approximately 3.5 miles of I-94. The project includes reconstructing and adding a through lane along I-94 in each direction along its existing alignment; reconstructing the 68th/70th Street interchange; reconstructing the Hawley Road interchange as a partial interchange; closure of the Mitchell Boulevard interchange; reconfiguring the system interchange at I-94/WIS 175/Miller Park Way (Stadium Interchange) as a hybrid between a service interchange and a system interchange (including a local road connection to Mitchell Boulevard and modifying the WIS 175 interchange ramps at Wisconsin Avenue); reconstructing the 35th Street and 27th Street interchanges; and local roadway improvements to offset impacts to local traffic from interchange modifications.

The actions taken by FHWA on this project, and laws under which such actions were taken, are described in the Final Environmental Impact Statement (FEIS), approved on January 29, 2016, in the Record of Decision (ROD) issued on September 9, 2016, and in other documents in the FHWA or WisDOT project records. The FEIS, ROD, and other project records are available by contacting FHWA or WisDOT at the addresses provided above. The FEIS and ROD can also be viewed on the project Web site: <http://wisconsin.dot.gov/Pages/projects/by-region/se/94stadiumint/default.aspx>.

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 (FAHA) [23 U.S.C. 109, 23 U.S.C. 128, and 23 U.S.C. 139].

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 [23 U.S.C. 138 and 49 U.S.C. 303].

4. *Wildlife:* Endangered Species Act of 1973 [16 U.S.C. 1531-1544 and Section 1536]; 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)-470(ll)]; Archeological and Historic Preservation Act [16 U.S.C. 469-469(c)]; Native American Grave Protection and Repatriation Act [25 U.S.C. 3001 *et seq.*].

6. *Social and Economic:* Civil Rights Act of 1964 [42 U.S.C. 2000(d) *et seq.*]; Americans with Disabilities Act [42 U.S.C. 12101]; Uniform Relocation Assistance and Real Property Acquisition Act of 1970 [42 U.S.C. 4601 *et seq.* as amended by the Uniform Relocation Act Amendments of 1987 [Pub. L. 100-17]].

7. *Wetlands and Water Resources:* Clean Water Act (Section 404, Section 401, Section 319) [33 U.S.C. 1251-1377]; Safe Drinking Water Act [42 U.S.C. 300(f)-300(j)(6)].

8. *Hazardous Materials:* Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) as amended [42 U.S.C. 9601-9675]; Superfund Amendments and Reauthorization Act of 1986 [Pub. L. 99-499]; Resource Conservation and Recovery Act [42 U.S.C. 6901 *et seq.*].

9. *Executive Orders:* E.O. 11990 Protection of Wetlands; E.O. 11988 Floodplain Management as amended by E.O. 12148 and E.O. 13690; E.O. 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations; 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. 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: September 23, 2016.

**Michael Davies,**

Division Administrator, FHWA Wisconsin Division, Madison, Wisconsin.

[FR Doc. 2016-23785 Filed 10-6-16; 8:45 am]

**BILLING CODE 4910-22-P**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket No. MARAD-2016 0095]

#### Requested Administrative Waiver of the Coastwise Trade Laws: Vessel Southern Cross; Invitation for Public Comments

**AGENCY:** Maritime Administration, Department of Transportation.

**ACTION:** Notice.

**SUMMARY:** As authorized by 46 U.S.C. 12121, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized