

LVR certifies that its projected annual revenues as a result of this transaction will not exceed the maximum revenue of a Class III rail carrier and will not exceed \$5 million. LVR also certifies that the subject agreements do not contain any provisions that would limit LVR's future interchange of traffic on the Line with a third-party connecting carrier.

The earliest this transaction may be consummated is January 7, 2022, 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 for stay must be filed no later than December 30, 2021 (at least seven days before the exemption becomes effective).

All pleadings, referring to Docket No. FD 36565, 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 LVR's representative, Audrey L. Brodrick, Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 800, Chicago, IL 60606.

According to LVR, 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.

Decided: December 20, 2021.

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

Eden Besera,
Clearance Clerk.

[FR Doc. 2021-27850 Filed 12-22-21; 8:45 am]

BILLING CODE 4915-01-P

SURFACE TRANSPORTATION BOARD

[Docket No. FD 36504]

Fox Valley & Lake Superior Rail System, L.L.C.—Acquisition and Operation Exemption—Lines of Wisconsin Central Ltd. in the State of Wisconsin

Fox Valley & Lake Superior Rail System, L.L.C. (Fox System),¹ a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to

acquire and operate approximately 328.52 miles of active rail lines and 180.75 miles of rail line over which discontinuance of service previously had been authorized, totaling approximately 509.27 miles (the Lines) owned by Wisconsin Central Ltd. (WCL). The Lines include the Southern Cluster (41.88 miles), the Green Bay Cluster (32.33 miles), the Appleton Cluster (82.32 miles), and the Northern Cluster (352.74 miles), all in the State of Wisconsin.

The Southern Cluster consists of (1) the Eden Spur extending from Eden, Wis., at milepost 138.7, to Fond du Lac, Wis., at milepost 146.04, a distance of approximately 7.34 miles; (2) the West Bend Subdivision extending from Granville, Wis., at milepost 99.5, to West Bend, Wis., at milepost 114.42, a distance of approximately 14.92 miles; and (3) the Saukville Subdivision extending from Mill (North Milwaukee), Wis., at milepost 95.18, to Saukville, Wis., at milepost 114.8, a distance of approximately 19.62 miles.

The Green Bay Cluster consists of (1) the Denmark Spur extending from Denmark, Wis., at milepost 97.75, to Green Bay, Wis., at milepost 113.28, a distance of approximately 15.53 miles; and (2) the Luxemburg Spur extending from Green Bay at milepost 2.1, to Luxemburg, Wis., at milepost 18.9, a distance of approximately 16.8 miles.

The Appleton Cluster consists of (1) the Shawano Subdivision extending from Appleton, Wis., at milepost 358.18, to Shawano, Wis., at milepost 314.08, a distance of approximately 44.1 miles; (2) the New London Spur extending from Appleton at milepost 121.6, to New London, Wis., at milepost 141.0 and from New London at milepost 38.98, to Manawa, Wis., at milepost 50.3, a total distance of approximately 30.72 miles;² (3) the Kimberly Spur extending from Appleton at milepost 121.5, to Kaukauna, Wis., at milepost 114.0, a distance of approximately 7.5 miles.³

The Northern Cluster consists of (1) a portion of the Valley Subdivision extending from Rothschild, Wis., at milepost 85.0, to Tomahawk, Wis., at milepost 133.09, and from Tomahawk at milepost 133.49, to Bradley, Wis., at milepost 138.42, a distance of approximately 53.02 miles, as well as

trackage rights by assignment over Tomahawk Railway, Limited Partnership, between milepost 133.09 and milepost 133.49 at Tomahawk;⁴ (2) the "Wausau Pocket" trackage at Wausau, Wis., from Kelly, Wis., at milepost 17.4, to Wausau at milepost 27.4, and from Kelly at milepost 0.0, to Schofield, Wis., at milepost 1.9, a total distance of approximately 11.9 miles;⁵ (3) an undivided one-half interest (with WCL) in the portion of the Valley Subdivision extending from Mosinee, Wis., at milepost 77.0, to Rothschild at milepost 85.0, a distance of approximately 8.0 miles;⁶ (4) a portion of the Bradley and Pembine Subdivisions extending from Tony, Wis., at milepost 138.0, to Goodman, Wis., at milepost 269.0, a distance of approximately 131.0 miles;⁷ (5) the Ashland Subdivision extending from Prentice, Wis., at milepost 343.3, to Ashland, Wis., at milepost 434.49, a distance of approximately 91.19 miles;⁸ (6) the White Pine Subdivision extending from Marengo Jct., Wis., at milepost 332.39, to the Michigan/Wisconsin border at milepost 302.36, a distance of approximately 30.03 miles;⁹ and (7) the Medford Subdivision extending from Spencer, Wis., at milepost 289.80, to Medford, Wis., at milepost 317.4, a distance of approximately 27.6 miles.

⁴ See *Wis. Cent. Ltd.—Trackage Rights Exemption—Tomahawk Ry.*, FD 33359 (STB served Mar. 25, 1997).

⁵ See *Wis. Cent. Ltd.—Acquis. Exemption—Union Pac. R.R.*, 2 S.T.B. 218 (1997), *rev'd in part sub nom. Ass'n of Am. R.R.s. v. STB*, 162 F.3d 101 (D.C. Cir. 1998).

⁶ According to the verified notice, Soo Line Railroad Company (Soo Line) has trackage rights on this segment and will remain WCL's tenant. See *Wis. Cent. Ltd.—Exempt. Acquis. & Operation—Certain Lines of Soo Line R.R.*, FD 31102, slip op. at 5 (ICC served July 28, 1988). As part of the current proposed transaction, WCL will retain limited overhead trackage rights (with Soo Line as its tenant) over Fox System from milepost 85.0 at Rothschild to milepost 89.5 at Wausau Yard for the purpose of turning and servicing locomotives.

⁷ In 2017, WCL discontinued service over the line from Rhinelander to Goodman. See *Wis. Cent. Ltd.—Discontinuance of Serv. Exemption—in Oneida & Marinette Cntys.*, Wis., AB 303 (Sub-No. 49X) (STB served Nov. 15, 2017). In 2020, it discontinued service over the line from Tony to Prentice. See *Wis. Cent. Ltd.—Discontinuance of Serv. Exemption—in Rusk & Price Cntys.*, Wis., AB 303 (Sub-No. 54X) (STB served Jan. 10, 2020).

⁸ In 2018, WCL discontinued service over the line from Ashland to Park Falls, Wis. See *Wis. Cent. Ltd.—Discontinuance of Serv. Exemption—in Ashland & Price Cntys.*, Wis., AB 303 (Sub-No. 50X) (STB served Oct. 18, 2018).

⁹ In 2015, WCL discontinued service over the White Pine Subdivision, including the portion extending into Michigan. See *Wis. Cent. Ltd.—Discontinuance of Serv. Exemption—in Ashland & Iron Cntys.*, Wis., & Gogebic & Ontonagon Cntys., Mich., AB 303 (Sub-No. 45X) (STB served Dec. 3, 2014).

¹ Fox System is an indirectly controlled subsidiary of Watco Holdings, Inc. (Watco Holdings), a noncarrier Delaware limited liability holding company.

² In 2017, WCL discontinued service over the line from New London to Manawa. See *Wis. Cent. Ltd.—Discontinuance of Serv. Exemption—in Waupaca Cnty.*, Wis., AB 303 (Sub-No. 48X) (STB served Aug. 31, 2017).

³ Fox System will also acquire 0.1 miles of incidental trackage rights extending between milepost 212.9 and milepost 213.0 on WCL's Fox River Subdivision to access the Kimberly Spur.

Fox System's acquisition is part of a larger transaction pursuant to which, in addition to Fox System's acquisition, (1) Grand Elk Railroad, Inc. (Grand Elk), a Class III carrier and Watco Holdings subsidiary, would acquire 142.64 miles of rail lines in Michigan owned by WCL,¹⁰ and (2) after Fox System acquires the Lines, Fox System would transfer the Eden Spur, the West Bend Subdivision, and the Saukville Subdivision to Wisconsin & Southern Railroad, L.L.C. (WSOR), a Class II subsidiary of Watco Holdings, for WSOR to operate as part of its system.¹¹

The effective date of the exemptions sought in Docket Nos. FD 36503, FD 36504, and FD 36505 was tolled to consider questions raised and solicit additional information. *See Grand Elk R.R.—Acquis. Exemption—Lines of Wis. Cent. Ltd. in the State of Mich.*, FD 36503 et al. (STB served Apr. 27, 2021). In a decision served on December 20, 2021, the Board held that the exemptions in Docket Nos. FD 36503, FD 36504, and FD 36505 could proceed and granted the petition for exemption sought in Docket No. FD 36506. *See Grand Elk R.R.—Acquis. Exemption—Lines of Wis. Cent. Ltd. in the State of Mich.*, FD 36503 et al. (STB served Dec. 20, 2021).

Fox System certifies that its projected annual revenues as a result of this transaction will not exceed those that would qualify it as a Class III rail carrier. Pursuant to 49 CFR 1150.32(e), which applies “[i]f the projected annual revenue of the carrier to be created by a transaction under this exemption exceeds \$5 million,” Fox System certified on April 1, 2021, that notice of the transaction was posted at the workplaces of current WCL employees on the Lines and was being served on the national offices of the labor unions for those employees.

Fox System further certifies that the proposed transaction does not involve, and the purchase agreement does not include, any provision or agreement that would limit future interchange with a third-party connecting carrier.

The transaction may be consummated on or after December 31, 2021, 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 to stay must be filed no later than December 27, 2021.

All pleadings, referring to Docket No. FD 36504, 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 Fox System's representative: David F. Rifkind, Stinson, LLP, 1775 Pennsylvania Avenue NW, Suite 800, Washington, DC 20006-4605.

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

Board decisions and notices are available at www.stb.gov.

Decided: December 20, 2021.

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

Kenyatta Clay,
Clearance Clerk.

[FR Doc. 2021-27907 Filed 12-22-21; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent of Waiver With Respect to Land; Gerald R. Ford International Airport, Grand Rapids, MI

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice.

SUMMARY: The FAA is considering a proposal to change approximately 16 acres of airport land from aeronautical use to non-aeronautical use and to authorize the lease of airport property located at Gerald R. Ford International Airport, Grand Rapids, Michigan. The aforementioned land is not needed for aeronautical use. The property is located to the northeast of the Patterson Avenue and Oostema Boulevard intersection. This intersection is the primary access to the airport. The property is currently vacant and not used for aeronautical purposes. The airport is proposing to lease this land for non-aeronautical development. Proposed uses include, restaurant, hotel, car wash, retail, and/or gas station.

DATES: Comments must be received on or before January 24, 2022.

ADDRESSES: Documents are available for review by appointment at the FAA Detroit Airports District Office, Robert Tykoski, Community Planner, 11677 S Wayne Road, Ste. 107, Romulus, MI Telephone: (734) 229-2900/Fax: (734) 229-2950 and Casey Ries, Engineering and Planning Director, Gerald R. Ford International Airport Authority, 5500 44th Street SE, Grand Rapids, MI Telephone: (616) 233-6040/Fax (616) 233-6025).

Written comments on the Sponsor's request must be delivered or mailed to: Robert Tykoski, Community Planner, Federal Aviation Administration, Detroit Airports District Office, 11677 S Wayne Road, Ste. 107, Romulus, MI 48187, Telephone Number: (737) 229-2900/FAX Number: (734) 229-2950.

FOR FURTHER INFORMATION CONTACT: Robert Tykoski, Community Planner, Federal Aviation Administration, Detroit Airports District Office, 11677 S Wayne Road, Ste. 107, Romulus, MI 48187. Telephone Number: (734) 229-2900/FAX Number: (734) 229-2950.

SUPPLEMENTARY INFORMATION: In accordance with section 47107(h) of Title 49, United States Code, this notice is required to be published in the **Federal Register** 30 days before modifying the land-use assurance that requires the property to be used for an aeronautical purpose.

The property is vacant and designated on the ALP as future non-aeronautical development. There are three parcels identified for this non-aeronautical use. They received Federal reimbursement through AIP grant #3-26-0039-2010. The sponsor proposes to allow non-aeronautical development, such as a hotel, gas station, retail, restaurant, and/or a car wash. The sponsor will receive fair market value for the lease of this property.

The disposition of proceeds from the lease of the airport property will be in accordance with FAA's Policy and Procedures Concerning the Use of Airport Revenue, published in the **Federal Register** on February 16, 1999 (64 FR 7696).

This notice announces that the FAA is considering the release of the subject airport property at the Gerald R. Ford International Airport, Grand Rapids, MI from its obligations to be maintained for aeronautical purposes. Approval does not constitute a commitment by the FAA to financially assist in the change in use of the subject airport property nor a determination of eligibility for grant-in-aid funding from the FAA.

Legal Description

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¹⁰ See *Grand Elk R.R.—Acquis. Exemption—Lines of Wis. Cent. Ltd. in the State of Michigan*, Docket No. FD 36503.

¹¹ See *Watco Holdings, Inc.—Exemption for Intra-Corp. Fam. Transaction—Fox Valley & Lake Superior Rail Sys., L.L.C.*, Docket No. FD 36505. Additionally, to continue in control of Fox System once it becomes a carrier, Watco Holdings filed a petition for exemption in *Watco Holdings, Inc.—Continuance in Control Exemption—Fox Valley & Lake Superior Rail Sys., L.L.C.*, Docket No. FD 36506.