Commission received one comment letter on the proposed rule change.[5]

Section 19(b)(2) of the Act[6] provides that, within 45 days of publication of the notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day after publication of the notice for this proposed rule change is September 6, 2019.

The Commission hereby is extending the 45-day time period for Commission action on the proposed rule change. The Commission finds that it is appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider the proposed rule change, including the comment letter received on the filing.

Accordingly, pursuant to Section 19(b)(2) of the Act,[7] the Commission designates October 21, 2019 as the date by which the Commission shall either approve, disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change (File No. SR–CBOE–2019–035).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[8]

**Jill M. Peterson,**

*Assistant Secretary.*

[FR Doc. 2019–19459 Filed 9–9–19; 8:45 am]

**BILLING CODE 8011–01–P**

## SURFACE TRANSPORTATION BOARD

**[Docket No. EP 552 (Sub-No. 23)]**

### Railroad Revenue Adequacy—2018 Determination

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice of decision.

**SUMMARY:** On September 5, 2019, the Board served a decision announcing the 2018 revenue adequacy determinations for the Nation's Class I railroads. Three carriers (CSX Transportation, Inc., Soo Line Corporation, and Union Pacific Railroad Company) were found to be revenue adequate.

**DATES:** This decision is effective on September 5, 2019.

**FOR FURTHER INFORMATION CONTACT:** Pedro Ramirez, (202) 245–0333. Assistance for the hearing impaired is available through the Federal Relay Service at (800) 877–8339.

**SUPPLEMENTARY INFORMATION:** Under 49 U.S.C 10704(a)(3), the Board is required to make an annual determination of railroad revenue adequacy. A railroad is considered revenue adequate under 49 U.S.C. 10704(a) if it achieves a rate of return on net investment (ROI) equal to at least the current cost of capital for the railroad industry. For 2018, this number was determined to be 12.22% in *Railroad Cost of Capital—2018,* EP 558 (Sub-No. 22) (STB served Aug. 6, 2019). The Board then applied this revenue adequacy standard to each Class I railroad. Three Class I carriers (CSX Transportation, Inc., Soo Line Corporation, and Union Pacific Railroad Company) were found to be revenue adequate for 2018.

The decision in this proceeding is posted at *www.stb.gov.*

Decided: September 4, 2019.

By the Board, Board Members Begeman, Fuchs, and Oberman.

**Kenyatta Clay,**

*Clearance Clerk.*

[FR Doc. 2019–19487 Filed 9–9–19; 8:45 am]

**BILLING CODE 4915–01–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

### Notice of Final Federal Agency Actions on Proposed Highway in California

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

**ACTION:** Notice of Limitation on Claims for Judicial Review of Actions by the California Department of Transportation (Caltrans).

**SUMMARY:** The FHWA, on behalf of Caltrans, is issuing this notice to announce actions taken by Caltrans that are final. The actions relate to a proposed highway project, Interstate 805/Palm Avenue Interchange Improvements in the County of San Diego, State of California. Those actions grant licenses, permits, and approvals for the project.

**DATES:** By this notice, the FHWA, on behalf of Caltrans, 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 February 7, 2020. 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:** For Caltrans: Bruce April, Deputy District Director—Environmental, California Department of Transportation—District 11, 4050 Taylor Street, MS 242, San Diego, CA 92110, 9 a.m.–5 p.m., (619) 688–0100, *bruce.april@dot.ca.gov.* For FHWA, contact David Tedrick at (916) 498–5024 or *david.tedrick@dot.gov.*

**SUPPLEMENTARY INFORMATION:** Effective July 1, 2007, the FHWA assigned, and Caltrans assumed, environmental responsibilities for this project pursuant to 23 U.S.C. 327. Notice is hereby given that the Caltrans have taken final agency actions subject to 23 U.S.C. 139(*l*)(1) by issuing licenses, permits, and approvals for the following highway project in the State of California: The project proposes to improve the Interstate 805 and Palm Avenue interchange and would increase capacity at this Interchange to address the increase in local traffic that has occurred and is expected to occur in the future. The actions by the Federal agencies, and the laws under which such actions were taken, are described in the Final Environmental Assessment/Finding of No Significant Impact (FEA/FONSI) for the project, approved on June 28, 2019 and in other documents in the Caltrans' project records. The FEA, FONSI, and other project records are available by contacting Caltrans at the address provided above. 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. Council of Environmental Quality Regulations (40 CFR 1500 *et seq.,* 23 CFR 771);
2. National Environmental Policy Act (NEPA) of 1969, as amended, 42 U.S.C. 4321 *et seq;*
3. Federal-Aid Highway Act of 1970, (23 U.S.C. 109, as amended by FAST Act Section 1404(a), Pub. L. 114–94, and 23 U.S.C. 128);
4. Department of Transportation Act of 1966, Section 4(f);
5. Clean Water Act of 1977 and 1987 (33 U.S.C. 1251 *et seq.*);
6. Clean Air Act, as amended (42 U.S.C. 7401 *et seq.* (Transportation Conformity), 40 CFR part 93);
7. Endangered Species Act of 1973;
8. Executive Order 13112, Invasive Species;
9. Executive Order 13186, Migratory Bird Treaty Act;

[5] *See* Letter from Gerald D. O'Connell, SIG—Compliance Coordinator, dated August 19, 2019, *available at https://www.sec.gov/comments/sr-cboe-2019-035/srcboe2019035.htm.*

[6] 15 U.S.C. 78s(b)(2).

[7] 15 U.S.C. 78s(b)(2)(A)(ii)(I).

[8] 17 CFR 200.30–3(a)(31).