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SERVICE DATE – LATE RELEASE JANUARY 17, 2012

SURFACE TRANSPORTATION BOARD

DECISION AND NOTICE OF INTERIM TRAIL USE OR ABANDONMENT

Docket No. AB 303 (Sub-No. 38X)

WISCONSIN CENTRAL, LTD.—ABANDONMENT
EXEMPTION—IN FOND DU LAC COUNTY, WIS.

Decided: January 17, 2012

Wisconsin Central, Ltd. (WCL) filed a notice of exemption under 49 C.F.R. pt. 1152 subpart F—Exempt Abandonments to abandon approximately 0.60 miles of rail line between mileposts 175.40 and 176.00, in Fond Du Lac, Fond Du Lac County, Wis. Notice of the exemption was served on December 19, 2011, and published in the Federal Register on December 20, 2011 (76 Fed. Reg. 78,974-75). The exemption is scheduled to become effective on January 18, 2012.

The Board's Office of Environmental Analysis (OEA) issued an environmental assessment (EA) in this proceeding which was served on December 23, 2011. In the EA, OEA indicates that the National Geodetic Survey (NGS) identified one geodetic station marker in the area of the proposed abandonment. OEA recommends that a condition be imposed requiring WCL to consult with NGS and notify NGS at least 90 days prior to beginning salvage activities that will disturb or destroy any geodetic station markers.

Comments to the EA were due by January 9, 2012. No comments were received. Accordingly, the condition recommended by OEA in the EA will be imposed.

As conditioned, this action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. This proceeding is reopened.
2. Upon reconsideration, the notice served on December 19, 2011, and published in the Federal Register on December 20, 2011, exempting the abandonment of the line described above is subject to the condition that WCL shall consult with NGS, and notify NGS at least 90 days prior to beginning salvage activities that will disturb or destroy any geodetic station markers.

3. This decision and notice is effective on its service date.

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