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235226

December 20, 2013

VIA E-FILING

Victoria Rutson  
Environmental Analysis Chief  
Surface Transportation Board  
395 E Street SW, Room 1106  
Washington, DC 20423

ENTERED  
Office of Proceedings  
December 20, 2013  
Part of the Public Record

**Re: *Soo Line Railroad Company - Abandonment of Trackage in Racine County, Wisconsin*  
STB Docket No. AB-57 (Sub-No. 61X)**

Dear Ms. Rutson:

Please find enclosed for filing a copy of Soo Line Railroad Company's Environmental and Historic Reports pursuant to 49 C.F.R. Part 1105. A copy of the transmittal letter pursuant to 49 C.F.R. § 1105.11 is also enclosed.

Soo Line anticipates filing a Notice of Exemption seeking authority to abandon the 10.63 mile line of railroad on or about January 15, 2014.

Please contact me if you have any questions.

Very truly yours,

LEONARD, STREET AND DEINARD



W. Karl Hansen

Enclosure

cc: Parties on the Attached Service List

SERVICE LIST  
ENVIRONMENTAL AND HISTORIC REPORTS  
Soo Line Railroad Company – Abandonment of  
Trackage Located in Racine County, Wisconsin  
STB Docket No. AB-57 (Sub No. 61X)

Appropriate Regional Office(s) of the  
U.S. Environmental Protection Agency

Ms. Susan Hedman,  
Administrator, Region 5  
U.S. Environmental Protection Agency  
77 West Jackson Boulevard  
Chicago, IL 60604-3507  
Tel. (312) 886-3000

U.S. Fish and Wildlife Service

Mr. Tom Melius  
Midwest Regional Director (Region 3)  
U.S. Fish and Wildlife Service  
5600 American Boulevard West, Suite 990  
Bloomington, MN 55437-1458  
Tel. (612) 713-5360  
Fax (612) 713-5280

U.S. Army Corp of Engineers – Detroit, Michigan District Office

Lieutenant Colonel Robert Ells  
District Commander, Detroit District  
U.S. Army Corps of Engineers  
McNamara Federal Building  
477 Michigan Avenue  
Detroit, MI 48226-2575  
Tel. (313) 226-4680

National Park Service, U.S. Department of the Interior

Mr. Michael Reynolds  
Regional Director  
National Park Service  
601 Riverfront Drive  
Omaha, NE 68102-4226  
Tel. (402) 661-1736

U.S. Soil and Conservation Service

Mr. Jimmy Bramblett  
Wisconsin State Conservationist  
USDA Natural Resources Conservation Service  
8030 Excelsior Drive  
Madison, WI 53717-2906  
Tel. (608) 662-4422  
Fax (608) 662-4430

National Geodetic Survey (as designated agent for the National Geodetic Survey  
and the U.S. Geological Survey)

Simon Monroe  
National Oceanic and Atmospheric Administration  
Geodetic Survey, SSMC3 #9202  
1315 East-West Highway  
Silver Spring, MD 20910-3282  
Tel. (301) 713-3242  
Fax (301) 713-4172

State Clearinghouse

Ed Eberle, Administrator  
Intergovernmental Relations  
Wisconsin Department of Administration  
101 East Wilson Street, 9th Floor  
P.O. Box 8944  
Madison, WI 53708-8944  
Tel. (608) 267-1824

State Department of Transportation for Wisconsin

Secretary  
Wisconsin Department of Transportation  
4802 Sheboygan Avenue  
P.O. Box 7910  
Madison, WI 53707-7910

State Environmental Protection Agency for Wisconsin

Wisconsin Department of Natural Resources  
101 South Webster Street  
P.O. Box 7921  
Madison, WI 53707-7921  
Tel. (888) 936-7463

State Water Quality Official

Ms. Susan Sylvester  
Director, Bureau of Water Quality  
Wisconsin Department of Natural Resources  
101 South Webster Street  
P.O. Box 7921  
Madison, WI 53707-7921  
Tel. (608) 266-1099

State Historic Preservation Office for Wisconsin

Wisconsin Historical Society  
816 State Street  
Madison, WI 53706-1482  
(608) 264-6400

State Coastal Zone Management Agency

Mr. Michael Friis  
Program Manager  
Wisconsin Coastal Management Program  
101 East Wilson Street, 9th Floor  
Madison, WI 53708-8944  
Tel. (608) 267-7982  
Fax (608) 267-6917

Racine County

Mr. James A. Ladwing  
Racine County Executive  
Courthouse  
730 Wisconsin Avenue, 10th Floor  
Racine, WI 53403  
Tel. (262) 636-3273  
Fax (262) 636-3549

Village of Sturtevant

Mr. Steve Jansen  
President, Village Board  
Village of Sturtevant  
2801 89th Street  
Sturtevant, WI 53177  
Tel. (262) 886-7200

Town of Yorkville

Town of Yorkville  
925 15th Avenue  
Union Grove, WI 53182  
Tel. (262) 878-2123  
Fax (262) 878-1680

Village of Union Grove

Village of Union Grove  
925 15th Avenue  
Union Grove, WI 53182  
Tel. (262) 878-1818

Town of Kansasville

Mr. Thomas Lembcke  
Chairman, Town Board  
Dover Town Hall  
4110 South Beaumont Avenue  
Kansasville, WI 53139  
Tel. (262) 878-2200

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December 20, 2013

To: Persons on the attached Service List

Re: ***Soo Line Railroad Company - Abandonment of Trackage in Racine County, Wisconsin***  
**STB Docket No. AB-57 (Sub-No. 61X)**

Dear Sir/Madam:

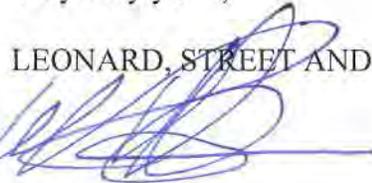
On or about January 15, 2014, Soo Line Railroad Company ("Soo Line") expects to file with the Surface Transportation Board ("STB") a Verified Notice of Exemption seeking authority to abandon approximately 10.63 miles of rail line between milepost 7.8 +/- and milepost 18.43 +/- in Racine County, Wisconsin. Attached is an Environmental Report and a Historic Report describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

Soo Line is providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Office of Environmental Analysis (OEA), Surface Transportation Board, 395 E Street, SW, Washington D.C. 20423, telephone (202) 245-0454 and refer to the above Docket No. AB-57 (Sub-No 61X). Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to the undersigned) would be appreciated within 3 weeks.

Your comments will be considered by the Board in evaluating the environmental and historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact the undersigned directly.

Very truly yours,

LEONARD, STREET AND DEINARD



W. Karl Hansen  
Enclosures

BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, D.C.

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SOO LINE RAILROAD COMPANY –	)	
ABANDONMENT OF TRACKAGE	)	DOCKET NO. AB-57
LOCATED IN RACINE COUNTY,	)	(SUB-NO. 61X)
WISCONSIN	)	
	)	

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VERIFIED NOTICE OF EXEMPTION TO ABANDON PURSUANT TO 49 C.F.R. § 1152.50  
A 10.63 MILE LINE OF RAILROAD BETWEEN MILEPOST 7.8 +/- AND MILEPOST  
18.43+/- (WAXDALE SPUR) WHICH TRAVERSES THROUGH UNITED STATES POSTAL  
SERVICE ZIP CODES 53139, 53182, AND 53177 IN RACINE COUNTY, WISCONSIN

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ENVIRONMENTAL AND HISTORIC REPORTS  
IN COMPLIANCE WITH  
49 C.F.R. PART 1105

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SOO LINE RAILROAD COMPANY  
d/b/a Canadian Pacific

LEONARD, STREET and DEINARD  
Professional Association  
W. Karl Hansen  
150 South Fifth Street, Suite 2300  
Minneapolis, Minnesota 55402  
Tel. (612) 335-7088  
Fax. (612) 335-1657

Attorney for Applicant  
Service Date: December 20, 2013

**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, D.C.**

---

SOO LINE RAILROAD COMPANY –	)	
ABANDONMENT OF TRACKAGE	)	DOCKET NO. AB-57
LOCATED IN RACINE COUNTY,	)	(SUB-NO. 61X)
WISCONSIN	)	
	)	

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VERIFIED NOTICE OF EXEMPTION TO ABANDON PURSUANT TO 49 C.F.R. § 1152.50  
A 10.63 MILE LINE OF RAILROAD BETWEEN MILEPOST 7.8 +/- AND MILEPOST  
18.43+/- (WAXDALE SPUR) WHICH TRAVERSES THROUGH UNITED STATES POSTAL  
SERVICE ZIP CODES 53139, 53182, AND 53177 IN RACINE COUNTY, WISCONSIN

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**ENVIRONMENTAL AND HISTORIC REPORTS  
IN COMPLIANCE WITH  
49 C.F.R. PART 1105**

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The following information is submitted to the Surface Transportation Board by Soo Line Railroad Company (“Soo Line”) d/b/a Canadian Pacific in accordance with the Board’s reporting requirements as set forth in 49 C.F.R. Section 1105.7, for the purpose of assisting the Board in its preparation of an environmental document regarding Soo Line’s Verified Notice of Exemption under 49 U.S.C. § 10502 from the prior approval requirements of 49 U.S.C. § 10903, permitting the abandonment of a 10.63 mile line of railroad between Milepost 7.8+/- and Milepost 18.43+/- (Waxdale Spur) which traverses through United States Postal Service Zip Codes 53139, 53182, and 53177 in Racine County, Wisconsin.

REQUIREMENTS OF 49 C.F.R. SECTION 1105.7

Section 1105.7(b)(1) – (11) Distribution:

- (b) At least 20 days prior to filing with the Board a notice of exemption, petition for exemption, or an application for abandonment or discontinuance the applicant must serve copies of the Environmental Report on:
- (1) The State Clearinghouse of each State involved (or other state equivalent agency if the State has no clearinghouse);
  - (2) The State Environmental Protection Agency of each State involved;

- (3) The State Coastal Zone Management Agency for any state where the proposed activity would affect land or water uses within that State's coastal zone;
- (4) The head of each county (or comparable political entity including any Indian reservation) through which the line goes;
- (5) The appropriate regional offices of the Environmental Protection Agency;
- (6) The U.S. Fish and Wildlife Service;
- (7) The U.S. Army Corps of Engineers;
- (8) The National Park Service;
- (9) The U.S. Soil Conservation Service;
- (10) The National Geodetic Survey (formerly known as the Coast and Geodetic Survey) as designated agent for the National Geodetic Survey and the U.S. Geological Survey; and;
- (11) Any other agencies that have been consulted in preparing the report.

See List of Parties Consulted and Certificate of Service, attached as Exhibit No. 1.

Section 1105.7(c) Certification of Service of Environmental Report: In its Environmental Report, the applicant must certify that it has sent copies of the Environmental Report to the agencies listed and within the time specified in paragraph (b) of this section and that it has consulted with all appropriate agencies in preparing the report. These consultations should be made far enough in advance to afford those agencies a reasonable opportunity to provide meaningful input.

See List of Parties Consulted and Certificate of Service, attached as Exhibit No. 1.

Section 1105.7(c) Publication of Newspaper Notice of Intent to Abandon: Finally, in every abandonment exemption case, applicant shall certify that it has published in a newspaper of general circulation in each county through which the line passes a notice that alerts the public to the proposed abandonment, to available reuse alternatives, and to how it may participate in the STB proceeding.

*The Journal Times* published the Notice for Publication specified at 49 C.F.R. § 1105.12 on December 19, 2013. A copy of the newspaper notice, Certificate of Counsel, and Affidavit of Publication are attached as Exhibit No. 2.

Section 1105.7(d) Documentation: Any written responses received from agencies that were contacted in preparing the Environmental Report shall be attached to the report. Oral responses from such agencies shall be briefly summarized in the report and the names, titles, and telephone numbers of the persons contacted shall be supplied. A copy of, or appropriate citation to, any reference materials relied upon also shall be provided.

All the agencies referenced at 49 C.F.R. Section 1105.7(b) were contacted by letters dated November 20, 2013 to solicit comments. See Exhibit No. 3. Responses received to date have been incorporated along with Soo Line's

analysis. Copies of responses are attached as Exhibit No. 4. Subsequent written comments may be received by the OEA and Soo Line.

Status of written and oral comments received:

1105.7(b)(1) State Clearinghouse:

The Wisconsin Department of Administration was contacted by letter on November 20, 2013, but no response has been received to date.

1105.7(b)(2) State Environmental Protection Agency:

The Wisconsin Department of Natural Resources was contacted by letter on November 20, 2013, but no response has been received to date.

1105.7(b)(3) State Coastal Zone Management Agency:

The Wisconsin Coastal Management Program was contacted by letter on November 20, 2013, but no written response has been received to date. In addition, the Wisconsin Coastal Management Program was contacted by telephone on December 11, 13, and 17, 2013 at the telephone number in Exhibit 3. On December 18, 2013, Kathleen Angel of the Wisconsin Coastal Management Program responded via telephone and indicated that the agency would review the environmental and historical report when it was received, and that the agency may waive a formal federal consistency review.

1105.7(b)(4) Head of Each County Through Which The Line Goes:

The Racine County Executive was contacted by letter on November 20, 2013, but no response has been received to date.

1105.7(b)(5) Appropriate Regional Offices of the Environmental Protection Agency:

The U.S. Environmental Protection Agency was contacted by letter on November 20, 2013, but no response has been received to date.

1105.7(b)(6) U.S. Fish and Wildlife Services:

The U.S. Fish and Wildlife Service was contacted by letter on November 20, 2013, but no response has been received to date.

1105.7(b)(7) U.S. Army Corps of Engineers:

The Detroit District Office of the U.S. Army Corps of Engineers was contacted by letter on November 20, 2013, and its response is included in Exhibit No. 4.

1105.7(b)(8) National Park Service:

The National Park Service was contacted by letter on November 20, 2013, but no response has been received to date.

1105.7(b)(9) U.S. Soil Conservation Service:

The United States Department of Agriculture's Natural Resources Conservation Service was contacted by letter on November 20, 2013, and its response is included in Exhibit No. 4.

1105.7(b)(10) National Geodetic Survey:

The National Geodetic Survey was contacted by letter on November 20, 2013, and its response is included in Exhibit No. 4.

1105.7(b)(11) Other agencies consulted:

The Wisconsin Department of Transportation was contacted by letter on November 20, 2013, but no response has been received to date.

The Wisconsin Department of Natural Resources, Bureau of Water Quality was contacted by letter on November 20, 2013, but no response has been received to date.

The State Historical Preservation Officer was contacted by letter on November 20, 2013, but no response has been received to date.

1105.7(e)(3) Local and Regional Planning Activities:

The Village of Sturtevant was contacted by letter on November 20, 2013, but no response has been received to date.

The Town of Yorkville was contacted by letter on November 20, 2013, but no response has been received to date.

The Village of Union Grove was contacted by letter on November 20, 2013, but no response has been received to date.

The Town of Kansasville was contacted by letter on November 20, 2013, but no response has been received to date.

Section 1105.7(e) Content: The Environmental Report shall include all of the information specified in this paragraph, except to the extent that applicant explains why any portion(s) are inapplicable. If an historic report is required under § 1105.8, the Environmental Report should also include the Historic Report required by that section.

The Historic Report pursuant to 49 C.F.R. § 1105.8 is attached as Exhibit No. 5.

Section 1105.7(e)(1) Proposed Action and Alternatives: Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable, detailed map and drawings clearly delineating the project.

The proposed action is the abandonment of 10.63 miles of rail line in Racine County, Wisconsin. The proposed action includes discontinuing freight service and salvaging equipment and materials. The track has been out of service and no traffic has moved over the line for over two years. Any overhead trackage has already been rerouted over other lines. Following abandonment, all equipment and materials that are removed from the line will either be reused, sold as scrap, or disposed of in accordance with applicable environmental regulations. A detailed map of the project is included as Appendix A to the Historic Report attached as Exhibit No. 5.

Section 1105.7(e)(2) Transportation System: Describe the effects of the proposed action on regional or local transportation systems and patterns. Estimate the amount of traffic (passenger or freight) that will be diverted to other transportation systems or modes as a result of the proposed action.

No traffic will be diverted to other transportation systems by the abandonment of this out-of-service line of railroad.

Section 1105.7(e)(3)(i) Land Use: Based on consultation with local and/or regional planning agencies and/or a review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.

Racine County, the Village of Sturtevant, the Town of Yorkville, the Village of Union Grove, and the Town of Kansasville were contacted by letter on November 20, 2013. No responses have been received to date. Soo Line has no reason to believe that the proposed action would be inconsistent with any existing land use plans.

Section 1105.7(e)(3)(ii): Based on consultation with the U.S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land.

The United States Department of Agriculture's Natural Resources Conservation Service indicated in email correspondence dated December 8, 2013 that the Soo Line abandonment does not involve any direct or indirect conversion of farmland and that the Farmland Protection Policy Act does not apply in this case. Additionally, no USDA-NRCS Easements are located adjacent to this 10.63 mile rail corridor. There is no anticipated impact to any prime agricultural land.

Section 1105.7(e)(3)(iii): If the action affects land or water uses within a designated coastal zone, include the coastal zone information required by 49 C.F.R. § 1105.9.

See below.

Section 1105.7(e)(3)(iv): If the proposed action is an abandonment, state whether or not the right-of-way is suitable for alternative public use under 49 U.S.C. 10906 and explain why.

The right-of-way may be suitable for alternative public use.

Section 1105.7(e)(4)(i) Energy: Describe the effect of the proposed action on transportation of energy resources.

The proposed abandonment will have no effect on the development and transportation of energy resources, or on the movement and/or recovery of recyclable commodities because no such energy resources or recyclable commodities are presently transported over this line.

Section 1105.7(e)(4)(ii): Describe the effect of the proposed action on recyclable commodities.

No impact is anticipated.

Section 1105.7(e)(4)(iii): State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why.

No impact is anticipated.

Section 1105.7(e)(4)(iv): If the proposed action will cause diversions from rail to motor carriage of more than:

- A. 1,000 rail carloads a year; or
- B. An average of 50 rail carloads per mile per year for any part of the affected line, quantify the resulting net change in energy consumption and show the data and methodology used to arrive at the figure given. To minimize the production of repetitive data, the information on overall energy efficiency in § 1105.7(e)(4)(iii) need not be supplied if the more detailed information § 1105.7(e)(4)(iv) is required.

The proposed action will not cause any diversion from rail to motor carriage.

Section 1105.7(e)(5)(i) Air: If the proposed action will result in either:

- A. An increase in rail traffic of at least 100 percent (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of rail line affected by the proposal; or
- B. An increase in rail yard activity of at least 100 percent (measured by carload activity); or
- C. An average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions. For a proposal under 49 U.S.C. 10901 (or 10505) to construct a new line or reinstitute service over a previously abandoned line, only the eight train a day provision in subsection (5)(i)(A) will apply.

The proposed abandonment:

- A. Will not result in an increase in rail traffic of at least 100 percent or an increase of at least eight trains per day on any segment of rail line affected by the proposed abandonment.
- B. Will not result in an increase in rail yard activity of at least 100 percent (measured by carload activity).
- C. Will not result in an average increase in truck traffic by 10 percent or 50 vehicles per day for any affected road segment.

Section 1105.7(e)(5)(ii): If the proposed action affects a class I or non-attainment area under the Clean Air Act, and will result in either:

- A. An increase in rail traffic of at least 50 percent (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line;
- B. An increase in rail yard activity of at least 20 percent (measured by carload activity); or
- C. An average increase in truck traffic or more than 10 percent of the average daily traffic or 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by the State Implementation Plan. However, for a rail construction under 49 U.S.C. 10901 (or 49 U.S.C. 10505), or a case involving the reinstatement of service over a previously abandoned line, only the three train a day threshold in this item shall apply.

The proposed abandonment:

- A. Will not result in an increase in rail traffic of at least 50 percent or an increase of at least three trains per day on any segment of rail line affected by the proposed abandonment.
- B. Will not result in an increase in rail yard activity of at least 20 percent (measured by carload activity).
- C. Will not result in an average increase in truck traffic by 10 percent or 50 vehicles per day for any affected road segment.

Section 1105.7(e)(5)(iii): If transportation of ozone depleting materials (such as nitrogen oxide and freon) is contemplated, identify: the materials and quantity; the frequency or service; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and spills; contingency plans to deal with accidental spills; and the likelihood of an accidental release of ozone depleting materials in the event of a collision or derailment.

Transportation of ozone depleting materials are not involved.

Section 1105.7(e)(6) Noise: If any of the thresholds identified in item (5)(i) of this section are surpassed, state whether the proposed action will cause:

- (i) An incremental increase in noise levels of three decibels Ldn or more; or
- (ii) An increase to a noise level of 65 decibels Ldn or greater. If so, identify sensitive receptors (e.g., schools, libraries, hospitals, residences, retirement communities, and nursing homes) in the project area, and quantify the noise increase for these receptors if the thresholds are surpassed.

None of the thresholds identified in item (5)(i) of this section will be surpassed.

Section 1105.7(e)(7)(i) Safety: Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad grade crossings).

Public health and safety will not be affected adversely by the proposed abandonment.

Section 1105.7(e)(7)(ii): If hazardous materials are expected to be transported, identify: the materials and quantity; the frequency of service; whether chemicals are being transported that, if mixed, could react to form more hazardous compounds; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and hazardous spills; the contingency plans to deal with accidental spills; and the likelihood of an accidental release of hazardous materials.

No hazardous materials are currently transported over this line segment.

Section 1105.7(e)(7)(iii): If there are any known hazardous waste sites or sites where there have been known hazardous materials spills on the right-of-way, identify the location of those sites and the types of hazardous materials involved.

In August 2013, a Phase I Environmental Site Assessment (“ESA”) identified five Recognized Environmental Conditions (“RECs”) on the right-of-way. The table below summarizes those five RECs:

REC #	Summary
REC-1 Underground Fuel Piping	A relic underground fuel supply pipeline was struck and ruptured during two separate excavation activities. This pipeline appears to still be present containing residual petroleum products.
REC-2 Union Gove between High Street and State Street	A warehouse is currently present in the railroad right-of-way north of the tracks and east of State Street and another warehouse is located north of the tracks and west of Main Street; both occupied by the True Value Lumberyard. Other areas are being utilized as parking lots for various commercial facilities.
REC-3 Union Grove at Christiansen’s Body Shop	Portions of the railroad track right-of-way are currently being used by Christiansen’s Body Shop for apparent fly dumping and storage of materials.
REC-4 Union Grove at Asphalt Contractors	Portions of the railroad track right-of-way are being used by Asphalt Contractors for apparent fly dumping and storage of materials.
REC-5 Kansasville at FS/American Roller Company	West of Highway 75 in Kansasville a coal and oil house, coal sheds and a lumber shed are present in the railroad right-of-way. Some of these structures remained until sometime between 1992 and 2000, and others may encroach onto the Property to the present day associated with FS and American Roller Company. Specifically, according to information provided by CP, in August 2002 remediation efforts took place at the FS facility due to the presence of fertilizer and pesticides. Approximately 4,500 tons of soil was excavated with site closure granted on October 6, 2004 by the Wisconsin Department of Agriculture, Trade and Consumer Protection.

A copy of the ESA will be made available upon request.

Section 1105.7(e)(8)(i) Biological Resources: Based on consultation with the U.S. Fish and Wildlife Service, state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects.

The U.S. Fish and Wildlife Service was contacted by letter on November 20, 2013, but no response has been received to date. No adverse effects to endangered or threatened species or areas designated as critical habitat are anticipated.

Section 1105.7(e)(8)(ii): State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.

No sanctuaries, state parks, or refuges will be affected by the proposed abandonment.

Section 1105.7(e)(9)(i) Water: Based on consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies.

The Wisconsin Department of Natural Resources was contacted by letter on November 20, 2013, and no response has been received to date. Soo Line will take proper care during salvage activities to prevent any impact on water quality.

Section 1105.7(e)(9)(ii): Based on consultation with the U.S. Army Corps of Engineers, state whether permits under Section 404 of the Clean Water Act (33 U.S.C. 1344) are required for the proposed action and whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.

The Detroit District Office of the U.S. Army Corps of Engineers was contacted by letter on November 20, 2013, and its response is included in Exhibit No. 4. No permits under Section 404 of the Clean Water Act are required for the proposed action. No designated wetlands or 100-year flood plains will be adversely affected.

Section 1105.7(e)(9)(iii): State whether permits under Section 402 of the Clean Water Act (33 U.S.C. 1342) are required for the proposed action. (Applicants should contact the U.S. Environmental Protection Agency or the State Environmental Protection or Equivalent Agency if they are unsure whether such permits are required).

The Detroit District Office of the U.S. Army Corps of Engineers, the U.S. Environmental Protection Agency, and the Wisconsin Department of Natural Resources were contacted by letter on November 20, 2013; responses are included in Exhibit No. 4. Because no in-stream salvage activities are contemplated, it is Soo Line's opinion that permits under Section 402 of the Clean Water Act are not required.

Section 1105.7(e)(10) Proposed Mitigation: Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.

Soo Line does not anticipate any adverse effect to the environment. Accordingly, other than using appropriate care conducting salvage of track, ties and OTM, no mitigation will be necessary.

Section 1105.7(e)(11) Additional Information for Rail Constructions: The following additional information should be included for rail construction proposals (including connecting track construction).

Not applicable.

Section 1105.8 Historic Reports: (a) An applicant proposing an action identified in § 1105.6(a) or (b), or an action in § 1105.6(c) that will result in the lease, transfer, or sale of a railroad's line, sites or structures, must submit (with its application, petition or notice) the Historic Report described in paragraph (d) of this section, unless excepted under paragraph (b) of this section. This report should be combined with the Environmental Report where one is required. The purpose of the Historic Report is to provide the Board with sufficient information to conduct the consultation process required by the National Historic Preservation Act.

The Historic Report is attached as Exhibit No. 5.

Section 1105.9 Coastal Zone Management Act Requirements: (a) If the proposed action affects land or water uses within a State coastal zone designated pursuant to the Coastal Zone Management Act (16 U.S.C. 1451 et seq.) applicant must comply with the following procedures:

(1) If the proposed action is listed as subject to review in the State's coastal zone management plan, applicant (with, or prior to its filing) must certify (pursuant to 15 CFR 930.57 and 930.58) that the proposed action is consistent with the coastal zone management plan.

(2) If the activity is not listed, applicant (with, or prior to its filing) must certify that actual notice of the proposal was given to the State coastal zone manager at least 40 days before the effective date of the requested action.

(b) If there is consistency review under 15 CFR 930.54, the Board and the applicant will comply with the consistency certification procedures of 15 CFR 930. Also, the Board will withhold a decision, stay the effective date of a decision, or impose a condition delaying consummation of the action, until the applicant has submitted a consistency certification and either the state has concurred in the consistency certification, or an appeal to the Secretary of Commerce (under 15 CFR 930.64(e)) is successful.

The Wisconsin Coastal Management Program lists "permission for railroad and service abandonment" (49 U.S.C. § 10903) as a federal permit likely to affect a coastal zone and for which a consistency certification is required. The Wisconsin Coastal Management Program has indicated that it may waive the formal certification process. Soo Line will cooperate with the agency as it makes its final determination regarding the need for a federal consistency review.

15 CFR § 930.57: If the Wisconsin Coastal Management Program determines that a consistency certification is necessary, Soo Line will submit a certification (with, or prior to its filing) that the proposed action is consistent with the coastal zone management plan.

15 CFR § 930.58: If the Wisconsin Coastal Management Program determines that a consistency certification is necessary, Soo Line will cooperate with Wisconsin's Coastal Management Program to provide the necessary data and information to develop an assessment and findings related to the coastal effects of the proposed action.

END OF REPORT

Exhibit No. 1

Certificate of Service of Environmental and Historic Report  
and List of Parties Consulted

CERTIFICATE OF SERVICE OF ENVIRONMENTAL AND HISTORIC REPORTS

I hereby certify that on December 20, 2013, I served the Environmental Report and Historic Report relative to STB Docket No. AB-57 (Sub-No. 61X), pursuant to 49 C.F.R. §§ 1152.50; 1105.7(b), (c); and 1105.11, by First Class U.S. Mail properly addressed and with postage prepaid upon the parties listed on the attached List of Parties Consulted.

Dated at Minneapolis, Minnesota this 20<sup>th</sup> day of December, 2013.

  
\_\_\_\_\_  
W. Karl Hansen

**ENVIRONMENTAL & HISTORICAL REPORT**  
**WAXDALE SPUR ABANDONMENT**  
**STB DOCKET NO. AB-57 (SUB-NO. 61X)**  
**LIST OF PARTIES CONSULTED**

Parties consulted in preparing Environmental and Historical Reports - Soo Line Railroad Company (d/b/a Canadian Pacific Railway) - Abandonment of Line of Railroad running from Milepost 7.8+/- (west of Wisconsin Street) to Milepost 18.43+/- (west of South Beaumont Avenue) in Racine County, State of Wisconsin which traverses through United States Postal Service Zip Codes 53139, 53182, and 53177.

**FEDERAL AGENCIES CONSULTED**

**Appropriate Regional Office(s) of the  
U.S. Environmental Protection Agency**

Ms. Susan Hedman,  
Administrator, Region 5  
U.S. Environmental Protection Agency  
77 West Jackson Boulevard  
Chicago, IL 60604-3507  
Tel. (312) 886-3000

**U.S. Fish and Wildlife Service**

Mr. Tom Melius  
Midwest Regional Director (Region 3)  
U.S. Fish and Wildlife Service  
5600 American Boulevard West, Suite 990  
Bloomington, MN 55437-1458  
Tel. (612) 713-5360  
Fax (612) 713-5280

**U.S. Army Corp of Engineers -- Detroit, Michigan District Office**

Lieutenant Colonel Robert Ells  
District Commander, Detroit District  
U.S. Army Corps of Engineers  
McNamara Federal Building  
477 Michigan Avenue  
Detroit, MI 48226-2575  
Tel. (313) 226-4680

National Park Service, U.S. Department of the Interior

Mr. Michael Reynolds  
Regional Director  
National Park Service  
601 Riverfront Drive  
Omaha, NE 68102-4226  
Tel. (402) 661-1736

U.S. Soil and Conservation Service

Mr. Jimmy Bramblett  
Wisconsin State Conservationist  
USDA Natural Resources Conservation Service  
8030 Excelsior Drive  
Madison, WI 53717-2906  
Tel. (608) 662-4422  
Fax (608) 662-4430

National Geodetic Survey (as designated agent for the National Geodetic Survey  
and the U.S. Geological Survey)

Ms. Juliana P. Blackwell  
Director  
Communications and Outreach Branch, NOAA, N/NGS12  
National Geodetic Survey, SSMC3 #9202  
1315 East-West Highway  
Silver Spring, MD 20910-3282  
Tel. (301) 713-3242  
Fax (301) 713-4172

Simon Monroe  
National Oceanic and Atmospheric Administration  
Geodetic Survey, SSMC3 #9202  
1315 East-West Highway  
Silver Spring, MD 20910-3282

## STATE AGENCIES CONSULTED

### State Clearinghouse

Ed Eberle, Administrator  
Intergovernmental Relations  
Wisconsin Department of Administration  
101 East Wilson Street, 9th Floor  
P.O. Box 8944  
Madison, WI 53708-8944  
Tel. (608) 267-1824

### State Department of Transportation for Wisconsin

Secretary  
Wisconsin Department of Transportation  
4802 Sheboygan Avenue  
P.O. Box 7910  
Madison, WI 53707-7910

### State Environmental Protection Agency for Wisconsin

Wisconsin Department of Natural Resources  
101 South Webster Street  
P.O. Box 7921  
Madison, WI 53707-7921  
Tel. (888) 936-7463

### State Water Quality Official

Ms. Susan Sylvester  
Director, Bureau of Water Quality  
Wisconsin Department of Natural Resources  
101 South Webster Street  
P.O. Box 7921  
Madison, WI 53707-7921  
Tel. (608) 266-1099

### State Historic Preservation Office for Wisconsin

Wisconsin Historical Society  
816 State Street  
Madison, WI 53706-1482  
(608) 264-6400

State Coastal Zone Management Agency

Mr. Michael Friis  
Program Manager  
Wisconsin Coastal Management Program  
101 East Wilson Street, 9th Floor  
Madison, WI 53708-8944  
Tel. (608) 267-7982  
Fax (608) 267-6917

Other Political Entities and/or Indian Reservations through which the line runs

Racine County

Mr. James A. Ladwing  
Racine County Executive  
Courthouse  
730 Wisconsin Avenue, 10th Floor  
Racine, WI 53403  
Tel. (262) 636-3273  
Fax (262) 636-3549

Village of Sturtevant

Mr. Steve Jansen  
President, Village Board  
Village of Sturtevant  
2801 89th Street  
Sturtevant, WI 53177  
Tel. (262) 886-7200

Town of Yorkville

Town of Yorkville  
925 15th Avenue  
Union Grove, WI 53182  
Tel. (262) 878-2123  
Fax (262) 878-1680

Village of Union Grove

Village of Union Grove  
925 15th Avenue  
Union Grove, WI 53182  
Tel. (262) 878-1818

Town of Kansasville

Mr. Thomas Lembcke  
Chairman, Town Board  
Dover Town Hall  
4110 South Beaumont Avenue  
Kansasville, WI 53139  
Tel. (262) 878-2200

Exhibit No. 2

Certification of Publication of Newspaper Notice in Newspapers of General Circulation in  
Counties where Line is Situated and Affidavit of Publication

(49 C.F.R. Section 1105.12)

CERTIFICATE OF PUBLICATION OF PUBLIC NOTICE  
IN NEWSPAPER OF GENERAL CIRCULATION

I hereby certify that relative to STB Docket No. AB-57 (Sub-No. 61X), pursuant to 49 C.F.R. Sections 1152.50 and 1105.12, a public legal notice was published on December 19, 2013 in *The Journal Times*, which is a newspaper of general circulation where the subject trackage is located.

Dated at Minneapolis, Minnesota this 20<sup>th</sup> day of December 2013.

  
\_\_\_\_\_  
W. Karl Hansen



Exhibit No. 3

Environmental Scoping Correspondence Required By 49 C.F.R. Section 1105.7(b)

LEONARD  
STREET  
AND  
DEINARD

150 SOUTH FIFTH STREET SUITE 2300  
MINNEAPOLIS, MINNESOTA 55402  
612-335-1500 MAIN  
612-335-1657 FAX

W. KARL HANSEN  
612-335-7088 DIRECT  
KARL.HANSEN@LEONARD.COM

November 20, 2013

VIA U.S. MAIL

To: Attached List of Parties Consulted

**Re: Request for Comments on Potential Environmental Impact of Proposed Rail Line Abandonment Located between Milepost 7.8+/- (west of Wisconsin Street near Sturtevant) to Milepost 18.43+/- (west of South Beaumont Avenue in Kansasville) in Racine County, State of Wisconsin (U.S. Postal Zip Codes 53139, 53182, and 53177) - STB Docket No. AB-57 (Sub-No. 61X)**

Dear Sir/Madam:

Soo Line Railroad Company ("Soo Line") d/b/a Canadian Pacific Railway on or about January 15, 2014, anticipates filing a Notice of Exemption to Abandon pursuant to 49 U.S.C. Section 10502 with the United States Department of Transportation – Surface Transportation Board (STB) to discontinue and abandon all freight rail operations over approximately 10.63 miles of rail line located in Racine County, Wisconsin. A map of the proposed abandonment is enclosed.

This proposed rail line abandonment notice of exemption requires review by the STB. I will be preparing an Environmental and Historic Report that will provide the basis of the environmental review that the STB's Office of Environmental Analysis (OEA) will conduct for this proceeding. In preparing this report, consultation with agencies or organizations that may have specific interest in or knowledge of the potential environmental impact is essential. This letter is, therefore, intended to solicit your comments regarding the potential environmental impact, if any, of the proposed rail line abandonment.

Your comments on the potential impact of this abandonment will be incorporated into the Environmental Report to be filed on or about December 20, 2013. A copy of this report will be provided to you, after which additional comments can be submitted directly to the OEA.

As shown on the attached map, the line that is proposed to be abandoned is located between Milepost 7.8+/- and Milepost 18.43+/- (Waxdale Spur) in Racine County, Wisconsin. It traverses through U.S. Postal Zip Codes 53139, 53182, and 53177.

*A Professional Association*

LAW OFFICES IN MINNEAPOLIS • MAHKA TO • ST. CLOUD • BISMARCK • WASHINGTON, D.C.  
WWW.LEONARD.COM

November 20, 2013

Page 2

For purposes of evaluating the environmental impact that would result from abandonment of the line, the proposed action includes discontinuing freight service and salvaging equipment and materials that are present on the line. All equipment and materials that are removed from the line would either be reused, sold as scrap, or disposed of in accordance with applicable environmental regulations.

The Environmental Report for the proposed abandonment is being prepared pursuant to STB regulations (49 C.F.R. Chapter X, Part 1105) (copy of which is enclosed), the National Environmental Policy Act, 42 U.S.C. § 4332; the Energy Policy and Conservation Act, 42 U.S.C. § 6362(b); and related laws including the National Historic Preservation Act, 16 U.S.C. § 470f, the Coastal Zone Management Act, 16 U.S.C. § 1451, and the Endangered Species Act, 16 U.S.C. § 1531. Areas of concern that you and other interested parties are invited to address in your comments include any potential impact of the proposed action on the following:

- Local land use
- Existing local and regional transportation systems
- Energy use
- Air emissions and ambient air quality conditions
- Water quality and wetlands
- Biological resources including threatened or endangered species
- Ambient noise levels
- Public health safety
- Historic, cultural, or archaeological sites listed or eligible for inclusion on the National Register of Historic Places
- Socioeconomics, including local and regional employment

We are soliciting your comments with regard to: (1) any permitting/approval authority which your agency has over the proposed action, and (2) any specific concerns which you believe should be addressed in the STB environmental document prepared after our Report is submitted. As required by applicable STB regulations (49 C.F.R., Chapter X, Part 1105.7(e)(9)(iii)) and Part 1105.7(c), we also request that you comment on and describe the effects, if any, of our proposed action on those resources or areas of concern within the authority of your agency.

Specifically, the Board's regulations state that, with respect to the area of concern within the jurisdiction of your agency, Soo Line must address the following:

“49 C.F.R. Part 1105.7(e)(4)(i)-(iv) Energy:

(i) Describe the effect of the proposed action on transportation of energy resources.

(ii) Describe the effect of the proposed action on recyclable commodities.

(iii) State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why.

(iv) If the proposed action will cause diversions from rail to motor carriage of more than:

(A) 1,000 rail carloads a year; or

(B) An average of 50 rail carloads per mile per year for any part of the affected line, quantify the resulting net change in energy consumption and show the data and methodology used to arrive at the figure given. To minimize the production of repetitive data, the information on overall energy efficiency in Section 1105.7(e)(4)(iii) need not be supplied if the more detailed information in Section 1105.7(e)(4)(iv) is required.”

“49 C.F.R. Part 1105.7(e)(5)(ii) Air:

(ii) If the proposed action affects a class I or non-attainment area under the Clean Air Act.”

“49 C.F.R. Part 1105.7(e)(6)(ii) Noise:

(ii) An increase to a noise level of 65 decibels Ldn or greater. If so, identify sensitive receptors (e.g., schools libraries, hospitals, residences, retirement communities, and nursing homes) in the project area, and quantify the noise increase for these receptors if the thresholds are surpassed.”

“49 C.F.R. Part 1105.7(e)(7)(iii) Safety:

(iii) If there are known hazardous waste sites or sites where there have been known hazardous materials spills on the right-of-way, identify the location of those sites and the types of hazardous materials involved.”

“49 C.F.R. Part 1105.7(e)(9)(i), (ii), & (iii) Water:

November 20, 2013

Page 4

(i) Based on consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies.

(ii) Based on consultation with the U.S. Army Corps of Engineers, state whether permits under section 404 of the Clean Water Act (33 U.S.C. 1344) are required for the proposed action and whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.

(iii) State whether permits under section 402 of the Clean Water Act (33 U.S.C. 1342) are required for the proposed action. (Applicants should contact the U.S. Environmental Protection Agency or the state environmental protection or equivalent agency if they are unsure whether such permits are required.)” (emphasis added)

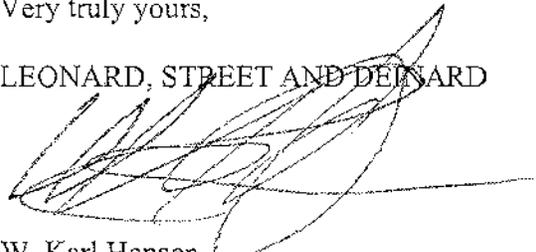
Any written comments should be submitted to the undersigned. They will be appended to the Environmental Report being submitted to the STB if received prior to December 20, 2013. After December 20th, please submit them directly to the Office of Environmental Analysis as follows: Surface Transportation Board, Office of Environmental Analysis, 395 E Street, SW, Washington D.C. 20423-0001, or by calling that office at (202) 245-0454, and forwarding a copy to the undersigned.

Any comments or information that you provide will be included in Soo Line’s Environmental Report and will be considered by the STB in the preparation of the draft environmental document and in its evaluation of the overall environmental and energy impact of the proposed action. Your cooperation will help ensure that all environmental concerns are thoroughly addressed.

Thank you very much for your assistance.

Very truly yours,

LEONARD, STREET AND DENARD



W. Karl Hansen

Enclosures

ENVIRONMENTAL & HISTORICAL REPORT  
WAXDALE SPUR ABANDONMENT  
STB DOCKET NO. AB-57 (SUB-NO. 61X)  
LIST OF PARTIES CONSULTED

Parties consulted in preparing Environmental and Historical Reports - Soo Line Railroad Company (d/b/a Canadian Pacific Railway) - Abandonment of Line of Railroad running from Milepost 7.8+/- (west of Wisconsin Street) to Milepost 18.43+/- (west of South Beaumont Avenue) in Racine County, State of Wisconsin which traverses through United States Postal Service Zip Codes 53139, 53182, and 53177.

FEDERAL AGENCIES CONSULTED

Appropriate Regional Office(s) of the  
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Ms. Susan Hedman,  
Administrator, Region 5  
U.S. Environmental Protection Agency  
77 West Jackson Boulevard  
Chicago, IL 60604-3507  
Tel. (312) 886-3000

U.S. Fish and Wildlife Service

Mr. Tom Melius  
Midwest Regional Director (Region 3)  
U.S. Fish and Wildlife Service  
5600 American Boulevard West, Suite 990  
Bloomington, MN 55437-1458  
Tel. (612) 713-5360  
Fax (612) 713-5280

U.S. Army Corp of Engineers – Detroit, Michigan District Office

Lieutenant Colonel Robert Ellis  
District Commander, Detroit District  
U.S. Army Corps of Engineers  
McNamara Federal Building  
477 Michigan Avenue  
Detroit, MI 48226-2575  
Tel. (313) 226-4680

National Park Service, U.S. Department of the Interior

Mr. Michael Reynolds  
Regional Director  
National Park Service  
601 Riverfront Drive  
Omaha, NE 68102-4226  
Tel. (402) 661-1736

U.S. Soil and Conservation Service

Mr. Jimmy Bramblett  
Wisconsin State Conservationist  
USDA Natural Resources Conservation Service  
8030 Excelsior Drive  
Madison, WI 53717-2906  
Tel. (608) 662-4422  
Fax (608) 662-4430

National Geodetic Survey (as designated agent for the National Geodetic Survey  
and the U.S. Geological Survey)

Ms. Juliana P. Blackwell  
Director  
Communications and Outreach Branch, NOAA, N/NGS12  
National Geodetic Survey, SSMC3 #9202  
1315 East-West Highway  
Silver Spring, MD 20910-3282  
Tel. (301) 713-3242  
Fax (301) 713-4172

Simon Monroe  
National Oceanic and Atmospheric Administration  
Geodetic Survey, SSMC3 #9202  
1315 East-West Highway  
Silver Spring, MD 20910-3282

## STATE AGENCIES CONSULTED

### State Clearinghouse

Ed Eberle, Administrator  
Intergovernmental Relations  
Wisconsin Department of Administration  
101 East Wilson Street, 9th Floor  
P.O. Box 8944  
Madison, WI 53708-8944  
Tel. (608) 267-1824

### State Department of Transportation for Wisconsin

Secretary  
Wisconsin Department of Transportation  
4802 Sheboygan Avenue  
P.O. Box 7910  
Madison, WI 53707-7910

### State Environmental Protection Agency for Wisconsin

Wisconsin Department of Natural Resources  
101 South Webster Street  
P.O. Box 7921  
Madison, WI 53707-7921  
Tel. (888) 936-7463

### State Water Quality Official

Ms. Susan Sylvester  
Director, Bureau of Water Quality  
Wisconsin Department of Natural Resources  
101 South Webster Street  
P.O. Box 7921  
Madison, WI 53707-7921  
Tel. (608) 266-1099

### State Historic Preservation Office for Wisconsin

Wisconsin Historical Society  
816 State Street  
Madison, WI 53706-1482  
(608) 264-6400

Exhibit No. 4

Responses to Environmental Scoping Correspondence Sent November 20, 2013



**DEPARTMENT OF THE ARMY**  
ST. PAUL DISTRICT, CORPS OF ENGINEERS  
180 FIFTH STREET EAST, SUITE 700  
ST. PAUL MINNESOTA 55101-1678

REPLY TO  
ATTENTION

December 3, 2013

Operations  
Regulatory (2013-04657-MHK)

Mr. W. Karl Hansen  
Leonard, Street, and Deinard  
150 S. Fifth Street, Suite 2300  
Minneapolis, Minnesota 55402

Dear Mr. Hansen:

We have received your November 20, 2013 letter requesting comments on potential environmental impacts of the proposed Soo Rail Line d/b/a Canadian Pacific Railway abandonment between Milepost 7.8 to Milepost 18.43 in Racine County, Wisconsin. Please consider the following general information concerning our regulatory program that may apply to the proposed project.

If the proposal involves activity in navigable waters of the United States, it may be subject to the Corps of Engineers' jurisdiction under Section 10 of the Rivers and Harbors Act of 1899 (Section 10). Section 10 prohibits the construction, excavation, or deposition of materials in, over, or under navigable waters of the United States, or any work that would affect the course, location, condition, or capacity of those waters, unless the work has been authorized by a Department of the Army permit.

If the proposal involves discharge of dredged or fill material into waters of the United States, it may be subject to the Corps of Engineers' jurisdiction under Section 404 of the Clean Water Act (CWA Section 404). Waters of the United States include navigable waters, their tributaries, and adjacent wetlands (33 CFR § 328.3). CWA Section 301(a) prohibits discharges of dredged or fill material into waters of the United States, unless the work has been authorized by a Department of the Army permit under Section 404. Information about the Corps permitting process can be obtained online at <http://www.mvp.usace.army.mil/regulatory>.

The Corps' evaluation of a Section 10 and/or a Section 404 permit application involves multiple analyses, including (1) evaluating the proposal's impacts in accordance with the National Environmental Policy Act (NEPA) (33 CFR part 325), (2) determining whether the proposal is contrary to the public interest (33 CFR § 320.4), and (3) in the case of a Section 404 permit, determining whether the proposal complies with the Section 404(b)(1) Guidelines (Guidelines) (40 CFR part 230).

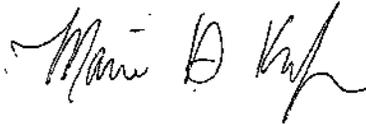
If the proposal requires a Section 404 permit application, the Guidelines specifically require that "no discharge of dredged or fill material shall be permitted if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic

ecosystem, so long as the alternative does not have other significant adverse environmental consequences" (40 CFR § 230.10(a)). Time and money spent on the proposal prior to applying for a Section 404 permit cannot be factored into the Corps' decision whether there is a less damaging practicable alternative to the proposal.

If an application for a Corps permit has not yet been submitted, the project proposer may request a pre-application consultation meeting with the Corps to obtain information regarding the data, studies or other information that will be necessary for the permit evaluation process. A pre-application consultation meeting is strongly recommended if the proposal has substantial impacts to waters of the United States, or if it is a large or controversial project.

For further information or to request a pre-application consultation meeting, please contact Marie Kopka at (651) 290-5733, the Corps' project manager for the County in which this proposal is located.

Sincerely,



for Tamara E. Cameron  
Chief, Regulatory Branch

Electronic copy furnished:  
Elaine Johnson, Wisconsin DNR  
Paul Allarding, USACE Detroit District

## Hansen, Karl

---

**From:** Murphy, Robert - NRCS, Madison, WI <Robert.Murphy@WI.usda.gov>  
**Sent:** Sunday, December 08, 2013 1:58 PM  
**To:** Hansen, Karl  
**Cc:** Bramblett, Jimmy - NRCS, Madison, WI  
**Subject:** STB Docket No. AB-57 (Sub-No. 61X). Proposed Soo Line RR. Abandonment in Racine Co., WI.

**To: W. Karl Hansen**

Leonard Street and Deinard  
150 South Fifth Street, Suite 2300  
Minneapolis, MN. 55402  
612-335-7088  
[karl.hansen@leonard.com](mailto:karl.hansen@leonard.com)

**Subject:** STB Docket No. AB-57 (Sub-No. 61X). Request for comments on potential environmental impact of proposed Soo Line RR Company rail line abandonment located between Sturtevant and Kansasville in Racine County, WI (about 10.63 miles).

This email is in response to your letter and attachments dated November 20, 2013.

NRCS routinely provides information on Prime Agricultural Land through the Farmland Protection Policy Act (FPPA).

The purpose of the Farmland Protection Policy Act (FPPA) is to:

- minimize the extent to which Federal programs, including technical assistance or financial assistance, contribute to the unnecessary and irreversible conversion of important farmland to nonagricultural uses;
- encourage alternative actions, if appropriate, that could lessen the adverse effects on farmland; and
- assure that Federal programs are operated in a manner that, to the extent practicable, will be compatible with State, local government, and private programs that protect farmland.

The "Soo Line" abandonment does not involve any direct or indirect conversion of farmland, since this site had already been converted many years ago. The FPPA does not apply in this case.

Additionally, no USDA-NRCS Easements are located adjacent to this 10.63 mile rail corridor.

If you have any questions, please contact me.

*Bob Murphy*

State Soil Scientist  
USDA, Natural Resources Conservation Service  
8030 Excelsior Drive  
Madison, Wisconsin 53717  
608-662-4422 ext 202  
email: [robert.murphy@wi.usda.gov](mailto:robert.murphy@wi.usda.gov)

**Hansen, Karl**

---

**From:** Simon Monroe <simon.monroe@noaa.gov>  
**Sent:** Wednesday, December 18, 2013 2:45 PM  
**To:** Hansen, Karl  
**Cc:** Surface Transportation Board; Lucy Hall - NOAA Federal; john.ellingson@noaa.gov; Simon Monroe  
**Subject:** NGS Response, STB Docket AB-57 (SUB NO. 061X)

Thank you for sharing your railroad abandonment environmental report for STURTEVANT, Racine County, WISCONSIN.

Approximately 05 geodetic survey marks may be located in the area described. These marks may or may not be disturbed.

If marks will be disturbed by the abandonment, [THE RAILROAD] shall consult with the National Geodetic Survey (NGS) at least 90 days prior to beginning salvage activities that will disturb, or destroy any geodetic station marks are described on the attached file. Additional advice is provided at

<http://geodesy.noaa.gov/marks/railroads/>

|---|-----|  
-|-----|-----|-----|---|-----

|...|NH0010|. 2|88/ADJUSTED|N424103.0...|W0880527.4...|C...|G|G 3

|...|NH0011|. 1|88/ADJUSTED|N424116.....|W0880303.....|C...|N|H 3

|...|DF9481|0 2|88/ADJUSTED|N424112.50502|W0880343.27000|B...|G|UNION GROVE GPS

|...|NH0012|. 2|88/ADJUSTED|N424131.08...|W0880019.15...|C...|G|J 3

|...|DF9483|0  
2|88/ADJUSTED|N424139.85778|W0875838.20676|B...|G|YORKVILLE E GPS

Exhibit No. 5  
Historic Report

BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, D.C.

---

SOO LINE RAILROAD COMPANY –            )  
ABANDONMENT OF TRACKAGE            )  
LOCATED IN RACINE COUNTY,            )            DOCKET NO. AB-57  
WISCONSIN                                    )            (SUB-NO. 61X)  
  )

---

VERIFIED NOTICE OF EXEMPTION TO ABANDON PURSUANT TO 49 C.F.R. § 1152.50  
A 10.63 MILE LINE OF RAILROAD BETWEEN MILEPOST 7.8 +/- AND MILEPOST  
18.43+/- (WAXDALE SPUR) WHICH TRAVERSES THROUGH UNITED STATES POSTAL  
SERVICE ZIP CODES 53139, 53182, AND 53177 IN RACINE COUNTY, WISCONSIN

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ENVIRONMENTAL AND HISTORIC REPORTS  
IN COMPLIANCE WITH  
49 C.F.R. PART 1105

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SOO LINE RAILROAD COMPANY  
d/b/a Canadian Pacific

LEONARD, STREET and DEINARD  
Professional Association  
W. Karl Hansen  
150 South Fifth Street, Suite 2300  
Minneapolis, Minnesota 55402  
Tel. (612) 335-7088  
Fax. (612) 335-1657

Attorney for Applicant  
Service Date: December 20, 2013

**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, D.C.**

---

SOO LINE RAILROAD COMPANY – )	
ABANDONMENT OF TRACKAGE )	
LOCATED IN RACINE COUNTY, )	DOCKET NO. AB-57
WISCONSIN )	(SUB-NO. 61X)
)	

---

**HISTORIC REPORT**

Pursuant to 49 C.F.R. Sections 1105.7(e) and 1105.8, Soo Line Railroad Company (“Soo Line”) d/b/a Canadian Pacific hereby submits the following Historic Report regarding the Verified Notice of Exemption under 49 U.S.C. § 10502 from the prior approval requirements of 49 U.S.C. § 10903, permitting the abandonment of a 10.63 mile line of railroad between milepost Milepost 7.8+/- and Milepost 18.43+/- (Waxdale Spur) which traverses through United States Postal Service Zip Codes 53139, 53182, and 53177 in Racine County, Wisconsin.

Section 1105.8(c) Distribution: The applicant must send the Historic Report to the appropriate State Historic Preservation Officer(s), preferably at least 60 days in advance of filing the application, petition, or notice, but not later than 20 days prior to filing with the Board.

See Certificate of Service effecting service on December 20, 2013, attached as Exhibit No. 1 to Environmental Report.

Section 1105.8(d)(1)-(8) Content: The Historic Report should contain the information required by § 1105.7(e)(1) (Environmental Report - See Preceding Report) and the following additional historic information:

Section 1105.8(d)(1) U.S.G.S. Topographic Maps: A U.S.G.S. topographic map (or an alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the locations and approximate dimensions of railroad structures that are 50 years old or older and are part of the proposed action;

See Appendix A.

Section 1105.8(d)(2) Right-of-Way: A written description of the right-of-way (including approximate widths, to the extent known), and the topography and urban and/or rural characteristics of the surrounding area;

The subject property consists of inactive railroad track and right-of-way with an average width of 50 feet. The track is in the vicinity of the populated areas of Sturtevant, Union Grove, and Kansasville. Adjoining properties were developed prior to 1892 as various light industrial commercial, agricultural and residential properties. The right-of-way is relatively hilly with peaks as high as 850 feet above mean sea level and valleys as low as 700 feet above mean sea level.

Section 1105.8(d)(3) Photographs: Good quality photographs (actual photographic prints, not photocopies) of railroad structures on the property that are 50 years old or older and of the immediately surrounding area;

Representative photographs taken on July 2, 2013 are included in Appendix B.

Section 1105.8(d)(4): The dates of construction of the structure(s), and the date(s) and extent of any major alterations, to the extent such information is known.

The rail line was developed prior to 1892 as railroad tracks.

Section 1105.8(d)(5) History: A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action.

A single track was in place as early as 1892, and the current configuration was in place by 1918. In 1918, within a 50-foot right-of-way of the main line track, there were five side tracks located east of what is now 105<sup>th</sup> Street as part of a rail car parking area. The number of side tracks gradually reduced moving west until only the main track remained. The single track extends to Union Grove, where it splits into two tracks near Winnebago Street (now Church Street).

Section 1105.8(d)(6) Documents: A brief summary of documents in the carrier's possession, such as engineering drawings, that might be useful in documenting a structure that is found to be historic.

The carrier's files consist primarily of maps and photos of the line, some engineering drawings, and maintenance records.

Section 1105.8(d)(7) Opinion: An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 C.F.R. § 60.4), and whether there is a likelihood of archaeological resources or any other previously unknown historic properties in the project area, and the basis for these opinions (including any consultations with the State Historic Preservation Office, local historical societies or universities).

It is Soo Line's opinion that the Waxdale Spur would not meet the criteria for listing in the National Register of Historic Places.

Section 1105.8(d)(8) Archaeological Resources: A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or manmade) that might affect the archaeological recovery of resources (such as swampy conditions or the presence of toxic wastes), and the surrounding terrain.

There are no known ground disturbances or fills other than those which would have occurred during original construction of this line and any subsequent maintenance or rehabilitation. There are no known toxic waste areas within the right-of-way of this railroad line.

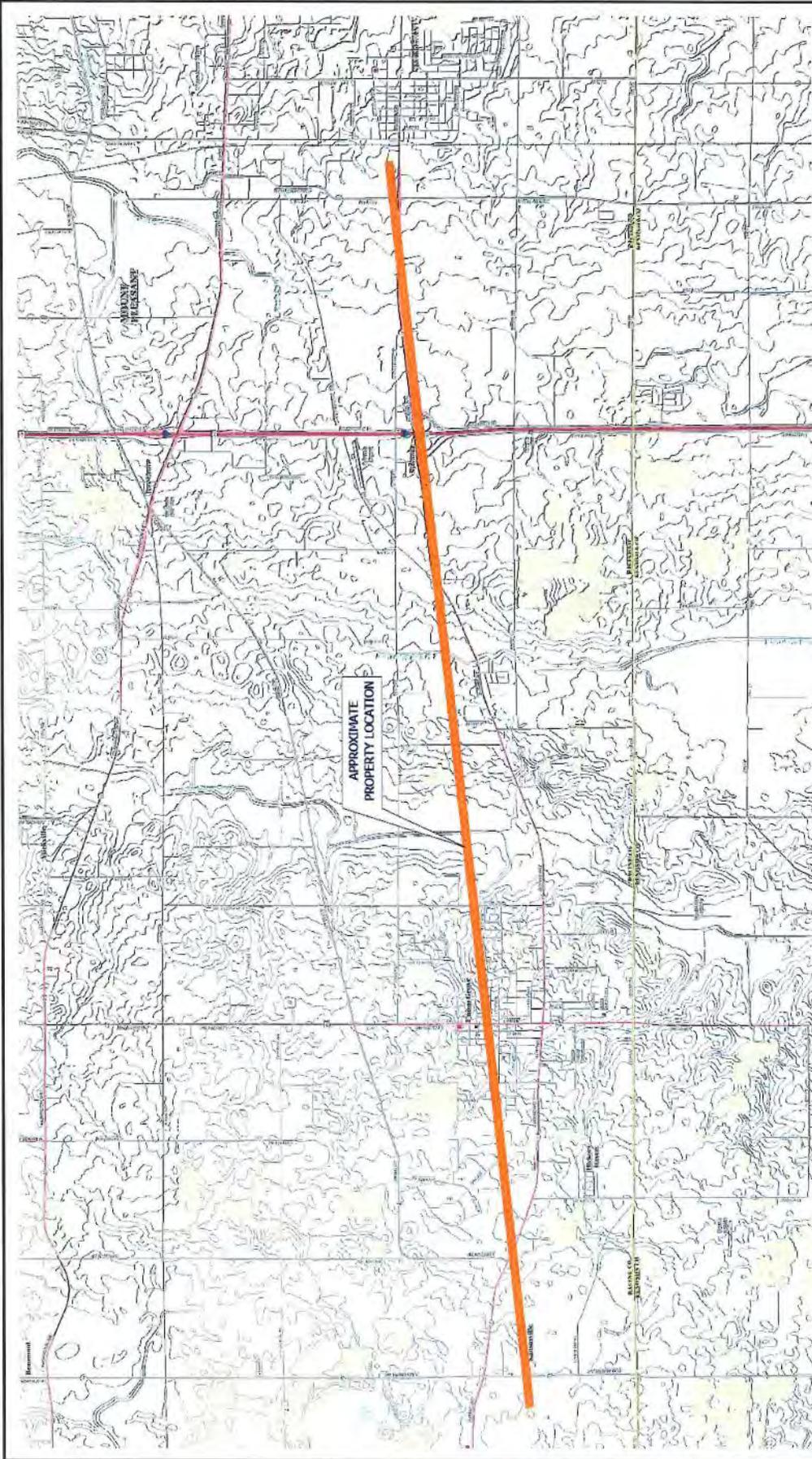
The following excerpt from ICC document *Assessment of Environmental Impacts Associated with Railroad Abandonment Proposals* discusses archeological evaluations:

“Salvaging an abandoned railroad line is normally confined to the limits of the right of way and rarely involves major excavation work. If the right of way is to be leveled at all, only the roadbed built up during actual construction of the line would be affected. It is unlikely that there are any historic track structures under the roadbed since old rails and ties are salvaged during maintenance and rehabilitation operations. Likewise, there is usually neither significant damage to the vegetation found within the right of way nor any effect on land adjacent to the railroad property. By confining salvage operations of a rail line as discussed above, it is not anticipated that any archaeological sites in or immediately adjacent to the right of way, would be affected by the abandonment.”

END OF REPORT

Appendix A

Map of Abandonment Location



DESIGNED BY: ID	WYDAVSKER
REVISED BY: C	BOOS
DATE: 7/26/2012	CONSULTANTS
FILE: 2012.07.26.DWG	CHICAGO, ILLINOIS
CAD: 2012.07.26	FIGURE 1

PREPARED FOR:  
**CANADIAN PACIFIC**

**PROPERTY LOCATION MAP**

WYDAVSKER  
 KANSASVILLE TO STURTEVANT, WISCONSIN

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SOURCE: MAPS ADAPTED FROM USGS MAPS DATED 2012  
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## Appendix B

### Photographs of Railroad Structures and the Immediately Surrounding Area

Photo 1: View of the Property at the eastern boundary looking east toward a rail yard.



Photo 2: View of the Property from the eastern boundary looking west.



Photo 3: View of stored flat cars on the rail yard tracks on the Property looking east.



Photo 4: View of the Property from 105th Street looking east.



Photo 5: View of the Property from 105th Street looking west.



Photo 6: View of the Property from a farm road looking east.



Photo 7: View of the Property from a farm road looking west.



Photo 8: View of the Property from Frontage Road looking east.



Photo 9: View of the Property from Frontage Road looking west.



Photo 10: View of the Property at Sylvania Avenue looking east.



Photo 11: View of the Property at Sylvania Avenue looking west.



Photo 12: View of the Property at 56th Road looking east.



Photo 13: View of the Property at 56th Road looking west.



Photo 14: View of the Property at 59th Drive looking east.



Photo 15: View of the Property at 59th Drive looking west.



Photo 16: View of the Property at 67th Drive looking north.



Photo 17: View of the Property near State Street looking east.



Photo 18: View of the Property at State Street looking west.



Photo 19: View of the southern adjoining property east of State Street.



Photo 20: View of the southern adjoining property west of State Street.



Photo 21: View of the Property at Main Street looking east.



Photo 22: View of the Property and adjoining properties at Main Street looking west.



Photo 23: View of the Property at Vine Street looking east.



Photo 24: View of the Property at Vine Street looking west.



Photo 25: View of the Property at York Street looking east.



Photo 26: View of the Property at York Street looking west.



Photo 27: View of the southern adjoining property west of York Street.



Photo 28: View of the southern adjoining property on Leider Drive.



Photo 29: View of the Property at Durand Avenue looking east.



Photo 30: View of the Property at Durand Avenue looking west.



Photo 31: View of the Property at Beaumont Avenue (Highway 75) looking east.



Photo 32: View of the Property at Beaumont Avenue looking west.



Photo 33: View of the northern adjoining property west of Beaumont Avenue.



Photo 34: View of the southern adjoining property west of Beaumont Avenue.

