

**SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423**

ENVIRONMENTAL ASSESSMENT

DOCKET NO. AB-448 (Sub-No. 2X)

**SF&L Railway, Inc. - Abandonment Exemption - in Hancock, McDonough, Fulton and Peoria
Counties, IL**

BACKGROUND

In this proceeding, the SF&L Railway, Inc. (SF&L or applicant) filed a petition for exemption under 49 U.S.C. 10502 seeking exemption from the requirements of 49 U.S.C. 10903 to abandon a rail line in Hancock, McDonough, Fulton and Peoria counties in Illinois.¹ The rail line proposed for abandonment spans 71.5 miles from Milepost 194.5 at La Harpe to Milepost 123.0 at Peoria, Illinois. A map depicting the rail line in relationship to the area served is appended to this report. If the petition becomes effective, the applicant would be able to salvage track, ties and other railroad appurtenances.

DESCRIPTION OF THE LINE

The rail line proposed for abandonment is located in Hancock, McDonough, Fulton and Peoria counties in west-central Illinois. The line extends from Milepost 194.5 at La Harpe to Milepost 123.0 at Peoria. The total length to be abandoned is 71.5 miles.

According to the applicant, the line previously moved approximately 3,600 revenue carloads of overhead freight annually for Keokuk Junction Railway Company (KJRY), but the majority of that

¹The petition for an abandonment exemption was filed by SF&L on September 3, 2002. However, in a related Board decision served October 17, 2002 (see STB Finance Docket No. 33995), the Board revoked SF&L's acquisition and control exemption for the subject line and ordered that the line be immediately reconveyed to Toledo, Peoria and Western Railway Corporation (TP&W), the prior owner of the operating easement and the rail, ties, and certain improvements. In the October 17, 2002 decision, the Board concluded that SF&L had abused the class exemption process by using the procedures to acquire the subject line for salvaging rather than for continued rail operations. The Board also indicated that it would soon issue a decision dismissing SF&L's petition for an abandonment exemption as moot. On October 30, 2002, TP&W filed a motion with the Board, requesting that the Board not dismiss the petition for abandonment, but substitute TP&W for SF&L as the petitioner. At the time this EA was served, the Board had not issued a decision on the substitution request.

traffic has been diverted off the subject rail line. In the first six months of 2002, only 161 carloads of overhead traffic were moved on the line including 128 carloads in January 2002. In the first six months of 2002, there were only three active shippers on the rail line and they collectively generated 355 carloads during that time period. According to the applicant, one of these shippers can be served by the Burlington Northern and Santa Fe Railroad, and the other two shippers are located near a state highway and can move commodities by truck or by truck to KJRY at La Porte. Grain and grain products are the principal commodities moved for these three shippers.

Land use in the vicinity of the rail line is predominantly agricultural. The line first opened in 1860. RailAmerica, Inc, which sold the rail line to the applicant, retained title to the realty underlying the line including trestles and bridges. The applicant states that there are no structures on the rail line that are 50 years of age or older.

ENVIRONMENTAL REVIEW

The applicant submitted environmental and historical reports that indicate that the quality of the human environment would not be affected significantly as a result of the abandonment or any post-abandonment activities. The applicant served these reports on a number of appropriate Federal, state, and local agencies as required by the Surface Transportation Board's (Board) environmental rules [49 CFR 1105.7(b)]. We have reviewed and investigated the record in this proceeding.

The Illinois Historic Preservation Society (the State Historic Preservation Office or SHPO) has concluded that historic properties would not be affected by the abandonment and identified no objections to the proposed abandonment.

None of the other Federal or state agencies that were served copies of the applicant's environmental report responded at the time this document was prepared. However, based on the Certificate of Service, the environmental report was not served to the correct address of the National Geodetic Survey by the applicant. Accordingly, SEA has recommended a condition to address this oversight to ensure that the National Geodetic Survey has sufficient time to review the proposed abandonment and respond as appropriate.

Prairie Hills Resource Conservation Development, an Illinois not-for-profit corporation, has filed requests for Public Use Conditions and Notices of Interim Trail Use (NITU).

Because of the minimal volume of rail traffic that has moved on the rail line recently, any potential diversion of traffic from rails to trucks would not be expected to adversely affect local road networks.

CONDITIONS

We recommend that the following environmental condition be placed on any decision granting abandonment authority:

1. The applicant shall retain the integrity of the rail line until the NGS has had an opportunity to review the abandonment proposal and identify geodetic markers that could be adversely affected. If the NGS identifies geodetic markers that could be affected by the proposed abandonment, the applicant shall notify the NGS 90 days prior to salvage activities in order to plan for their potential removal.

CONCLUSIONS

Based on the information provided from all sources to date, we conclude that, as currently proposed, abandonment of the line would not significantly affect the quality of the human environment. Therefore, the environmental impact statement process is unnecessary.

Alternatives to the proposed abandonment would include denial (and, therefore, no change in operations), discontinuance of service without abandonment and continued operation by another operator. In any of these cases, the existing quality of the human environment and energy consumption should not be affected.

PUBLIC USE

If abandonment and salvage of the rail line does take place, the ROW may be suitable for other public uses. A request containing the requisite four-part showing for imposition of a public use condition (49 CFR 1152.28) must be filed with the Surface Transportation Board and served on the railroad within the time specified in the Federal Register notice.

TRAILS USE

A request for a notice of interim trail use (NITU) is due to the Surface Transportation Board, with a copy to the railroad, within 20 days of publication of the notice of exemption in the Federal Register. However, the Board will accept late-filed requests as long as it retains jurisdiction to do so. This request must comply with the Board's rules for use of ROWs as trails (49 CFR 1152.29).

PUBLIC ASSISTANCE

The Board's Office of Public Services (OPS) responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact OPS directly at 202-565-1592 or mail inquiries to the Surface Transportation Board, Office of Public Services, Washington, DC 20423.

ENVIRONMENTAL COMMENTS

If you wish to file comments regarding this environmental assessment, send an **original and two copies** to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of David Navecky, who prepared this environmental assessment. **Please refer to Docket No. AB-448 (Sub-No. 2X) in all correspondence addressed to the Board. Questions regarding this environmental assessment should be referred to David Navecky at 202-565-1593 (naveckyd@stb.dot.gov).**

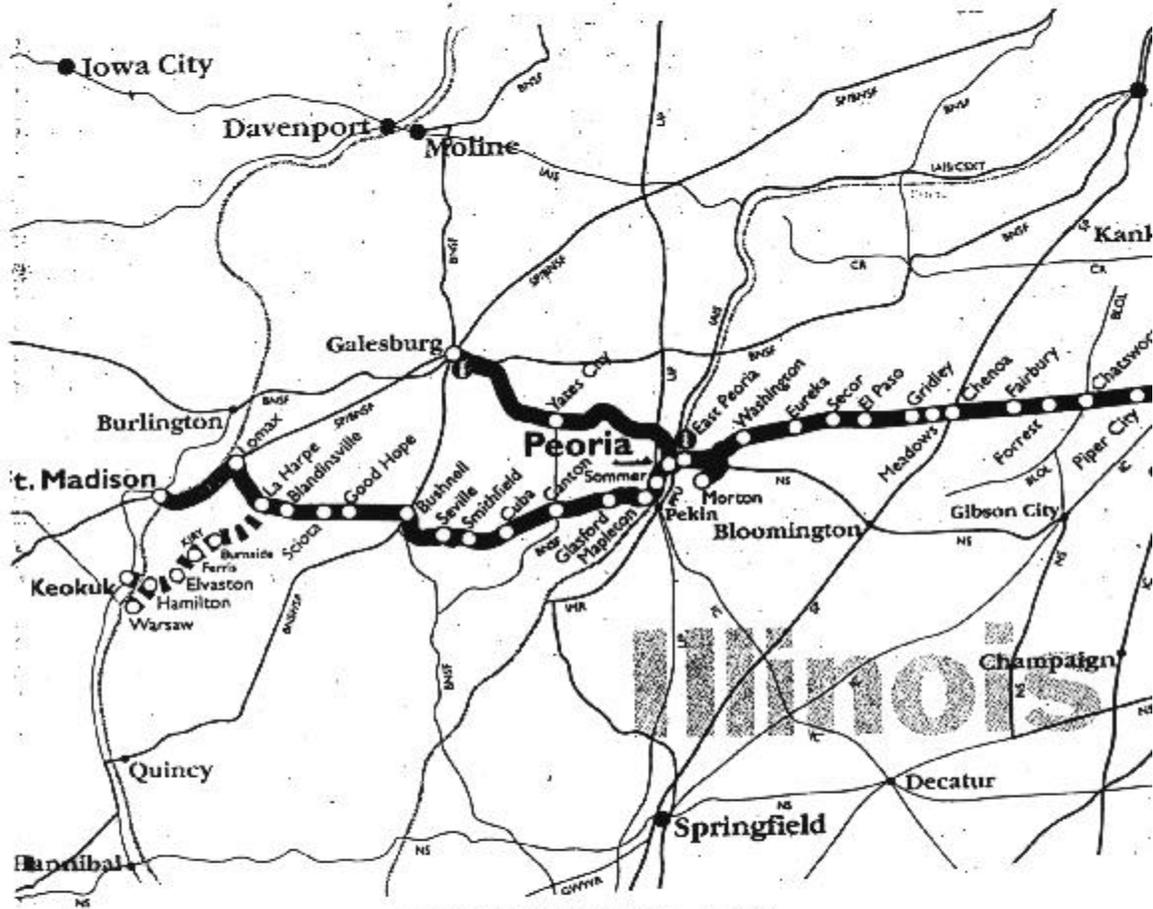
Date made available to the public: November 7, 2002.

Comment due date: **December 6, 2002.**

By the Board, Victoria Rutson, Chief, Section of Environmental Analysis.

Vernon A. Williams
Secretary

Attachment



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