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SERVICE DATE - DECEMBER 10, 1999

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

AB - 402 (SUB-NO.7X)

Fox Valley and Western Ltd. -- PETITION FOR ABANDONMENT EXEMPTION
-- IN Washington and Fond Du Lac Counties, Wisconsin.

BACKGROUND

In this proceeding, the Wisconsin Central Ltd. has filed a petition under 49 U.S.C. 10502 seeking exemption from the requirements of 49 U.S.C. 10903 in connection with the abandonment of service of 24.64 miles of railroad line between railroad milepost 114.42, south of West Bend, to Milepost 139.06 in Eden, WI, which traverses through United States Postal Code 54095, 54010, 54040 and 53099. A map depicting the rail line in relationship to the area served is appended to the report. If the exemption becomes effective, the railroad will be able to salvage track, ties and other railroad appurtenances, and to dispose of the right-of-way.

DESCRIPTION OF THE LINE

There are three active shippers on the line, Gundrum Brothers Farm Supply, Inc. (Gundrum), Campbellsport Building Supply (Campbellsport) and Bend Industries (Bend). Campbellsport ships lumber products, Bend ships fly ash, a cement filler, and Gundrum ships fertilizer products. Carload traffic statistics show, Gundrum, Campbellsport and Bend shipped a total of 133 and 132 carloads respectively, in 1998, 1999. The Line was formally embargoed September 2, 1999 between milepost 118.2 and milepost 138.2. There are a total of 29 bridges on the Line, all of them at least 50 years old.

ENVIRONMENTAL REVIEW

The railroad has submitted an environmental report that concludes the quality of the human environment will not be affected significantly as a result of the abandonment or any

post-abandonment activities, including salvage and disposition of the right-of-way. The railroad has served the environmental report on a number of appropriate Federal, state, and local agencies as required by the Board's environmental rules at 49 CFR 1105.7(b). We have investigated the record in this proceeding. Also, we have consulted with appropriate agencies and individuals to verify the railroad's report and to obtain additional information and comments regarding the potential environmental effects of the proposed abandonment. Contacts have included Nation Geodetic Survey, Wisconsin Department of Natural Resources, U.S. Department of Interior, Wisconsin Department of Transportation, Coastal Zone Management, U.S. Environmental Protection Agency, National Park Service, State Historical Society of Wisconsin, Army Corps of Engineers, U.S. Department of Agriculture, Fond du Lac County Executive and Wisconsin Department of Administration Division of Energy & Intergovernmental Relations.

CONDITIONS

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

1. The Wisconsin Department of Transportation (WisDOT) has expressed concern regarding proper clean up of debris during salvage activities. WISDOT states that Fox Valley and Western Ltd., must comply with the WisDOT Abandoned Railroad Line Salvage and Clean-up Policy/Standards/Procedures when they do the abandonment and related activities. We recommend the imposition of these conditions.
2. The National Geodetic Survey (NGS) has identified six station makers that may be affected by the proposed abandonment. The NGS has requested that it receive not less than 90 days notification in advance of any salvage activities in order to plan for their relocation. Therefore, we recommend, that Fox Valley and Western Ltd., consult with NGS at least 90 days prior to salvage activities to allow the NGS to plan for their relocation.
3. The Wisconsin Department of Natural Resources (WDNR) has expressed concern regarding the removal of the culverts/stream crossings during salvage activity. Therefore, we recommend that Fox Valley and Western Ltd., further consult with WDNR to determine if an erosion plan is needed by the state prior to salvage activity.

CONCLUSIONS

Based on the information provided from all sources to date, and subject to the recommended condition(s), we conclude that, as currently proposed, abandonment of the line will 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

Following abandonment and salvage of the rail line, the right-of-way may be suitable for other public use. A request containing the requisite four-part showing for imposition of a public use condition (49 CFR 1152.28) must be filed with the 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 Board, with a copy to the railroad, within 10 days of publication of the notice of the petition for exemption in the Federal Register. Nevertheless, the Board will accept late-filed requests as long as it retains jurisdiction to do so in a particular case. This request must comply with the Board's rules for use of rights-of-way 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 Surface Transportation Board, Office of Public Services, Room 848, Washington, DC 20423.

COMMENTS

If you wish to file comments regarding this environmental assessment, you should send an **original and two copies** to Vernon A. Williams, Office of the Secretary, Room 711, Washington, DC

20423, to the attention of Bernard L. Brown, who prepared this environmental assessment. **Please refer to Docket No. AB-402 (Sub No. 7X) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Bernard L. Brown at (202) 565-1554.

Date made available to the public: December 10, 1999.
Comment due date: January 10, 2000.

By the Board, Elaine K. Kaiser, Chief, Section of
Environmental Analysis.

Vernon A. Williams
Secretary

PLEASE SCAN THE MAP