

40457  
DO

SERVICE DATE – DECEMBER 14, 2009

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-57 (Sub-No. 57X)

SOO LINE RAILROAD COMPANY D/B/A CANADIAN PACIFIC RAILWAY  
COMPANY—ABANDONMENT EXEMPTION—  
IN HENNEPIN COUNTY, MN

Decided: December 14, 2009

Soo Line Railroad Company d/b/a Canadian Pacific Railway Company (CPR) filed a notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments to abandon a 1710 +/- foot line of railroad between milepost 3.79 +/- (east of Girard) and milepost 4.09 +/- (west of Colfax), in Hennepin County, MN. Notice of the exemption was served and published in the Federal Register on September 16, 2009 (74 FR 47638). The exemption became effective on October 16, 2009.

By decision served on October 15, 2009 (October 2009 decision), the proceeding was reopened at the request of the Board's Section of Environmental Analysis (SEA) and, based on SEA's recommendations, the exemption was made subject to the condition that, prior to the commencement of any salvage activities, CPR shall: (1) retain its interest in and take no steps to alter the historic integrity of all historic properties, including sites, buildings, structures, and objects within the project right-of-way that are eligible for listing or are listed in the National Register of Historic Places (National Register) until completion of the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f (NHPA); (2) report back to SEA regarding the results of any consultations with the Minnesota Historic Society (the State Historic Preservation Office or SHPO) and the public; and (3) not file its consummation notice or initiate any salvage activities related to abandonment (including removal of tracks and ties) until the section 106 process has been completed and the Board has removed this condition.

Pursuant to the section 106 regulations of the NHPA, and following consultation with the SHPO and the public, SEA has determined that the proposed abandonment would not affect historic properties listed in or eligible for inclusion in the National Register. Therefore, SEA recommends that the condition imposed in the October 2009 decision be removed. Accordingly, the proceeding will be reopened and the previously imposed condition will be removed.

This decision 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 condition imposed in the October 2009 decision is removed.
3. This decision is effective on its service date.

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