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OEA

SERVICE DATE – NOVEMBER 13, 2012

**SURFACE TRANSPORTATION BOARD**  
WASHINGTON, DC 20423

**ENVIRONMENTAL ASSESSMENT**

**Docket No. AB 57 (Sub-No. 60X)**

**Soo Line Railroad Co.—Abandonment Exemption—  
In Cook County, Ill.**

**BACKGROUND**

In this proceeding, Soo Line Railroad Company (Soo Line) filed a notice of exemption under 49 C.F.R. § 1152.50 seeking exemption from the requirements of 49 U.S.C. § 10903 in connection with the abandonment of an approximately 2.88-mile rail line in Cook County, Illinois. The line extends between milepost 2.38 and milepost 5.26. A map depicting the line in relationship to the area served is appended to this Environmental Assessment (EA). If the notice becomes effective, Soo Line will be able to salvage track, ties and other railroad appurtenances and to dispose of the right-of-way.

**ENVIRONMENTAL REVIEW**

The applicant 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 applicant served the Environmental Report on a number of appropriate federal, state, and local agencies as required by the Surface Transportation Board's (Board) environmental rules [49 C.F.R. § 1105.7(b)].<sup>1</sup> The Board's Office of Environmental Analysis (OEA) has reviewed and investigated the record in this proceeding.

***Diversion of Traffic***

Soo Line states that no freight service has been provided on the line for over two years, and any overhead traffic has already been rerouted over other lines. Accordingly, the proposed abandonment would not adversely impact the development, use and transportation of energy resources or recyclable commodities; transportation of ozone-depleting materials; or result in the diversion of rail traffic to truck traffic that could result in significant impacts to air quality or the local transportation network.

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<sup>1</sup> The Environmental and Historic Reports are available for viewing on the Board's website at [www.stb.dot.gov](http://www.stb.dot.gov) by going to "E-Library," selecting "Filings," and then conducting a search for AB 57 (Sub-No. 60X).

## ***Salvage Activities***

The right-of-way is approximately 30-feet wide, and the railroad embankment is approximately 15 feet above grade level (street level). If abandonment authority is granted in this proceeding, Soo Line plans to salvage the rails, ties, spikes, plates, railroad-related utilities and signaling devices. Following abandonment of the line, Soo Line plans to sell the right-of-way to the City of Chicago for conversion into a linear park.

The line is located in an urban area,<sup>2</sup> and the Natural Resources Conservation Service submitted a letter stating that the proposed abandonment would have no impact on prime agricultural land. In addition, the National Geodetic Survey submitted comments stating that no geodetic survey markers are located in the area of the proposed abandonment. Accordingly, no mitigation regarding prime agricultural land or geodetic survey markers is recommended.

The Illinois Department of Natural Resources submitted a comment stating that the proposed abandonment is located outside the boundaries of the Illinois Coastal Management Plan and would not affect any coastal resources. Accordingly, no mitigation regarding state coastal management consistency certification is necessary.

The Environmental Report states that a March 2012 Phase I Environmental Site Assessment identified no known recognized environmental conditions (RECs),<sup>3</sup> hazardous waste sites, or hazardous material spills on the right-of-way, other than a stockpile of old railroad ties and suspected lead-based flaking paint on some of the bridges. The report further states that, “Due to the elevated structure of the Line, none of the RECs, waste sites, or spills on adjacent properties (e.g., motor oil, transmission fluid, and ethylene glycol from an auto repair shop) have encroached upon or otherwise affected the right-of-way.” Accordingly, no mitigation regarding hazardous waste sites or hazardous material spills is recommended.

Based on all information available to date, OEA does not believe that salvage activities would cause significant environmental impacts.

## ***Other Comments***

The Cook County Bureau of Economic Development’s Department of Planning and Development submitted comments stating that it supports the proposed abandonment and future plans to convert the corridor into a linear park and trail.

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<sup>2</sup> The line primarily traverses commercial, residential and limited industrial areas of Chicago.

<sup>3</sup> A REC is the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property on into the ground, ground water, or surface water of the property.

## **HISTORIC REVIEW**

Soo Line served the Historic Report on the Illinois Historic Preservation Agency (the State Historic Preservation Office or SHPO), pursuant to 49 C.F.R. § 1105.8(c). Based on available information, the SHPO has submitted comments stating that no historic properties listed in or eligible for inclusion in the National Register of Historic Places (National Register) would be affected by the proposed abandonment.

Pursuant to the Section 106 regulations of the National Historic Preservation Act at 36 C.F.R. § 800.4(d)(1), and following consultation with the SHPO and the public, we have determined that no known historic properties listed in or eligible for inclusion in the National Register would be affected within the right-of-way (the Area of Potential Effect, or APE) of the proposed abandonment. The documentation for this finding, as specified at 36 C.F.R. § 800.11(d), consists of the railroad's Historic Report, all relevant correspondence, and this EA, which have been provided to the SHPO and made available to the public through posting on the Board's website at <http://www.stb.dot.gov>.

Pursuant to 36 C.F.R. § 800.2, OEA conducted a search of the Native American Consultation Database to identify federally-recognized tribes that may have ancestral connections to the project area.<sup>4</sup> The database indicated that the following tribes may have knowledge regarding properties of traditional religious and cultural significance within the right-of-way for the proposed abandonment: Citizen Potawatomi Nation, Oklahoma; Forest County Potawatomi Community, Wisconsin; Hannahville Indian Community, Michigan; and Prairie Band of Potawatomi Nation, Kansas. Accordingly, OEA is sending a copy of this EA to those tribes for review and comment.

## **CONDITIONS**

We recommend that no conditions be imposed on any decision granting abandonment authority.

## **CONCLUSIONS**

Based on the information provided from all sources to date, OEA concludes that, as currently proposed, and if the recommended conditions are imposed, abandonment of the line would not significantly affect the quality of the human environment. Therefore, the environmental impact statement process is not necessary.

Alternatives to the proposed abandonment would include denial (and therefore no change in operations and no salvage activities), discontinuance of service without abandonment, and

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<sup>4</sup> Native American Consultation Database, <http://grants.cr.nps.gov/nacd/index.cfm> (last visited October 23, 2012).

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 C.F.R. § 1152.28) must be filed with the Board and served on the railroad within the time specified in the Federal Register notice.

### **TRAIL 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 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 regulations at 49 C.F.R. § 1152.29.

### **PUBLIC ASSISTANCE**

The Board's Office of Public Assistance, Governmental Affairs, and Compliance responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact this office directly at (202) 245-0238, or mail inquiries to Surface Transportation Board, Office of Public Assistance, Governmental Affairs, and Compliance, Washington, DC 20423.

### **COMMENTS**

If you wish to file comments regarding this EA, send **one original and two copies** to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Christa Stoebner, who prepared this EA. Environmental comments may also be filed electronically on the Board's website, [www.stb.dot.gov](http://www.stb.dot.gov), by clicking on the "E-FILING" link. **Please refer to Docket No. AB 57 (Sub-No. 60X) in all correspondence, including e-filings, addressed to the Board.** If you have any questions regarding this EA, please contact Christa Stoebner, the environmental contact for this case, by phone at (202) 245-0299, fax at (202) 245-0454, or e-mail at [christa.stoebner@stb.dot.gov](mailto:christa.stoebner@stb.dot.gov).

Date made available to the public: November 13, 2012.

**Comment due date: November 28, 2012.**

By the Board, Victoria Rutson, Director, Office of Environmental Analysis.

Attachment