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SERVICE DATE - MAY 16, 2003

**SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423**

ENVIRONMENTAL ASSESSMENT

STB Docket No. AB-850X

**St. Croix Valley Railroad Company – Abandonment and Discontinuance of Service
Exemption – In Pine and Kanabec Counties, MN**

BACKGROUND

In this proceeding, the St. Croix Valley Railroad Company (SCXY) has filed a petition under 49 U.S.C. 10502 seeking exemption from the requirements of 49 U.S.C. 10903 in order to permit abandonment of its rail freight easement between Milepost No. 58.3 at Mora Junction (Brook Park) and Milepost No. 47.6 at Mora, a distance of 10.7 miles, and for discontinuance of rail service pursuant to trackage rights over a rail line of the Burlington Northern and Santa Fe Railway Company (BNSF) between Hinckley and Mora Junction (Brook Park), a distance of 8.2 miles, in Pine and Kanabec Counties, Minnesota. 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 abandon service on the line.

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. 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 contacted 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 Department of Natural Resources, State Historic Preservation Officer, National Park Service, U.S. Environmental Protection Agency, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, U.S. Department of Agriculture, Coastal Zone Management, Department of Transportation, and National Geodetic Survey.

Traffic

The Mora Junction-Mora rail line was embargoed effective July 22, 2002 due to unsafe track conditions. Rail operations ceased at that time.

The track materials and land in the right-of-way of the Mora Junction-Mora rail line are owned by BNSF. If the requested exemptions are granted and become effective, BNSF has authorized SCXY to remove and reuse the track materials on the rail lines of SCXY's affiliate, Minnesota Northern Railroad, Inc. BNSF will have authority to dispose of the right-of-way land. The trackage between Hinckley and Mora Junction will remain in place under BNSF ownership. It is likely that the proposed exemption will have minimal effect on regional or local

transportation systems and patterns. The only active user of the rail line is Engineered Polymers of Mora, MN. In the last full calendar year of operation of the rail line, 2001, Engineered Polymers received 58 carloads of plastic pellets by means of the involved rail line.

Discontinuance of rail operations over the Mora Junction-Mora rail line would result in the closing and elimination of 17 public at-grade road crossing along the line. Minnesota Highways 23 and 65, which converge at Mora, are in adequate condition to accommodate the increase in truck traffic if the abandonment is granted.

It is unlikely that the proposed exemption would be inconsistent with local or regional land use plans. The nearby Mora Industrial Park does not list the involved rail line as a transportation mode. The proposed exemption would unlikely adversely affect endangered or threatened species or areas designated as critical habitat. The work proposed at the locations stated is not within the regulatory jurisdiction of the Corps of Engineers because no work will be done in a navigable water of the United States, and no dredged or fill material will be discharged in any water of the United States, including wetlands.

Historic

The State Historic Preservation Officer has not yet completed its review of the proposed abandonment. In general, the SHPO advises that this line which was constructed in 1882 as the Minneapolis and St. Cloud Railroad Company and later became part of the Great Northern may meet *Nation Register of Historic Places* criteria. Therefore, we recommend that a condition be placed on any decision granting abandonment authority, requiring SCXY to retain its interest in the line until completion of the Section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f.

CONDITIONS

The State Historic Preservation Officer has not yet completed its review of the proposed abandonment. In general, the SHPO advises that this line which was constructed in 1882 as the Minneapolis and St. Cloud Railroad Company and later became part of the Great Northern may meet *Nation Register of Historic Places* criteria. Therefore, we recommend that a condition be placed on any decision granting abandonment authority, requiring SCXY to retain its interest in the line until completion of the Section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f.

CONCLUSIONS

Based on the information provided from all sources to date, 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 abandon would include denial (and, therefore, no change in operations) or continued operation by another operator. In this case, 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 responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact the Office of Public Services directly at (202) 565-1592, or mail inquiries to 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** Vernon A. Williams, Office of the Secretary, Room 711, Washington, DC 20423, to the attention of Phillis Johnson-Ball who prepared this environmental assessment. **Please refer to Docket No. AB-850X) in all correspondence addressed to the Commission.** If you have questions regarding this environmental assessment, you should contact Phillis Johnson-Ball at (202) 565-1530.

Date made available to the public: 5/16/03

Comment due date: 6/16/03

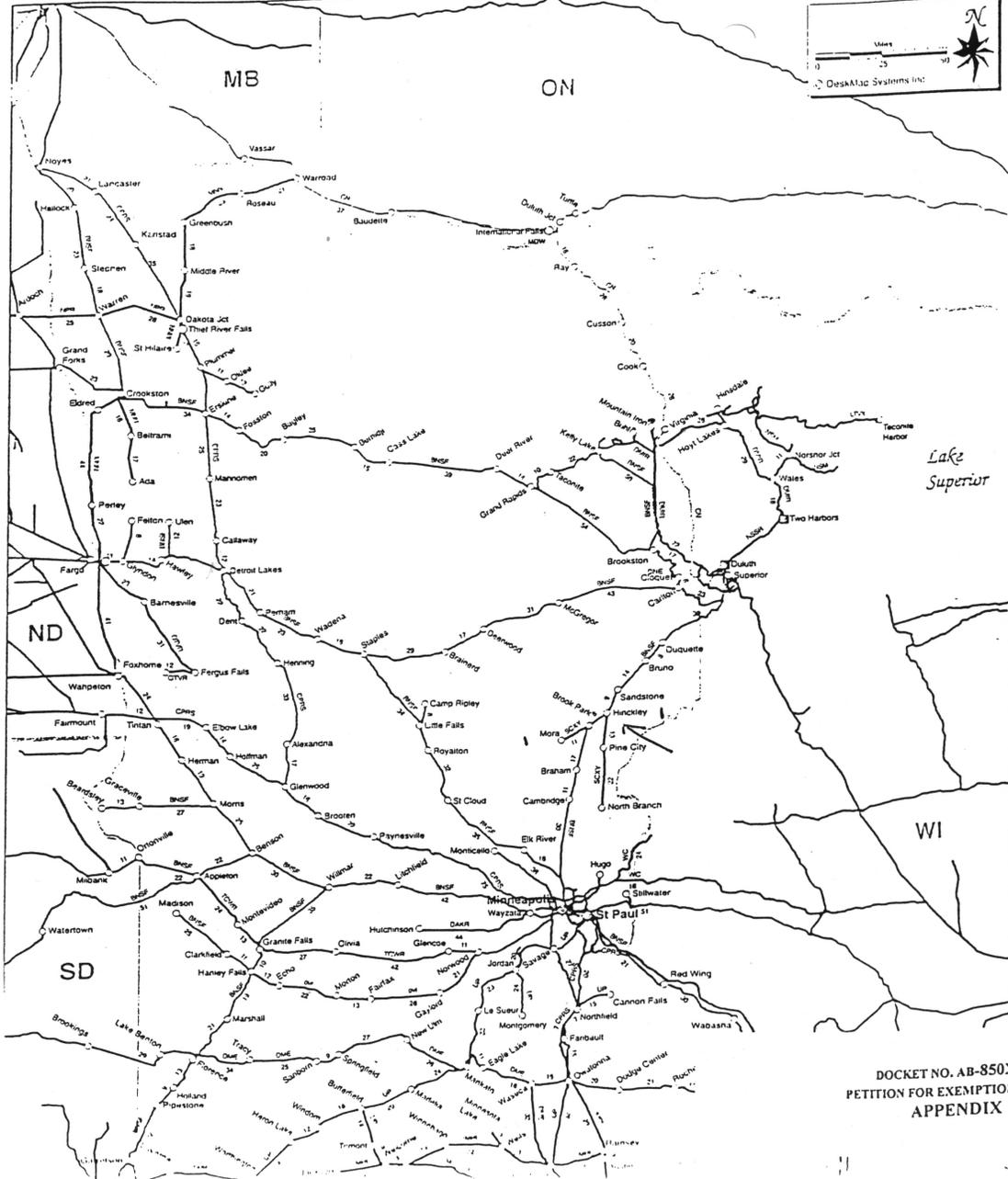
By the Board, Victoria Rutson, Chief, Section of Environmental Analysis.

Vernon A. Williams
Secretary

Attachment

MINNESOTA

ID-33463



DOCKET NO. AB-850X
PETITION FOR EXEMPTION
APPENDIX I