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SERVICE DATE - APRIL 14, 1998

SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC 20423

**ENVIRONMENTAL ASSESSMENT**

**DOCKET NO. AB-391 (Sub. No. 4X) - Red River Valley and  
Western Railroad Company  
Notice of Exemption  
in Benson County, North Dakota**

**BACKGROUND**

In the above entitled proceeding, the Red River Valley and Western Railroad Company (RRVW), has filed a notice of exemption under 49 CFR 1152.50 seeking exemption from the requirements of 49 U.S.C. 10903 in connection with the abandonment of its line of railroad between Milepost 79.08 near Oberon to Milepost 89.63 in Minnewaukan, a distance of 10.55 miles in Benson County, North Dakota. A map depicting the rail line in relationship to the area served is appended to the report. If the notice 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**

The right-of-way passes through a sparsely populated agricultural area of north central North Dakota. In its application, RRVW states that there has been no traffic on the line during the past two years.

**ENVIRONMENTAL REVIEW**

RRVW 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. RRVW served the environmental and historical reports on a number of appropriate Federal, state, and local agencies as required by the Surface Transportation Board's environmental rules [49 CFR 1105.7(b)]. We have reviewed and investigated the record in this proceeding.

The National Geodetic Survey has informed us that 5 geodetic station markers may be affected by the proposed abandonment. NGS

requests that it receive not less than 90 days' notification in advance of any salvage activities that may affect the markers in order to plan for their relocation. NGS also sent a copy of the list and location of the markers to RRVW. We will recommend NGS's request as a condition to any abandonment authority.

#### **CONDITIONS**

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

**The National Geodetic Survey (NGS) has identified 5 geodetic station markers that may be affected by the proposed abandonment. Therefore, RRVW shall notify NGS at least 90 days prior to any salvage activities that may disturb or destroy these markers to that plans can be made for their relocation.**

#### **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 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 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 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 10 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 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 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 Vernon A. Williams, Office of the Secretary, Washington, DC 20423, to the attention of Dana White, who prepared this environmental assessment. **Please refer to Docket No. AB-391 (Sub No. 4X) in all correspondence addressed to the Board. Questions regarding this environmental assessment should be referred to Dana White at (202) 565-1552.**

Date made available to the public: April 14, 1998.

Comment due date: **April 28, 1998 (15 days).**

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

Vernon A. Williams  
Secretary

Attachment

*PLEASE SCAN MAP.*