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**SERVICE DATE - MAY 14, 1998**

**SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC 20423**

## **ENVIRONMENTAL ASSESSMENT**

NO. AB-57 (SUB-NO. 40X)

**SOO LINE RAILROAD COMPANY  
-- ABANDONMENT EXEMPTION --  
IN HENNEPIN COUNTY, MINNESOTA**

### **BACKGROUND**

In this proceeding, Soo Line Railroad Company (SOO) 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 its railroad line located between Milepost 423.59, near the eastern edge of Cedar Avenue, and Mileposts 423.26 and 423.21, near the eastern edge of Hiawatha Avenue (State Highway 55), a distance of 1.0 mile in Minneapolis, Hennepin County, Minnesota. A map depicting the rail line in relationship to the area served is appended to the report. As indicated on the map, the line actually consists of two "legs" of a "wye", known as the Hiawatha/Cedar Avenue Wye.

If the exemption becomes effective, and all rights for all railroads to operate over the line are extinguished, SOO will be able to salvage track, ties and other railroad appurtenances and to dispose of the right-of-way. However, at this time, the Twin Cities and Western Railroad Company (TCW) also operates over the line under overhead trackage rights (i.e., the rights exclude the movement of traffic which either originates or terminates on the line), but has not requested authority to discontinue those rights.

On December 23, 1992, SOO sold the underlying right-of-way of the line to the Hennepin County Regional Railroad Authority (HCRRA) and received a grant back of an easement for continued rail operations on the line until operations of both SOO and TCW are relocated to another line, known as the Kenilworth Route, over which both SOO and TCW have trackage rights. This relocation of operations must take place no later than July 1, 1998. Abandonment of the wye tracks will allow the Minnesota Department of Transportation (MDOT) to upgrade Hiawatha Avenue and avoid

restoration of two railroad crossings over the street, which is a main highway artery to and from downtown Minneapolis.

#### **DESCRIPTION OF THE LINE**

The line traverses an urban industrial area. According to SOO, there is one shipper on the line, and service will continue to be provided to that shipper.

#### **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 verified the record in this proceeding. The U.S. Environmental Protection Agency (EPA), the Minnesota Pollution Control Agency (MPCA) and the Hennepin County Administrator (HCA) have expressed concerns that salvaged materials be properly disposed of and that contaminants, if any are present, be removed from the right-of-way.

#### **CONDITION**

In view of the comments received from EPA, MPCA, and HCA, we recommend that if the authority sought is granted, the following condition be imposed:

**SOO shall remove all salvaged materials and contaminants from the right-of-way and dispose of unuseable materials and contaminants in accordance with state and local regulations.**

#### **CONCLUSIONS**

Based on the information provided from all sources to date and subject to the recommended condition, 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 and discontinuance of service 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 appropriate 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. 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 Surface Transportation Board, Office of Public Services, Room 848, Washington, DC 20423.

#### **ENVIRONMENTAL COMMENTS**

If you wish to file comments regarding this environmental assessment, send an **original and one copy** to the Board's Section of Environmental Analysis, Suite 500, Washington, DC 20423, to the attention of Harold McNulty, who prepared this environmental assessment. **Please refer to Docket No. AB-57 (Sub-No. 40X) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Mr. McNulty at (202) 565-1539.

Date made available to the public: May 8,1998.

**Comment due date: June 8, 1998.**

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

Vernon A. Williams  
Secretary

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MAP HAS TO BE SCANNED

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