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SERVICE DATE - OCTOBER 2, 1997

SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC 20423

## ENVIRONMENTAL ASSESSMENT

NO. AB-497 (SUB-NO. 1X)

Minnesota Northern Railroad, Inc.— Abandonment Exemption —  
In Red Lake and Polk Counties, Minnesota

### BACKGROUND

In this proceeding, the Minnesota Northern Railroad, Inc. (MNN) 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 Red Lake Falls Branch railroad line located between milepost 59.00, near Stata and milepost 69.14, at Red Lake Falls, a distance of 10.14 miles in Red Lake and Polk 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 salvage track, ties and other railroad appurtenances, and to dispose of the right-of-way.

### DESCRIPTION OF THE LINE

MNN acquired the line proposed for abandonment from the Burlington Northern Railroad Company (BN) in 1996. According to MNN, at that time the line carried in-bound fertilizer and out-bound grain. After MNN acquired the line in December 1996, an unusually severe winter forced MNN to embargo the line. Since then, MNN has lifted the embargo, but has not moved any traffic over the line. Although no traffic has moved over the line in 1997, the two shippers located there estimate shipping and receiving a total of 65 cars. This number represents a 36% decrease in traffic when BN owned the line.

The approximately 65 carloads that the shippers currently estimate moving over the line in 1997 would be trucked to other rail lines. Alternative rail stations near Red Falls on MNN's system are located at Strata (10 miles from Red Falls), Tilden Junction (17 miles from Red Falls), St. Hillaire (12 miles from Red Falls), or MN Junction near Crookston (28 miles from Red Falls).

### 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 investigated the record in this proceeding. Also, we have consulted with 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 the U.S. Fish and Wildlife Service, National Park Service, U.S. Environmental Protection Agency, U.S. Army Corps of Engineers, Minnesota Department of Natural Resources, the Minnesota State Historic Preservation Office, and the Counties of Polk and Red Falls.

### CONDITIONS

The U.S. Fish and Wildlife Service field office at Twin Cities suggests that a site survey be conducted to determine if any Western Prairie Fringed Orchids are located on a portion of the right-of-way designated as Southeast Section 26. Therefore, **we recommend that a condition be placed on any decision granting abandonment authority prohibiting the railroad from salvaging or disposing of the portion of the right-of-way designated as Southeast Section 26 until completion of the Section 7 process of the Endangered Species Act, 16 U.S.C. 1531.**

### 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 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**

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 (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.

#### **COMMENTS**

If you wish to file comments regarding this environmental assessment, you should send an **original and two copies** to Vernon A. Williams, Office of the Secretary, Suite 700, Washington, DC 20423, to the attention of Victoria Rutson, who prepared this

environmental assessment. **Please refer to Docket No. AB-497 (Sub No. 1X) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Ms. Rutson at (202) 565-1545.

Date made available to the public: Sept. 29, 1997.

**Comment due date: October 28, 1997.**

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

Vernon A. Williams  
Secretary