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SERVICE DATE - JANUARY 21, 1999

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-57 (Sub-No. 44X)

SOO LINE RAILROAD COMPANY--ABANDONMENT
EXEMPTION--IN ST. LOUIS COUNTY, MN

Decided: January 19, 1999

Soo Line Railroad Company (Soo) filed a notice of exemption under 49 CFR 1152 Subpart F--Exempt Abandonments to abandon an approximately 1.18+/-mile portion of the West Duluth Line between milepost 464.25+/-and milepost 465.43+/- in West Duluth, St. Louis County, MN. Notice of the exemption was served and published in the Federal Register on December 24, 1998 (63 FR 71340-41). The exemption is scheduled to become effective on January 23, 1999.

The Board's Section of Environmental Analysis (SEA) served an environmental assessment (EA) in this proceeding on December 31, 1998. In the EA, SEA states that the Minnesota Pollution Control Agency (MPCA) has expressed several concerns about impacts that could result during salvage operations. MPCA states that Soo should avoid possible impacts to streams, avoid using fertilizers containing phosphorus, implement a site erosion control plan, and provide information on the use and disposal of railroad ties that are to be removed from the line. Therefore, SEA recommends that a condition be imposed requiring Soo to consult with the MPCA to address possible impacts resulting from salvage operations.

SEA also states that the Minnesota Department of Natural Resources (MnDNR) has identified the southern end of the project area as an important fish and wildlife habitat. Also, the project is close to the St. Louis River estuary shoreline. Therefore, SEA recommends that a condition be imposed requiring Soo to consult with the MnDNR to address possible impacts resulting from salvage operations.

The recommended conditions will be imposed.

This decision will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. This proceeding is reopened.
2. Upon reconsideration, the exemption of the abandonment of the line described above is subject to the condition that Soo shall, prior to engaging in any salvage activities, consult with the MPCA and the MnDNR to address possible impacts from salvage operations.

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3. This decision is effective on its service date.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams
Secretary