

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

AB-57 (SUB-NO.51)

The SOO LINE RAILROAD COMPANY -- ABANDONMENT -- IN Roberts
County, South Dakota.

BACKGROUND

In this proceeding, the Soo Line Railroad Company (Soo Line) has filed an application seeking authority under 49 U.S.C. 10903 to abandon its railroad line located between milepost 208.8, near Rosholt, SD and railroad milepost 228.2, near Veblen, SD, a total distance of 19.4 miles, which traverses through United States Postal Codes 57224, 57225, and 57260, in Roberts County, South Dakota. A map depicting the rail line in relationship to the area served is appended to the report. If the application is approved, 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 proposed Soo Line to be abandoned extends through a rural open farmland area in northeastern South Dakota. In addition, the entire Soo Line proposed for abandonment traverses the Sisseton Wahpeton Sioux Tribal Reservation in South Dakota.

In its application, Soo Line provided data that indicates currently, there is one active shipper on the line, Cenex Harvest States Elevator, located in Claire City, South Dakota. The Soo Line operates service between Rosholt and Claire City on an as-needed basis, and 33 trains made round trips during the base year.¹

¹. According to Soo Line's application, this train traffic was comprised of approximately 375 carloads of mostly grain. On average, this traffic if moved by truck would add approximately 6.75 trucks per day to area highways. The impact of this truck traffic is not expected to be significant. Soo Line will continue its mainline service into Rosholt, South Dakota. Soo Line claims in its application that it can no longer justify operation or maintenance of the line.

There are 3 bridges and approximately 130 culverts on the Soo Line proposed for abandonment. The 3 bridges on the right-of-way are located at milepost 209.61, 212.69 and 234.48. All 3 bridges on the right-of-way are less than 50 years old.

ENVIRONMENTAL REVIEW

Soo Line 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. Soo Line served the environmental and historical 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 reviewed and 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 and historic effects of the proposed abandonment.

As in AB-57 (Sub- No. 48X)² and AB-57 (Sub-No. 50X)³, abandonment proceedings related to this proceeding, the South Dakota Historic Preservation Officer (SHPO), considers the abandonment of the proposed rail line would have an adverse effect on historic properties, and has identified the entire railroad corridor as eligible for inclusion in the National Register of Historic Places, pursuant to the National Historic Preservation Act, 36 CFR Part 800 Criterion A.

In addition, because the entire right-of-way traverses the Sisseton Wahpeton Sioux Tribal Reservation, pursuant to 36 CFR 800.2(c), it is necessary for the Soo Line to consult with appropriate representatives of Sisseton Wahpeton Sioux Tribal Reservation, prior to any abandonment and salvage activity. The purpose of this consultation will be to ascertain whether any tribal resources may be adversely affected and to determine appropriate mitigation if necessary.

² In its decision served November 17, 1999, in STB Docket No. AB-57 (Sub-No. 48X), milepost 208.8 to milepost 236.3, the Board denied the Soo Line's petition for exemption because the Soo Line failed to show that its economic burden outweighed the harm that would befall shippers, the public and the surrounding community, if the line were abandoned.

³ Soo Line chose to bifurcate segments of the line and file them independently in STB Docket No. AB-57 (Sub-No. 50X), milepost 228.2 to milepost 236.3, and in the current proceeding STB Docket No. AB-57 (Sub-No. 51), milepost 208.8 to milepost 228.2. In its decision served February 8, 2000, in STB Docket No. AB-57 (Sub-No. 50X), the Board granted the Soo Line abandonment authority.

Similarly, the South Dakota Department of Environment and Natural Resources (DENR) has expressed concern regarding storm and surface-water discharge due to salvage activity. DENR requests that the Soo Line further consult with DENR to determine if a permit for surface and storm-water discharge is required prior to salvage activity, and to implement the Best Management Practices for salvaging in areas with potential soil and erosion problems.

Likewise, the National Geodetic Survey (NGS) has informed SEA that eight (8) geodetic station markers may be affected by the proposed abandonment. NGS request 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.

Therefore, SEA will recommend appropriate mitigation conditions as outlined below.

CONDITIONS

SEA recommends the following environmental conditions be placed on any decision granting abandonment authority:

1. The South Dakota Historic Preservation Officer (SHPO) has identified the entire railroad corridor as eligible for inclusion in the National Register of Historic Places. Therefore, SEA recommends, that a condition be placed on any decision granting abandonment authority, requiring the Soo Line Railroad Company to take no steps to alter the historic integrity of the railroad corridor until completion of the Section 106 Process, National Historic Preservation Act, 16 U.S.C. 470f.
2. Because the entire right-of-way traverses the Sisseton Wahpeton Sioux Tribal Reservation, pursuant to 36 CFR 800.2(c), it is necessary for the Soo Line Railroad Company to consult with appropriate representatives of Sisseton Wahpeton Sioux Tribal Reservation, prior to any abandonment and salvage activity. The purpose of this consultation will be to ascertain whether any tribal resources maybe adversely affected and to determine appropriate mitigation if necessary.
3. The National Geodetic Survey (NGS) has identified eight (8) station markers that may be affected by the proposed abandonment. The NGS has requested that it receive not less than 90 days' notification in advance of any salvage activities in order to plan for their

relocation. Therefore, we recommend, that the Soo Line Railroad Company consult with NGS at least 90 days prior to salvage activities in order to plan for their relocation if appropriate.

4. The South Dakota, Department of Environment and Natural Resources (DENR), has expressed concern regarding storm and surface-water discharge due to salvage activity. Therefore, we recommend, that the Soo Line Railroad Company consult with DENR, to determine if a permit for surface and storm-water discharge is required prior to salvage activity and to implement the Best Management Practices for salvaging in areas with potential soil and erosion problems.

CONCLUSIONS

Based on the information provided from all sources to date, and subject to the recommended condition(s), we conclude that, as currently proposed, abandonment of the rail 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 certificate of interim trail use (CITU) is due to the Board, with a copy to the railroad, within 30 days of filing of the application. 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 Assistance (OPA) responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact OPA directly at (202) 927-6184, or mail inquiries to Surface Transportation Board, Office of Public Assistance, Room 4412, Washington, DC 20423.

COMMENTS

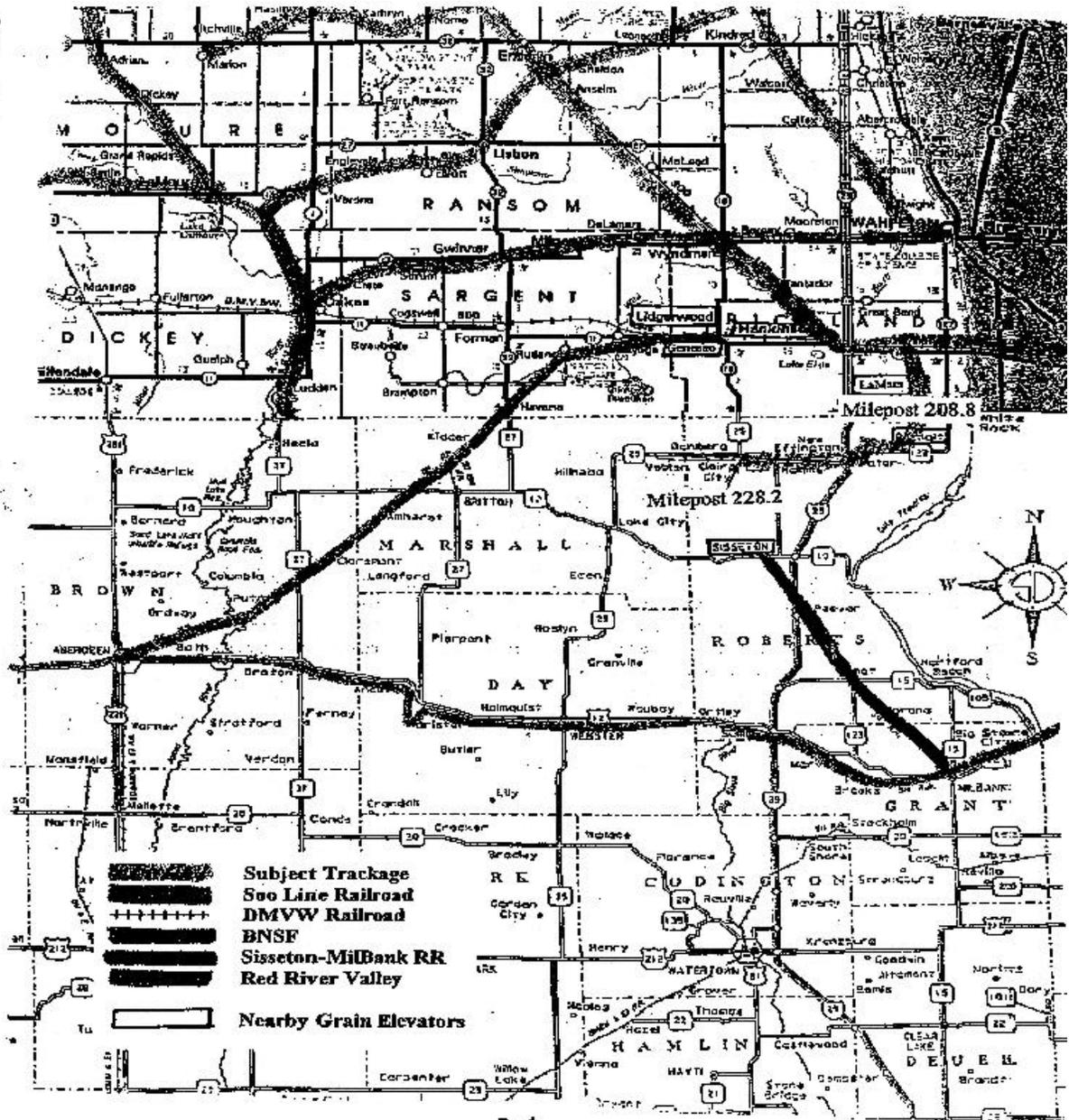
If you wish to file comments regarding this environmental assessment, you should send an **original and two copies** to Vernon A. Williams, Office of the Secretary, Room 711, Washington, DC 20423, to the attention of Bernard L. Brown, who prepared this environmental assessment. **Please refer to Docket No. AB-57 (Sub No. 51) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Bernard L. Brown at (202) 565-1554.

Date made available to the public: May 31, 2000.
Comment due date: July 5, 2000.

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

Vernon A. Williams
Secretary

Attachment (map)



AB-57 (Sub-No. 51)

