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SERVICE DATE - MARCH 26, 2002

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

AB - 6 (SUB-NO. 392X)

BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY-
ABANDONMENT EXEMPTION-IN FLATHEAD COUNTY, MT

BACKGROUND

Burlington Northern and Santa Fe Railway Company (BNSF) filed a notice of exemption pursuant to the Board's regulations at 49 CFR 1152.50. The notice of exemption is for abandonment of its line of railroad lying between M.P. 1227.58 and M.P. 1231.18 in Kalispell, Flathead County, Montana, a total distance of 3.60 miles. 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.

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 contacted 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: Department of Transportation, National Park Services, National Geodetic Survey, Department of Natural Resources, Department of Historic Resources, National Park Service, U.S. Environmental Protection Agency, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, U.S. Department of Agriculture, and Coastal Zone Management.

Transportation

Traffic has not moved over this line for two years. There will be no diversion of rail traffic to motor carriage.

BIOLOGICAL RESOURCES

The Montana Department of Environmental Quality (DEQ) states that if possible, the BNSF might want to consider removing the portion of the bridge over Ashley Creek to allow the creek to again flow into the flood plain. DEQ further states that if this can be done without placing fill or dredge material in the creek, no federal 404 Permit would be needed. Moreover, if in the course of removing material water quality is temporarily disturbed, a Short-Term Water Quality Standard for Turbidity Authorization (318 Authorization) would be required from the DEQ.

HISTORIC

The Montana Historical Society (MHS) has determined that several previously recorded cultural properties may be located within the area of their preliminary search. MHS has also determined that a survey of the areas that have the potential to be impacted is necessary. Under these circumstances, the Section of Energy and Environment recommends imposition of a condition requiring BNSF to retain its interest in the line until completion of the Section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f.

If there are any planned activities which could disturb or destroy any geodetic station markers discovered on the line, SEA recommends that BNSF contact the National Geodetic Survey (NGS), NGS requires not less than 90 days' notification in advance of such activities in order to plan for their relocation.

CONDITIONS

The Montana Historical Society (MHS) has determined that several previously recorded cultural properties may be located within the area of their preliminary search. MHS has also determined that a survey of the areas that have the potential to be impacted is necessary. Under these circumstances, the Section of Energy and Environment recommends imposition of a condition requiring BNSF to retain its interest in the line until completion of the Section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f.

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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

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 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 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 two copies** to Vernon A. Williams, Office of the Secretary, Room 711, Washington, DC 20423, to the attention of Phillis Johnson-Ball, who prepared this environmental assessment. **Please refer to Docket No. AB- 6 (Sub-No. 392X) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Phillis Johnson-Ball at (202) 565-1530.

Recent events involving a principal postal facility within Washington, D.C., may affect for a period of time the receipt of material mailed to the Board, as well as customer receipt of reply mail sent from the Board. Until the timely delivery of mail has been reestablished, the Section of Environmental Analysis (SEA) requests that individuals filing comments regarding this or other environmental assessments take the following additional steps to ensure receipt of their correspondence during the comment period:

1. Telephone or e-mail the environmental contact indicated above prior to the close of the comment period and inform them that you have mailed a comment.
2. If the comment has not been received, the environmental contact will discuss alternative

modes of delivery.

3. Retain a copy of your comment for your records should alternative modes of delivery be necessary.

SEA is committed to carrying out its duties to the public and regrets any inconvenience these new procedures may cause.

Date made available to the public: March 26, 2002.

Comment due date: April 10, 2002.

By the Board, Victoria Rutson, Chief, Section of Environmental Analysis.

Vernon A. Williams
Secretary

Attachment

MAP NEEDS TO BE SCANNED.