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SERVICE DATE - DECEMBER 31, 1998

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

December 31, 1998

NO. AB- 57 (SUB-NO. 44X)

Soo Line Railroad Company
--Abandonment Exemption --
in St. Louis County, MN

BACKGROUND

In this proceeding, the Soo Line Railroad Company has filed a notice of exemption under 49 CFR 1152.50 seeking exemption from the requirements of 49 U.S.C. 10903 in connection with the abandonment of its railroad line located between MP 464.25 and MP 465.43, a distance of 1.18 miles in West Duluth, in St. Louis County, MN. A map depicting the rail line in relationship to the area served is appended to the report. If the notice 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. Contacts have included U.S. Army Corps of Engineers, Natural Resources Conservation Service, Minnesota Pollution Control Agency, Minnesota Department of Natural

Resources, Minnesota Historic Society, and St. Louis and Lake Counties Regional Railroad Authority.

CONDITIONS

The Minnesota Pollution Control Agency expressed several concerns that could result from salvage activities, including: avoiding possible impacts to streams; avoiding use of fertilizers containing phosphorus, implementing a site erosion control plan, and removing and disposing of railroad ties. Therefore, we recommend that the following condition be placed on any decision granting abandonment authority: **Prior to commencing any salvage activities, Soo Line Railroad Company shall consult with the Minnesota Pollution Control Agency to address possible impacts resulting from salvage activities.**

The Minnesota Department of Natural Resources has identified the southern end of the project area as an important fish and wildlife habitat. In addition, the project is close to the St. Louis River estuary shoreline. Therefore, we recommend that the following condition be placed on any decision granting abandonment authority: **Prior to commencing any salvage activities, Soo Line Railroad Company shall consult with the Minnesota Department of Natural Resources to address possible impacts resulting from salvage activities.**

CONCLUSIONS

Based on the information provided from all sources to date and subject to the recommended conditions, 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 Mike Dalton, who prepared this environmental assessment. **Please refer to Docket No. AB-57 (Sub-No. 44X) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Mr. Dalton at (202) 565-1530.

Date made available to the public: December 31, 1998.

Comment due date: January 15, 1999.

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

Vernon A. Williams
Secretary

***** MAP HAS TO BE SCANNED *****