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SERVICE DATE – NOVEMBER 22, 2004

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-6 (Sub No. 418X)

THE BURLINGTON NORTHERN AND SANTA FE RAILWAY  
COMPANY—ABANDONMENT EXEMPTION—IN GRAND FORKS COUNTY, ND

Decided: November 19, 2004

The Burlington Northern and Santa Fe Railway Company (BNSF) filed a notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments to abandon a 6.50-mile line of railroad between BNSF milepost 0.00 near Hannah Junction and milepost 6.50 near McCanna, in Grand Forks County, ND. Notice of the exemption was served and published in the Federal Register on October 22, 2004 (69 FR 62117). The exemption is scheduled to become effective on November 23, 2004.

The Board's Section of Environmental Analysis (SEA) served an environmental assessment (EA) in this proceeding on October 29, 2004. In the EA, SEA states that the National Geodetic Survey (NGS) has advised that one geodetic station marker may be affected by the proposed abandonment and requests 90 days' notification in advance of any activities that may disturb or destroy the marker. Therefore, SEA recommends that BNSF be required to consult with NGS and provide NGS with 90 days' notice prior to salvage activities to plan for the relocation of the geodetic station marker.

SEA also states that the U. S. Fish and Wildlife Service indicated to BNSF that the proposed abandonment will not have any significant impact on fish and wildlife resources. However, the North Dakota Parks and Recreation Department (NDPRD), which has jurisdiction over rare species and ecological communities in North Dakota, has recommended that areas impacted as a result of the proposed abandonment be revegetated with native species. Therefore, SEA recommends that, prior to salvage activities, BNSF contact the NDPRD (Kathy Duttonhefner, 701-328-5370) regarding the revegetation of any impacted areas.

Comments to the EA were due by November 15, 2004. No comments were received by the due date. Accordingly, the environmental conditions recommended by SEA in the EA will be imposed.

As conditioned, this action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The proceeding is reopened.
2. Upon reconsideration, the exemption of the abandonment of the line described above is subject to the conditions that BNSF: (1) consult with NGS and provide NGS with 90 days' notice prior to salvage activities to plan for the relocation of the geodetic station marker; and (2) prior to salvage activities contact the NDPRD (Kathy Duttenhefner, 701-328-5370) regarding the revegetation of any impacted areas.
3. This decision is effective on its service date.

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

Vernon A. Williams  
Secretary