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SERVICE DATE - NOVEMBER 1, 1999

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

NO. AB-57 (SUB-NO. 49X)

SOO LINE RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN MACINTOSH COUNTY, NORTH DAKOTA

BACKGROUND

In this proceeding, Soo Line Railroad Company (Soo) 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 Milepost 342.0 near Wishek, and Milepost 361.0 at the end of the line near Ashley, a distance of approximately 19.0 miles in MacIntosh County, ND. The line to be abandoned is a portion of the "Pollack Line." A map depicting the rail line in relationship to the area served is appended to the report. If the notice becomes effective, Soo will be able to salvage track, ties and other railroad appurtenances and to dispose of the right-of-way.

DESCRIPTION OF THE LINE

The line is located in an agricultural area. There has been no traffic on the line for at least two years. There are three bridges and one trestle on the line.

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 verified the record in this proceeding. Responses to the railroad's request for comments thus far have indicated a need for two environmental mitigation conditions.

The U.S. Department of Commerce, National Geodetic Survey

(NGS), states that there are 11 geodetic station markers in the vicinity of the line. NGS requests that it be notified if any of the markers might be disturbed or destroyed by salvage operations. The North Dakota Department of Health (NDDH) has requested that the railroad take necessary precautions to avoid spills of any materials which would have an adverse effect on ground water quality and to avoid fugitive dust emissions. NDDH also addresses other concerns regarding waste management, noise, and the possibility that contamination sites might be uncovered during salvage operations.

CONDITIONS

We recommend that the following environmental conditions be placed on any decision granting abandonment authority:

1. If salvage operations are expected to destroy or disturb any of the 11 geodetic station markers listed Appendix A, the railroad shall notify the U.S. Department of Commerce, National Geodetic Survey in not less than ninety days prior to commencement of such operations.

2. During salvage operations, the railroad shall employ Best Management Practices to minimize fugitive dust emissions, spills of any material into waterways and wetlands, and noise having adverse effects on persons living near the site of salvage operations. The railroad shall dispose of all solid waste materials in accordance with the State of North Dakota's solid and hazardous waste rules. The railroad shall notify the North Dakota Department of Health if salvage operations result in the discovery of fuel contamination sites. The railroad shall revegetate disturbed areas as soon as possible after completion of salvage operations.

CONCLUSIONS

Subject to the foregoing conditions and based on the information provided from all sources to date, 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 and discontinuance of service 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 do take place, the right-of-way may be appropriate 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 one copy** to the Board's Section of Environmental Analysis, Suite 500, Washington, DC 20423, to the attention of Harold McNulty, who prepared this environmental assessment. **Please refer to Docket No. AB-57 (Sub-No. 49X) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Mr. McNulty at (202) 565-1539.

Date made available to the public: November 1, 1999.

Comment due date: November 16, 1999.

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

Vernon A. Williams
Secretary

Attachment

APPENDIX A NEEDS TO BE SCANNED.

MAP NEEDS TO BE SCANNED.