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July 17, 2009

Honorable Anne Quinlan  
Acting Secretary  
Surface Transportation Board  
395 E Street SW  
Washington, DC 20423

225385



**Re: *Abandonment of Trackage in Hennepin County, MN***  
**STB Docket No. AB-57 (Sub-No. 57X)**

Dear Secretary Quinlan:

Please find enclosed for filing the unbound original and ten copies of Soo Line Railroad Company's Environmental and Historic Reports plus three electronic copies pursuant to 49 C.F.R. Part 1105. A copy of the transmittal letter pursuant to 49 C.F.R. § 1105.11 is also enclosed.

I also enclose a duplicate copy of this letter and self-addressed stamped envelope to be stamped with the filing date and returned to the undersigned.

Please contact me if you have any questions.

Very truly yours,

LEONARD, STREET AND DEINARD

W. Karl Hansen

Enclosure

cc: Parties on the Attached Service List  
Bill Tuttle  
Judy Mitchell  
Steve Fisk

**ENTERED**  
**Office of Proceedings**

**JUL 21 2009**

**Part of**  
**Public Record**

**Appropriate Regional Office(s) of the  
U.S. Environmental Protection Agency**

Mr. Bharat Mathur  
Acting Regional Administrator  
U.S. Environmental Protection Agency, Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3507  
Tel.(312) 353-2000

**U.S. Fish and Wildlife Service**

Mr. Tom Melius  
Regional Director  
(Region 3)  
U.S. Fish and Wildlife Service  
One Federal Drive  
Fort Snelling, MN 55111-4056  
Tel. (651) 713-5360

**U.S. Army Corps of Engineers - St. Paul, MN District Office**

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District Engineer and Commander, Saint Paul District  
U.S. Army Corps of Engineers  
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**National Park Service**

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Regional Director  
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**U.S. Soil and Conservation Service**

Mr. William Hunt  
State Conservationist  
USDA Natural Resources Conservation Service  
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National Geodetic Survey and U.S. Geological Survey

Ms. Juliana Blackwell  
Director  
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State Clearinghouse

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(651)201-2555

State Department of Transportation for Minnesota

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Commissioner  
Minnesota Department of Transportation  
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State Environmental Protection Agency for Minnesota

Mr. Paul Eger  
Commissioner  
Minnesota Pollution Control Agency  
520 Lafayette Road  
St. Paul, MN 55155-4194  
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State Water Quality Official

Ms. Shannon Lotthammer  
Water Monitoring Section  
Minnesota Pollution Control Agency  
520 Lafayette Road North  
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Tel. (651) 757-2537

State Historic Preservation Office for Minnesota

Ms. Nina Archibal, Director  
Minnesota Historical Society  
Minnesota State Historic Preservation Office  
Review and Compliance Department  
345 Kellogg Boulevard West  
St. Paul, MN 55102-1903  
Tel. (651) 259-3100

State Coastal Zone Management Agency

N/A

HENNEPIN COUNTY

Chief Executive

Commissioner Mike Opat  
Chairman Hennepin County Board of Commissioners  
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300 South Sixth Street  
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Regional Railroad Authority

Mr. Peter McLaughlin  
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CITY OF MINNEAPOLIS

Land Use Planning

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225385

BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, D.C.



SOO LINE RAILROAD COMPANY – )  
ABANDONMENT OF TRACKAGE )  
LOCATED IN HENNEPIN COUNTY, )  
MINNESOTA )  
)

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

VERIFIED NOTICE OF EXEMPTION TO ABANDON PURSUANT TO 49 C.F.R. § 1152.50  
A 1710 +/- FOOT LINE OF RAILROAD BETWEEN MILEPOST 3.79 +/- (EAST OF  
GIRARD) AND MILEPOST 4.09 +/- (WEST OF COLFAX) WHICH TRAVERSES  
THROUGH UNITED STATES POSTAL SERVICE ZIP CODE 55405 IN HENNEPIN  
COUNTY, MINNESOTA

ENVIRONMENTAL AND HISTORIC REPORTS  
IN COMPLIANCE WITH  
49 C.F.R. PART 1105

SOO LINE RAILROAD COMPANY  
(d/b/a Canadian Pacific Railway)

LEONARD, STREET and DEINARD  
Professional Association  
W. Karl Hansen  
150 South Fifth Street, Suite 2300  
Minneapolis, Minnesota 55402  
Tel. (612) 335-7088  
Fax. (612) 335-1657

Attorney for Applicant  
Service Date: July 17, 2009

ENTERED  
Office of Proceedings

JUL 21 2009

Part of  
Public Record

This Filing Contains Color

**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, D.C.**



SOO LINE RAILROAD COMPANY – )  
ABANDONMENT OF TRackage )  
LOCATED IN HENNEPIN COUNTY, )  
MINNESOTA )

DOCKET NO. AB-57  
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THROUGH UNITED STATES POSTAL SERVICE ZIP CODE 55405) IN HENNEPIN  
COUNTY, MINNESOTA

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**ENVIRONMENTAL AND HISTORIC REPORTS  
IN COMPLIANCE WITH  
49 C.F.R. PART 1105**

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The following information is submitted to the Surface Transportation Board by Soo Line Railroad Company (“Soo Line”) d/b/a Canadian Pacific Railway in accordance with the Board’s reporting requirements as set forth in 49 C.F.R. Section 1105.7, for the purpose of assisting the Board in its preparation of an environmental document regarding Soo Line’s Verified Notice of Exemption under 49 U.S.C. § 10502 from the prior approval requirements of 49 U.S.C. § 10903, permitting the abandonment of A 1710 +/- foot line of railroad between Milepost 3.79 +/- (east of Girard) and Milepost 4.09 +/- (west of Colfax) which traverses through United States Postal Service Zip Code 55405 in Hennepin County, Minnesota.

**REQUIREMENTS OF 49 C.F.R. SECTION 1105.7**

**Section 1105.7(b)(1) – (11) Distribution:**

(b) At least 20 days prior to filing with the Board a notice of exemption, petition for exemption, or an application for abandonment or discontinuance the applicant must serve copies of the Environmental Report on:

- (1) The State Clearinghouse of each State involved (or other state equivalent agency if the State has no clearinghouse);
- (2) The State Environmental Protection Agency of each State involved;

- (3) The State Coastal Zone Management Agency for any state where the proposed activity would affect land or water uses within that State's coastal zone;
- (4) The head of each county (or comparable political entity including any Indian reservation) through which the line goes;
- (5) The appropriate regional offices of the Environmental Protection Agency;
- (6) The U.S. Fish and Wildlife Service;
- (7) The U.S. Army Corps of Engineers;
- (8) The National Park Service;
- (9) The U.S. Soil Conservation Service;
- (10) The National Geodetic Survey (formerly known as the Coast and Geodetic Survey) as designated agent for the National Geodetic Survey and the U.S. Geological Survey; and;
- (11) Any other agencies that have been consulted in preparing the report.

See List of Parties Consulted and Certificate of Service, attached as Exhibit No. 1.

**Section 1105.7(c) Certification of Service of Environmental Report:** In its Environmental Report, the applicant must certify that it has sent copies of the Environmental Report to the agencies listed and within the time specified in paragraph (b) of this section and that it has consulted with all appropriate agencies in preparing the report. These consultations should be made far enough in advance to afford those agencies a reasonable opportunity to provide meaningful input.

See List of Parties Consulted and Certificate of Service, attached as Exhibit No. 1.

**Section 1105.7(c) Publication of Newspaper Notice of Intent to Abandon:** Finally, in every abandonment exemption case, applicant shall certify that it has published in a newspaper of general circulation in each county through which the line passes a notice that alerts the public to the proposed abandonment, to available reuse alternatives, and to how it may participate in the STB proceeding.

The *Minneapolis Star Tribune* in Minneapolis, Minnesota published the Notice for Publication specified at 49 C.F.R. § 1105.12 on July 14, 2009. Copies of the newspaper notices, Certificate of Counsel, and Affidavits of Publication are attached as Exhibit No. 2.

**Section 1105.7(d) Documentation:** Any written responses received from agencies that were contacted in preparing the Environmental Report shall be attached to the report. Oral responses from such agencies shall be briefly summarized in the report and the names, titles, and telephone numbers of the persons contacted shall be supplied. A copy of, or appropriate citation to, any reference materials relied upon also shall be provided.

All the agencies referenced at 49 C.F.R. Section 1105.7(b) were contacted by letters dated June 19, 2009 to solicit comments. See Exhibit Nos. 1 and 4. Responses received to date have been incorporated along with Soo Line's

analysis. Copies of responses are attached as Exhibit No. 3. Subsequent written comments may be received by SEA and Soo Line.

Status of written and oral comments received:

1105.7(b)(1) State Clearinghouse:

The Clearinghouse for the State of Minnesota was contacted by letter on June 19, 2009 and responded by telephone to confirm receipt and to indicate that no additional response would be forthcoming.

1105.7(b)(2) State Environmental Protection Agency:

The Minnesota Pollution Control Agency was contacted by letter on June 19, 2008, and its response is included in Exhibit 3.

1105.7(b)(3) State Coastal Zone Management Agency for North Dakota:

Hennepin County, Minnesota is not within a designated coastal zone.

1105.7(b)(4) Head of Each County Through Which The Line Goes:

The head of each county and the city executives through which the tracks run were contacted by letter on June 19, 2009, but no responses have been received to date.

1105.7(b)(5) Appropriate Regional Offices of the Environmental Protection Agency:

The Acting Regional Director of the U.S. Environmental Protection Agency was contacted by letter on June 19, 2009, but no response has been received to date.

1105.7(b)(6) U.S. Fish and Wildlife Services:

The Regional Director of U.S. Fish and Wildlife Service was contacted by letter on June 19, 2009, but no response has been received to date.

1105.7(b)(7) U.S. Army Corps of Engineers:

The St. Paul District of the U.S. Army Corps of Engineers was contacted by letter on June 19, 2009, but no response has been received to date.

1105.7(b)(8) National Park Service:

The Regional Director of the National Park Service was contacted by letter on June 19, 2009, but no response has been received to date.

1105.7(b)(9) U.S. Soil Conservation Service:

The Natural Resources Conservation Service was contacted by letter on June 19, 2009, but no response has been received to date.

1105.7(b)(10) National Geodetic Survey:

The National Geodetic Survey was contacted by letter on June 19, 2009, but no response has been received to date.

1105.7(b)(10) U.S. Geological Survey:

The U.S. Geological Survey was contacted by letter on June 19, 2009, but no response has been received to date.

1105.7(e)(3) Local and Regional Planning Activities:

A Principal City Planner for the City of Minneapolis was contacted by letter on June 19, 2009, but no response has been received to date.

Other Comments Received:

No other comments have been received.

Section 1105.7(e) Content: The Environmental Report shall include all of the information specified in this paragraph, except to the extent that applicant explains why any portion(s) are inapplicable. If an historic report is required under § 1105.8, the Environmental Report should also include the Historic Report required by that section.

The Historic Report pursuant to 49 C.F.R. § 1105.8 is attached as Exhibit No. 5.

Section 1105.7(e)(1) Proposed Action and Alternatives: Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable, detailed map and drawings clearly delineating the project.

The proposed action is the abandonment of 1710 feet of track in Hennepin County, Minnesota. The track has been out of service and no traffic has moved over the line for over two years. Any overhead trackage has already been rerouted over other lines. Following abandonment, any remaining ties and rails will be removed. Ties and rail will be either recycled or disposed of in an appropriate manner. Detailed maps of the project are included as Appendices A and B to the Historic Report attached as Exhibit No. 5.

**Section 1105.7(e)(2) Transportation System:** Describe the effects of the proposed action on regional or local transportation systems and patterns. Estimate the amount of traffic (passenger or freight) that will be diverted to other transportation systems or modes as a result of the proposed action.

No traffic will be diverted to other transportation systems by the abandonment of this out-of-service line of railroad

**Section 1105.7(e)(3)(i) Land Use:** Based on consultation with local and/or regional planning agencies and/or a review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.

A Principal City Planner for the City of Minneapolis was contacted by letter on June 19, 2009, but no response has been received to date.

**Section 1105.7(e)(3)(ii):** Based on consultation with the U.S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land.

The United States Department of Agriculture's Natural Resources Conservation Service was contacted by letter on June 19, 2009, but no response has been received to date.

**Section 1105.7(e)(3)(iii):** If the action affects land or water uses within a designated coastal zone, include the coastal zone information required by 49 C.F.R. § 1105.9.

Hennepin County, Minnesota is not within a designated coastal zone.

**Section 1105.7(e)(3)(iv):** If the proposed action is an abandonment, state whether or not the right-of-way is suitable for alternative public use under 49 U.S.C. 10906 and explain why.

The right-of-way may be suitable for alternative public use.

**Section 1105.7(e)(4)(i) Energy:** Describe the effect of the proposed action on transportation of energy resources.

The proposed abandonment will have no effect on the development and transportation of energy resources, or on the movement and/or recovery of recyclable commodities because no such energy resources or recyclable commodities are presently transported over this line.

**Section 1105.7(e)(4)(ii):** Describe the effect of the proposed action on recyclable commodities.

No impact is anticipated.

**Section 1105.7(e)(4)(iii)**: State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why.

No impact is anticipated.

**Section 1105.7(e)(4)(iv)**: If the proposed action will cause diversions from rail to motor carriage of more than:

- A. 1,000 rail carloads a year; or
- B. An average of 50 rail carloads per mile per year for any part of the affected line, quantify the resulting net change in energy consumption and show the data and methodology used to arrive at the figure given. To minimize the production of repetitive data, the information on overall energy efficiency in § 1105.7(e)(4)(iii) need not be supplied if the more detailed information § 1105.7(e)(4)(iv) is required.

The proposed action will not cause any diversion from rail to motor carriage.

**Section 1105.7(e)(5)(i) Air**: If the proposed action will result in either:

- A. An increase in rail traffic of at least 100 percent (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of rail line affected by the proposal; or
- B. An increase in rail yard activity of at least 100 percent (measured by carload activity); or
- C. An average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions. For a proposal under 49 U.S.C. 10901 (or 10505) to construct a new line or reinstitute service over a previously abandoned line, only the eight train a day provision in subsection (5)(i)(A) will apply.

The proposed abandonment:

- A. Will not result in an increase in rail traffic of at least 100 percent or an increase of at least eight trains per day on any segment of rail line affected by the proposed abandonment.
- B. Will not result in an increase in rail yard activity of at least 100 percent (measured by carload activity).
- C. Will not result in an average increase in truck traffic by 10 percent or 50 vehicles per day for any affected road segment.

**Section 1105.7(e)(5)(ii):** If the proposed action affects a class I or non-attainment area under the Clean Air Act, and will result in either:

- A. An increase in rail traffic of at least 50 percent (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line;
- B. An increase in rail yard activity of at least 20 percent (measured by carload activity); or
- C. An average increase in truck traffic or more than 10 percent of the average daily traffic or 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by the State Implementation Plan. However, for a rail construction under 49 U.S.C. 10901 (or 49 U.S.C. 10505), or a case involving the reinstatement of service over a previously abandoned line, only the three train a day threshold in this item shall apply.

The proposed abandonment:

- A. Will not result in an increase in rail traffic of at least 50 percent or an increase of at least three trains per day on any segment of rail line affected by the proposed abandonment.
- B. Will not result in an increase in rail yard activity of at least 20 percent (measured by carload activity).
- C. Will not result in an average increase in truck traffic by 10 percent or 50 vehicles per day for any affected road segment.

**Section 1105.7(e)(5)(iii):** If transportation of ozone depleting materials (such as nitrogen oxide and freon) is contemplated, identify: the materials and quantity; the frequency or service; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and spills; contingency plans to deal with accidental spills; and the likelihood of an accidental release of ozone depleting materials in the event of a collision or derailment.

Transportation of ozone depleting materials are not involved.

**Section 1105.7(e)(6) Noise:** If any of the thresholds identified in item (5)(i) of this section are surpassed, state whether the proposed action will cause:

- (i) An incremental increase in noise levels of three decibels Ldn or more; or
- (ii) An increase to a noise level of 65 decibels Ldn or greater. If so, identify sensitive receptors (e.g., schools, libraries, hospitals, residences, retirement communities, and nursing homes) in the project area, and quantify the noise increase for these receptors if the thresholds are surpassed.

None of the thresholds identified in item (5)(i) of this section will be surpassed.

**Section 1105.7(e)(7)(i) Safety:** Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad grade crossings).

Public health and safety will not be affected adversely by the proposed abandonment.

**Section 1105.7(e)(7)(ii):** If hazardous materials are expected to be transported, identify: the materials and quantity; the frequency of service; whether chemicals are being transported that, if mixed, could react to form more hazardous compounds; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and hazardous spills; the contingency plans to deal with accidental spills; and the likelihood of an accidental release of hazardous materials.

No hazardous materials are currently transported over this line segment.

**Section 1105.7(e)(7)(iii):** If there are any known hazardous waste sites or sites where there have been known hazardous materials spills on the right-of-way, identify the location of those sites and the types of hazardous materials involved.

There are no known hazardous waste sites or hazardous material spills on the right-of-way. A Phase I Environmental Site Assessment was completed in March 2009. A copy of the assessment will be made available upon request

**Section 1105.7(e)(8)(i) Biological Resources:** Based on consultation with the U.S. Fish and Wildlife Service, state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects.

The Regional Director of U.S. Fish and Wildlife Service was contacted by letter on June 19, 2009, but no response has been received to date.

**Section 1105.7(e)(8)(ii):** State whether wildlife sanctuaries or refuges, National or State parks or forests be affected, and describe any effects.

No sanctuaries, state parks, or refuges will be adversely affected by the proposed abandonment as none exist along the right-of-way.

**Section 1105.7(e)(9)(i) Water:** Based on consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies.

The proposed abandonment is consistent with applicable federal, state, or local water quality standards. Soo Line will take proper care during salvage activities to prevent any impact on water quality.

**Section 1105.7(e)(9)(ii):** Based on consultation with the U.S. Army Corps of Engineers, state whether permits under Section 404 of the Clean Water Act (33 U.S.C. 1344) are required for the proposed action and whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.

Permits under Section 404 of the Clean Water Act are not required for the proposed action. No designated wetlands or 100-year flood plains will be adversely affected. The U.S. Army Corps of Engineers has been notified of the proposed abandonment.

**Section 1105.7(e)(9)(iii):** State whether permits under Section 402 of the Clean Water Act (33 U.S.C. 1342) are required for the proposed action. (Applicants should contact the U.S. Environmental Protection Agency or the State Environmental Protection or Equivalent Agency if they are unsure whether such permits are required).

Because no in-stream salvage activities are contemplated, no permits under Section 402 of the Clean Water Act (NPDES permit requirements) are required.

**Section 1105.7(e)(10) Proposed Mitigation:** Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.

Soo Line does not anticipate any adverse effect to the environment. Other than using appropriate care in conducting salvage operations, no mitigation will be necessary.

**Section 1105.7(e)(11) Additional Information for Rail Constructions:** The following additional information should be included for rail construction proposals (including connecting track construction).

Not applicable.

**Section 1105.8 Historic Reports:** (a) An applicant proposing an action identified in § 1105.6(a) or (b), or an action in § 1105.6(c) that will result in the lease, transfer, or sale of a railroad's line, sites or structures, must submit (with its application, petition or notice) the Historic Report described in paragraph (d) of this section, unless excepted under paragraph (b) of this section. This report should be combined with the Environmental Report where one is required. The purpose of the Historic Report is to provide the Board with sufficient information to conduct the consultation process required by the National Historic Preservation Act.

The Historic Report is attached as Exhibit No. 5.

**Section 1105.9 Coastal Zone Management Act Requirements:** If the proposed action affects land or water uses within a State coastal zone designated pursuant to the Coastal Zone Management Act (16 U.S.C. 1451 et seq.) applicant must comply with the following procedures.

Hennepin County, Minnesota is not within a designated coastal zone.

END OF REPORT

**Exhibit No. 1**

**Certificate of Service of Environmental and Historic Report  
and List of Parties Consulted**

CERTIFICATE OF SERVICE OF ENVIRONMENTAL AND HISTORIC REPORTS

I hereby certify that on July 17, 2009, I served the Environmental Report and Historic Report relative to STB Docket No. AB-57 (Sub-No. 57X), pursuant to 49 C.F.R. §§ 1152.50; 1105.7(b), (c); and 1105.11, by First Class U.S. Mail properly addressed and with postage prepaid upon the parties listed on the attached List of Parties Consulted.

Dated at Minneapolis, Minnesota this 17th day of July, 2009.

  
\_\_\_\_\_  
W. Karl Hansen

**ENVIRONMENTAL & HISTORICAL REPORT**  
**VAN WHITE BOULEVARD ABANDONMENT**  
**S.T.B. DOCKET NO. AB-57 (SUB-NO. 57X)**  
**LIST OF PARTIES CONSULTED**

Parties consulted in preparing Environmental and Historical Reports - Soo Line Railroad Company (d/b/a Canadian Pacific Railway) - Abandonment of Line of Railroad running between Milepost 3.79 +/- (East of Girard) and Milepost 4.09 +/- (West of Colfax) in Hennepin County, State of Minnesota which traverses through United States Postal Service Zip Codes 55405, (total length: approximately 1710 feet) -- S.T.B. Docket No. AB-57 (Sub-No. 57X)

**FEDERAL AGENCIES CONSULTED**

**Appropriate Regional Office(s) of the**  
**U.S. Environmental Protection Agency**

**Mr. Bharat Mathur**  
**Acting Regional Administrator**  
**U.S. Environmental Protection Agency, Region 5**  
**77 West Jackson Blvd.**  
**Chicago, IL 60604-3507**  
**Tel.(312) 353-2000**

**U.S. Fish and Wildlife Service**

**Mr. Tom Melius**  
**Regional Director**  
**(Region 3)**  
**U.S. Fish and Wildlife Service**  
**One Federal Drive**  
**Fort Snelling, MN 55111-4056**  
**Tel. (651) 713-5360**

**U.S. Army Corps of Engineers - St. Paul, MN District Office**

Col. Jon L. Christensen  
District Engineer and Commander, Saint Paul District  
U.S. Army Corps of Engineers  
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190 5th Street East, Suite 401  
St. Paul, MN 55101-1638  
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**National Park Service**

Mr. Ernie Quintana  
Regional Director  
National Park Service  
601 Riverfront Drive  
Omaha, NE 68102-4226  
Tel. (402) 661-1524

**U.S. Soil and Conservation Service**

Mr. William Hunt  
State Conservationist  
USDA Natural Resources Conservation Service  
375 Jackson Street, Suite 600  
St. Paul, MN 55101  
Tel. (651) 602-7854

**National Geodetic Survey and U.S. Geological Survey**

Ms. Juliana Blackwell  
Director  
National Geodetic Survey  
NOAA, N/NGS 12  
SSMC-3, #9202  
1315 East-West Highway  
Silver Spring, MD 20910-3282  
Tel. (301) 713-3242

Ms. Suzette M. Kimball  
Acting Director  
U.S. Geological Survey Headquarters  
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Reston, VA 20192  
Tel. (703) 648-7411

## **STATE AGENCIES CONSULTED**

### **State Clearinghouse**

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200 Administration Building  
50 Sherburne Avenue  
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(651)201-2555

### **State Department of Transportation for Minnesota**

Mr. Thomas K. Sorel  
Commissioner  
Minnesota Department of Transportation  
395 John Ireland Boulevard  
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St. Paul, MN 55155-1899  
Tel. (651)366-4800

Mr. Bill Gardner  
Office of Freight , Railroads and Waterways  
Minnesota Dept. of Transportation  
395 John Ireland Blvd.  
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Tel.(651) 366-3665

### **State Environmental Protection Agency for Minnesota**

Mr. Paul Eger  
Commissioner  
Minnesota Pollution Control Agency  
520 Lafayette Road  
St. Paul, MN 55155-4194  
Tel. (651) 757-2016

### **State Water Quality Official**

Ms. Shannon Lotthammer  
Water Monitoring Section  
Minnesota Pollution Control Agency  
520 Lafayette Road North  
St. Paul, MN 55155-4194  
Tel. (651) 757-2537

**State Historic Preservation Office for Minnesota**

Ms. Nina Archibal, Director  
Minnesota Historical Society  
Minnesota State Historic Preservation Office  
Review and Compliance Department  
345 Kellogg Boulevard West  
St. Paul, MN 55102-1903  
Tel. (651) 259-3100

**State Coastal Zone Management Agency**

N/A

**Other Political Entities and/or Indian Reservations through which the line runs**

**HENNEPIN COUNTY**

**Chief Executive**

Commissioner Mike Opat  
Chairman Hennepin County Board of Commissioners  
A-2400, Government Center  
300 South Sixth Street  
Minneapolis, MN 55487-0240  
Tel. (612) 348-7881

**Regional Railroad Authority**

Mr. Peter McLaughlin  
Chairman  
Hennepin County Regional Railroad Authority  
Hennepin County Government Center  
300 South Sixth Street  
Minneapolis, Minnesota 55487  
Tel. (612)348-7226

**CITY OF MINNEAPOLIS**

**Land Use Planning**

**Mr. Tom Leighton  
Principal City Planner  
Room 210, City Hall  
350 South Fifth Street  
Minneapolis, MN 55415  
Tel. (612)673-3853**

**Exhibit No. 2**

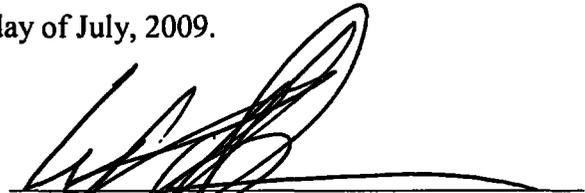
**Certification of Publication of Newspaper Notice in Newspapers of General Circulation in  
Counties where Line is Situated and Affidavits of Publication**

**(49 C.F.R. Section 1105.12)**

CERTIFICATE OF PUBLICATION OF PUBLIC NOTICE  
IN NEWSPAPER OF GENERAL CIRCULATION IN HENNEPIN COUNTY, MINNESOTA

I hereby certify that relative to STB Docket No. AB-57 (Sub-No. 57X), pursuant to 49 C.F.R. Sections 1152.50 and 1105.12, a public legal notice was published, in the Minneapolis Star Tribune which is a newspaper of general circulation in Hennepin County, Minnesota, where the subject trackage is located.

Dated at Minneapolis, Minnesota this 17th day of July, 2009.

  
\_\_\_\_\_  
W. Karl Hansen

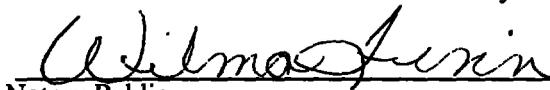
STATE OF MINNESOTA )  
COUNTY OF HENNEPIN )

Linda St. Clair, being duly sworn, on oath says she is and during all times herein stated has been an employee of The Star Tribune Company, a Delaware corporation with offices at 425 Portland Avenue, Minneapolis, Minnesota 55488, publisher and printer of the *Star Tribune* newspaper (the "Newspaper"), published 7 days a week, and has full knowledge of the facts herein stated as follows:

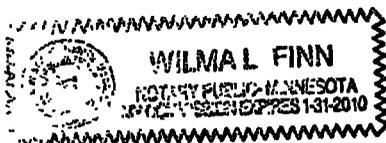
1. The Newspaper meets the following qualifications:
  - (a) The Newspaper is printed in the English language in newspaper format and in column and sheet form equivalent in printed space to at least 1,000 square inches;
  - (b) The Newspaper is printed daily and distributed at least five days each week;
  - (c) In at least half of its issues each year, the Newspaper has no more than 75 percent of its printed space comprised of advertising material and paid public notices. In all of its issues each year, the Newspaper has not less than 25 percent of its news columns devoted to news of local interest to the community that it purports to serve. Not more than 25 percent of the Newspaper's non-advertising column inches in any issue duplicates any other publication;
  - (d) The Newspaper is circulated in the local public corporation which it purports to serve, and has at least 500 copies regularly delivered to paying subscribers;
  - (e) The Newspaper has its known office of issue established in either the county in which it lies, in whole or in part, the local public corporation which the Newspaper purports to serve, or in an adjoining county;
  - (f) The Newspaper files a copy of each issue immediately with the state historical society;
  - (g) The Newspaper is made available at single or subscription prices to any person, corporation, partnership, or other unincorporated association requesting the Newspaper and making the applicable payment;
  - (h) The Newspaper has complied with all the foregoing conditions for at least one year immediately preceding the date of the notice publication which is the subject of the Affidavit; and
  - (i) Between September 1 and December 31 of each year, the Newspaper publishes and submits to the secretary of state, along with a filing fee of \$25, a sworn United States Post Office periodical class statement of ownership and circulation.
2. The printed copy of the matter attached hereto (the "Notice") was copied from the columns of the Newspaper and was printed and published in the English language on the following days and dates: Tuesday, July 14, 2009.
3. Except as otherwise directed by a particular statute requiring publication of a public notice, the Notice was printed in a typeface no smaller than six point with a lowercase alphabet of 90 point.
4. The Newspaper's lowest classified rate paid by commercial users for space comparable to the space in which the Notice was published is \$496.00.

  
\_\_\_\_\_

Subscribed and sworn to before me on July 14, 2009

  
\_\_\_\_\_

Notary Public



**NOTICE**

See Line Railroad  
Company, 1000  
Canadian Pacific  
Railway, 1100  
notified that on or  
about August 14,  
2009, it intends to  
file with the Surface  
Board, Washington,  
DC, 20423, a Notice  
of Exemption under  
49 C.F.R. 1152  
Subpart F, About  
Abandonment  
of a Milling Line  
and Abandonment of  
7.70 - feet of  
milling line  
(East of Craigh and  
milepost 4.31 -  
West of Colfax  
which crosses  
through the  
State of  
South Dakota  
in  
County, Minnesota.  
The proceeding will  
be conducted as an  
AB-37 (Sub No  
57X).

The Surface Board  
of Environmental  
Analysis (SEA) and  
generally provide an  
Environmental  
Assessment (EA)  
which will normally  
be available 25 days  
after the filing of the  
Notice of Exemption.  
Comments on the  
environmental and  
energy matters  
should be filed no  
later than 15 days  
after the EA  
Business available  
to the public and will  
be addressed in a  
Board decision.  
Interested persons  
may obtain a copy  
of the EA or make  
inquiries regarding  
environmental  
matters by writing to  
the Section of  
Environmental  
Analysis (SEA),  
Surface  
Transportation  
Board, 325 E Street,  
S.W. Washington,  
DC, 20423, or by  
calling that office at  
202 745 0295.

Appropriate offers of  
financial assistance  
to continue rail  
service can be filed  
with the Board.  
Requests for  
environmental  
conditions, public  
use conditions or  
rail banking, trails  
use also can be filed  
with the Board. All  
original and two  
copies of any  
pleading that raise  
matters other than  
environmental  
issues (such as  
trails use, public  
use and other  
issues) must be filed  
directly with the  
Board's Office of the  
Secretary, 195 E  
Street, S.W.,  
Washington, DC,  
20423 (Sub No 422  
1104 1(a) and  
1104 3(a)), and one  
copy must be sent  
on application to  
the consultant (Sub  
49 C.F.R. 1154 2(a)).  
Questions regarding  
offers of financial  
assistance, public  
use or trails use may  
be directed to the  
Board's Office of  
Congressional and  
Public Services at  
202-745-0230.  
Comments and  
suggestions on  
conditions should be  
submitted on the  
application, or  
submitted to  
Carl Hanson at  
Leonard Street and  
Donna, 150 South  
Fifth Street, Suite  
2100, Minneapolis,  
MN  
55402-1500.

See Line Railroad  
Company  
1000 Canadian  
Pacific Railway  
Montreal,  
Quebec

**Exhibit No. 3**

**Responses to Environmental Scoping Correspondence Sent June 19, 2009**



# Minnesota Pollution Control Agency

520 Lafayette Road North | St. Paul, MN 55155-4194 | 651-296-6300 | 800-657-3864 | 651-282-5332 TTY | [www.pca.state.mn.us](http://www.pca.state.mn.us)

July 6, 2009

Mr. Karl Hansen  
Leonard Street and Deinard  
150 South Fifth Street, Suite 2300  
Minneapolis, MN 55402

Re: Request for Comments on Potential Environmental Impact of Proposed Rail Line Abandonment  
Located Between Milepost 3.79 and Milepost 4.09

Dear Mr. Hansen:

Thank you for the opportunity to comment on the Proposed Rail Line Abandonment Located between Milepost 3.79 and Milepost 4.09 in Hennepin County, Minnesota. Regarding matters for which the Minnesota Pollution Control Agency (MPCA) has regulatory responsibility and other interests, the MPCA staff has the following comments for your consideration.

### **Permit Required**

If the total project will disturb one acre or more of land, a National Pollutant Discharge Elimination System/State Disposal System Construction Stormwater Permit is required from the MPCA. Information regarding the MPCA's Construction Stormwater Program can be found on the MPCA's Web site at: <http://www.pca.state.mn.us/water/stormwater/stormwater-c.html>.

### **Railroad Ties**

It is likely that the railroad ties that will be removed as part of the proposed project have been treated with pentachlorophenol or creosote as a wood preservative. According to the U.S. Environmental Protection Agency's Web site, pentachlorophenol is a human carcinogen and creosote is a possible human carcinogen. The MPCA strongly recommends against giving the railroad ties to landowners as the wood frequently ends up being burned or inappropriately used, leading to exposure to harmful chemicals. Open burning of treated wood is prohibited by state law. Burning treated wood in anything but an industrial burner operating at high heat releases toxic chemicals into the air. Toxic chemicals may also be concentrated in the resulting ash. If treated ties are given to landowners or wood salvagers, the recipients must be made aware of the associated risks and use restrictions, including the law against open burning.

The MPCA published a fact sheet in 2000 (available on the MPCA's Web site at [http://www.pca.state.mn.us/waste/pubs/4\\_67.pdf](http://www.pca.state.mn.us/waste/pubs/4_67.pdf)) that outlines some of the recommended guidelines for use of treated wood. The University of Rhode Island has also authored an informative fact sheet (available on their Web site at <http://www.uri.edu/ce/factsheets/prints/chemwood.html>) titled *Safe Use of Chemically Treated Wood*, which summarizes recommended precautions for handling, using, and disposing of treated wood. We recommend that you utilize the information in these fact sheets in developing your plan for reuse of any treated railroad ties from the project, including providing risk information to potential recipients of the ties.

If disposal is chosen as the option for managing the removed ties, or if wood salvagers need to dispose of portions of the ties, please be aware that Minnesota's hazardous waste rules require businesses to evaluate waste to determine whether or not it is hazardous. Treated wood waste such as railroad ties must be

Mr. Karl Hansen  
July 6, 2009  
Page 2

evaluated for toxicity, using the Toxicity Characteristic Leaching Procedure (TCLP). Industry studies have shown that wood treated with pentachlorophenol and creosote usually does not contain levels of toxic constituents that cause it to fail the TCLP analysis. If the waste is found to be hazardous (i.e., fails the TCLP analysis), it must be disposed of at a hazardous waste incinerator landfill. It must be transported using a licensed hazardous waste transporter per individual local county regulations. Non-hazardous treated wood waste (i.e., does not fail the TCLP analysis) may be disposed of in lined solid waste landfills or permitted waste incinerators. Please contact the MPCA's Bill Wilde at 651-757-2825, if you have any questions about managing or disposing of treated wood.

We appreciate the opportunity to review this project. Please be aware that this letter does not constitute approval by the MPCA of any or all elements of the project for the purpose of pending or future permit action(s) by the MPCA. Ultimately, it is the responsibility of the project proposer to secure any required permits and to comply with any requisite permit conditions. If you have any questions concerning our comments, please contact me at 651-757-2508.

Sincerely,



Karen Kromar  
Planner Principal  
Environmental Review and Feedlot Section  
Regional Division

KK:mbo

cc: Bill Wilde, MPCA, St. Paul  
Craig Affeldt, MPCA, St. Paul

RECEIVED JUL 07 2009

**Exhibit No. 4**

**Environmental Scoping Correspondence Required By 49 C.F.R. Section 1105.7(b)**

LEONARD  
STREET  
AND  
DEINARD

150 SOUTH FIFTH STREET SUITE 2300  
MINNEAPOLIS, MINNESOTA 55402  
612-335-1500 MAIN  
612-335-1657 FAX

KARL W. HANSEN  
612-335-7088 DIRECT  
KARL.HANSEN@LEONARD.COM

June 19, 2009

**VIA U.S. MAIL**

To: Attached List of Parties Consulted

**Re: Request for Comments on Potential Environmental Impact of Proposed Rail Line Abandonment Located between Milepost 3.79 +/- (East of Girard) and Milepost 4.09+/- (West of Colfax) in Hennepin County, Minnesota (U.S. Postal Zip Code 55405) - STB Docket No. AB-57 (Sub-No. 57X)**

Dear Sir/Madam::

Soo Line Railroad Company ("Soo Line") d/b/a Canadian Pacific Railway on or about August 15, 2009, anticipates filing a Notice of Exemption to Abandon pursuant to 49 U.S.C. Section 10502 with the United States Department of Transportation – Surface Transportation Board (STB) to discontinue and abandon all freight rail operations over approximately 1710 feet of rail line located in Hennepin County, Minnesota. A map of the proposed abandonment is enclosed.

This proposed rail line abandonment notice of exemption requires review by the STB. I will be preparing an Environmental and Historic Report that will provide the basis of the environmental review that the STB's Section of Environmental Analysis (SEA) will conduct for this proceeding. In preparing this report, consultation with agencies or organizations that may have specific interest in or knowledge of the potential environmental impact is essential. This letter is, therefore, intended to solicit your comments regarding the potential environmental impact, if any, of the proposed rail line abandonment.

Your comments on the potential impact of this abandonment will be incorporated into the Environmental Report to be filed on or about July 20, 2009. A copy of this report will be provided to you, after which additional comments can be submitted directly to the SEA.

As shown on the attached map, the line that is proposed to be abandoned is located between Milepost 3.79 +/- (East line of Girard) and Milepost 4.09+/- (West line of Colfax) a distance of approximately 1750 feet, in Hennepin County, Minnesota. It traverses through U.S. Postal Zip Code 55405.

June 19, 2009

Page 2

For purposes of evaluating the environmental impact that would result from abandonment of the line, the proposed action includes discontinuing freight service and salvaging equipment and materials that are present on the line.

The right-of-way width varies across the assessment area. From Girard Avenue up to 2nd Avenue it is approximately 65 – 70 feet, and then abruptly narrows to 55 feet. The right-of-way north of 2nd Avenue is approximately 55 feet, and then appears to be reduced to the width of the track at some adjacent properties. The proposed action includes the removal of all rails, ties, spikes, plates, railroad-related utilities, and signaling devices. The ballast would remain in place. All equipment and materials that are removed from the line would either be reused, sold as scrap, or disposed of in accordance with applicable environmental regulations.

The Environmental Report for the proposed abandonment is being prepared pursuant to STB regulations (49 C.F.R. Chapter X, Part 1105) (copy of which is enclosed), the National Environmental Policy Act, 42 U.S.C. § 4332; the Energy Policy and Conservation Act, 42 U.S.C. § 6362(b); and related laws including the National Historic Preservation Act, 16 U.S.C. § 470f, the Coastal Zone Management Act, 16 U.S.C. § 1451, and the Endangered Species Act, 16 U.S.C. § 1531. Areas of concern that you and other interested parties are invited to address in your comments include any potential impact of the proposed action on the following:

- Local land use
- Existing local and regional transportation systems
- Energy use
- Air emissions and ambient air quality conditions
- Water quality and wetlands
- Biological resources including threatened or endangered species
- Ambient noise levels
- Public health safety
- Historic, cultural, or archaeological sites listed or eligible for inclusion on the National Register of Historic Places
- Socioeconomics, including local and regional employment

We are soliciting your comments with regard to: (1) any permitting/approval authority which your agency has over the proposed action, and (2) any specific concerns which you believe should be addressed in the STB environmental document prepared after our Report is submitted. As required by applicable STB regulations (49 C.F.R., Chapter X, Part 1105.7(e)(9)(iii)) and Part 1105.7(c), we also request that you comment on and describe the effects, if any, of our proposed action on those resources or areas of concern within the authority of your agency.

Specifically, the Board's regulations state that, with respect to the area of concern within the jurisdiction of your agency, Soo Line must address the following:

**"49 C.F.R. Part 1105.7(e)(4)(i)-(iv) Energy:**

(i) Describe the effect of the proposed action on transportation of energy resources.

(ii) Describe the effect of the proposed action on recyclable commodities.

(iii) State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why.

(iv) If the proposed action will cause diversions from rail to motor carriage of more than:

(A) 1,000 rail carloads a year; or

(B) An average of 50 rail carloads per mile per year for any part of the affected line, quantify the resulting net change in energy consumption and show the data and methodology used to arrive at the figure given. To minimize the production of repetitive data, the information on overall energy efficiency in Section 1105.7(e)(4)(iii) need not be supplied if the more detailed information in Section 1105.7(e)(4)(iv) is required."

**"49 C.F.R. Part 1105.7(e)(5)(ii) Air:**

(ii) If the proposed action affects a class I or non-attainment area under the Clean Air Act."

**"49 C.F.R. Part 1105.7(e)(6)(ii) Noise:**

(ii) An increase to a noise level of 65 decibels Ldn or greater. If so, identify sensitive receptors (e.g., schools libraries, hospitals, residences, retirement communities, and nursing homes) in the project area, and quantify the noise increase for these receptors if the thresholds are surpassed."

“49 C.F.R. Part 1105.7(e)(7)(iii) Safety:

(iii) If there are known hazardous waste sites or sites where there have been known hazardous materials spills on the right-of-way, identify the location of those sites and the types of hazardous materials involved.”

“49 C.F.R. Part 1105.7(e)(9)(i), (ii), & (iii) Water:

(i) Based on consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies.

(ii) Based on consultation with the U.S. Army Corps of Engineers, state whether permits under section 404 of the Clean Water Act (33 U.S.C. 1344) are required for the proposed action and whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.

(iii) State whether permits under section 402 of the Clean Water Act (33 U.S.C. 1342) are required for the proposed action. (Applicants should contact the U.S. Environmental Protection Agency or the state environmental protection or equivalent agency if they are unsure whether such permits are required.)” (emphasis added)

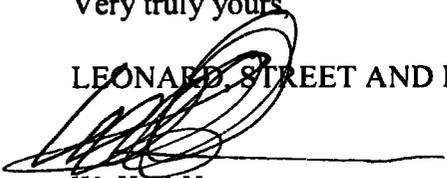
Any written comments should be submitted to the undersigned. They will be appended to the Environmental Report being submitted to the STB if received prior to July 18, 2008. Thereafter, please submit them directly to the Section of Environmental Analysis as follows: SEA, Surface Transportation Board, 1925 K Street NW, Washington D.C. 20423-0001, or by calling that office at (202) 565-1526, and forward a copy to the undersigned.

Any comments or information that you provide will be included in Soo Line’s Environmental Report and will be considered by the STB in the preparation of the draft environmental document and in its evaluation of the overall environmental and energy impact of the proposed action. Your cooperation will help ensure that all environmental concerns are thoroughly addressed.

Thank you very much for your assistance.

Very truly yours,

LEONARD STREET AND DEINARD



W. Karl Hansen

Enclosures

Van White Boulevard Line  
MINNEAPOLIS, MN  
ZIP CODES 55405  
AB-57 (Sub-No. 57X)

**ENVIRONMENTAL & HISTORICAL REPORT**  
**VAN WHITE BOULEVARD ABANDONMENT**  
**S.T.B. DOCKET NO. AB-57 (SUB-NO. 57X)**  
**LIST OF PARTIES CONSULTED**

Parties consulted in preparing Environmental and Historical Reports - Soo Line Railroad Company (d/b/a Canadian Pacific Railway) - Abandonment of Line of Railroad running from Milepost 3.79 +/- (East of Girard) and Milepost 4.09+/- (West of Colfax) in Hennepin County, State of Minnesota which traverses through United States Postal Service Zip Codes 55405, (total length: approximately 1710 feet) -- S.T.B. Docket No. AB-57 (Sub-No. 52X)

**FEDERAL AGENCIES CONSULTED**

**Appropriate Regional Office(s) of the  
U.S. Environmental Protection Agency**

Mr. Bharat Mathur  
Acting Regional Administrator  
U.S. Environmental Protection Agency, Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3507  
Tel.(312) 353-2000

**U.S. Fish and Wildlife Service**

Mr. Tom Melius  
Regional Director  
(Region 3)  
U.S. Fish and Wildlife Service  
One Federal Drive  
Fort Snelling, MN 55111-4056  
Tel. (651) 713-5360

U.S. Army Corps of Engineers - St. Paul, MN District Office

Col. Jon L. Christensen  
District Engineer and Commander, Saint Paul District  
U.S. Army Corps of Engineers  
Sibley Square at Mears Park  
190 5th Street East, Suite 401  
St. Paul, MN 55101-1638  
Tel.(612) 290-5300

National Park Service

Mr. Ernie Quintana  
Regional Director  
National Park Service  
601 Riverfront Drive  
Omaha, NE 68102-4226  
Tel. (402) 661-1524

U.S. Soil and Conservation Service

Mr. William Hunt  
State Conservationist  
USDA Natural Resources Conservation Service  
375 Jackson Street, Suite 600  
St. Paul, MN 55101  
Tel. (651) 602-7854

National Geodetic Survey and U.S. Geological Survey

Ms. Juliana Blackwell  
Director  
National Geodetic Survey  
NOAA, N/NGS 12  
SSMC-3, #9202  
1315 East-West Highway  
Silver Spring, MD 20910-3282  
Tel. (301) 713-3242

Ms. Suzette M. Kimball  
Acting Director  
U.S. Geological Survey Headquarters  
John W. Powell Federal Building  
12201 Sunrise Valley Drive  
Reston, VA 20192  
Tel. (703) 648-7411

## **STATE AGENCIES CONSULTED**

### **State Clearinghouse**

Minnesota Department of Administration  
200 Administration Building  
50 Sherburne Avenue  
Saint Paul, MN 55155  
(651)201-2555

### **State Department of Transportation for Minnesota**

Mr. Thomas K. Sorel  
Commissioner  
Minnesota Department of Transportation  
395 John Ireland Boulevard  
M.S. 100  
St. Paul, MN 55155-1899  
Tel. (651)366-4800

Mr. Bill Gardner  
Office of Freight , Railroads and Waterways  
Minnesota Dept. of Transportation  
395 John Ireland Blvd.  
St. Paul, MN 55155-1899  
Tel.(651) 366-3665

### **State Environmental Protection Agency for Minnesota**

Mr. Paul Eger  
Commissioner  
Minnesota Pollution Control Agency  
520 Lafayette Road  
St. Paul, MN 55155-4194  
Tel. (651) 757-2016

### **State Water Quality Official**

Ms. Shannon Lotthammer  
Water Monitoring Section  
Minnesota Pollution Control Agency  
520 Lafayette Road North  
St. Paul, MN 55155-4194  
Tel. (651) 757-2537

State Historic Preservation Office for Minnesota

Ms. Nina Archibal, Director  
Minnesota Historical Society  
Minnesota State Historic Preservation Office  
Review and Compliance Department  
345 Kellogg Boulevard West  
St. Paul, MN 55102-1903  
Tel. (651) 259-3100

State Coastal Zone Management Agency

N/A

**Other Political Entities and/or Indian Reservations through which the line runs**

HENNEPIN COUNTY

Chief Executive

Commissioner Mike Opat  
Chairman Hennepin County Board of Commissioners  
A-2400, Government Center  
300 South Sixth Street  
Minneapolis, MN 55487-0240  
Tel. (612) 348-7881

Regional Railroad Authority

Mr. Peter McLaughlin  
Chairman  
Hennepin County Regional Railroad Authority  
Hennepin County Government Center  
300 South Sixth Street  
Minneapolis, Minnesota 55487  
Tel. (612)348-7226

CITY OF MINNEAPOLIS

Land Use Planning

Mr. Tom Leighton  
Principal City Planner  
Room 210, City Hall  
350 South Fifth Street  
Minneapolis, MN 55415  
Tel. (612)673-3853

**Exhibit No. 5**  
**Historic Report**

BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, D.C.

---

SOO LINE RAILROAD COMPANY – )  
ABANDONMENT OF TRACKAGE )  
LOCATED IN HENNEPIN COUNTY, ) DOCKET NO. AB-57  
MINNESOTA ) (SUB-NO. 57X)  
)

---

VERIFIED NOTICE OF EXEMPTION TO ABANDON PURSUANT TO 49 C.F.R. § 1152.50  
A 1710 +/- FOOT LINE OF RAILROAD BETWEEN MILEPOST 3.79 +/- (EAST OF  
GIRARD) AND MILEPOST 4.09 +/- (WEST OF COLFAX) WHICH TRAVERSES  
THROUGH UNITED STATES POSTAL SERVICE ZIP CODE 55405 IN HENNEPIN  
COUNTY, MINNESOTA

---

HISTORIC REPORT  
IN COMPLIANCE WITH  
49 C.F.R. SECTION 1105.8

---

SOO LINE RAILROAD COMPANY  
d/b/a Canadian Pacific Railway)

LEONARD, STREET and DEINARD  
Professional Association  
W. Karl Hansen  
150 South Fifth Street, Suite 2300  
Minneapolis, Minnesota 55402  
Tel. (612) 335-7088  
Fax. (612) 335-1657

Attorney for Applicant  
Service Date: July 17, 2009

**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, D.C.**

---

|                             |   |                  |
|-----------------------------|---|------------------|
| SOO LINE RAILROAD COMPANY – | ) |                  |
| ABANDONMENT OF TRACKAGE     | ) |                  |
| LOCATED IN HENNEPIN COUNTY, | ) | DOCKET NO. AB-57 |
| MINNESOTA                   | ) | (SUB-NO. 57X)    |
|                             | ) |                  |

---

**HISTORIC REPORT**

Pursuant to 49 C.F.R. Sections 1105.7(e) and 1105.8, Soo Line Railroad Company hereby submits the following Historic Report regarding the Verified Notice of Exemption to Abandon a 1710 +/- foot line of railroad between Milepost 3.79 +/- (east of Girard) and Milepost 4.09 +/- (west of Colfax) which traverses through United States Postal Service Zip Code 55405 in Hennepin County, Minnesota.

**Section 1105.8(c) Distribution:** The applicant must send the Historic Report to the appropriate State Historic Preservation Officer(s), preferably at least 60 days in advance of filing the application, petition, or notice, but not later than 20 days prior to filing with the Board.

See Certificate of Service effecting service on July 17, 2009, attached as Exhibit No. 1 to Environmental Report.

**Section 1105.8(d)(1)-(8) Content:** The Historic Report should contain the information required by § 1105.7(e)(1) (Environmental Report - See Preceding Report) and the following additional historic information:

**Section 1105.8(d)(1) U.S.G.S. Topographic Maps:** A U.S.G.S. topographic map (or an alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the locations and approximate dimensions of railroad structures that are 50 years old or older and are part of the proposed action;

See Appendices A and B.

**Section 1105.8(d)(2) Right-of-Way:** A written description of the right-of-way (including approximate widths, to the extent known), and the topography and urban and/or rural characteristics of the surrounding area;

The right-of-way width varies across the assessment area. From Girard Avenue up to 2nd Avenue it is approximately 65 – 70 feet, and then abruptly narrows to 55 feet. The right-of-way north of 2nd Avenue is approximately 55 feet, and then appears to be reduced to the width of the track at some adjacent properties. The subject property is located in a primarily industrial area of the city of Minneapolis. The surrounding properties are currently a combination of industrial and commercial land use. The topography is generally flat.

**Section 1105.8(d)(3) Photographs:** Good quality photographs (actual photographic prints, not photocopies) of railroad structures on the property that are 50 years old or older and of the immediately surrounding area;

The only readily available photographs in the carrier's possession are included in Appendix C.

**Section 1105.8(d)(4):** The dates of construction of the structure(s), and the date(s) and extent of any major alterations, to the extent such information is known.

Not applicable.

**Section 1105.8(d)(5) History:** A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action.

For much of the twentieth century, the Minnesota Northfield and Southern Railway, Soo Line's predecessor, provided rail service to various area industries that have all since relocated or ceased operations. Soo Line currently provides rail service to Pioneer Paper, located west of the line to be abandoned. No changes are contemplated as a result of the proposed abandonment.

**Section 1105.8(d)(6) Documents:** A brief summary of documents in the carrier's possession, such as engineering drawings, that might be useful in documenting a structure that is found to be historic.

The carrier's files consist primarily of maps and photos of the line, some engineering drawings, and maintenance records. Canadian Pacific Railway purchased the assets of the Soo Line Railroad Company in 1990.

**Section 1105.8(d)(7) Opinion:** An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 C.F.R. § 60.4), and whether there is a likelihood of archaeological resources or any other previously unknown historic properties in the project area, and the basis for these opinions (including any consultations with the State Historic Preservation Office, local historical societies or universities).

It is the opinion of the railroad that this line would not meet the criteria for listing in the National Register of Historic Places. The Minnesota Historical Society was contacted by letter on June 19, 2009, but no response has been received to date.

Section 1105.8(d)(8) Archaeological Resources: A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or manmade) that might affect the archaeological recovery of resources (such as swampy conditions or the presence of toxic wastes), and the surrounding terrain.

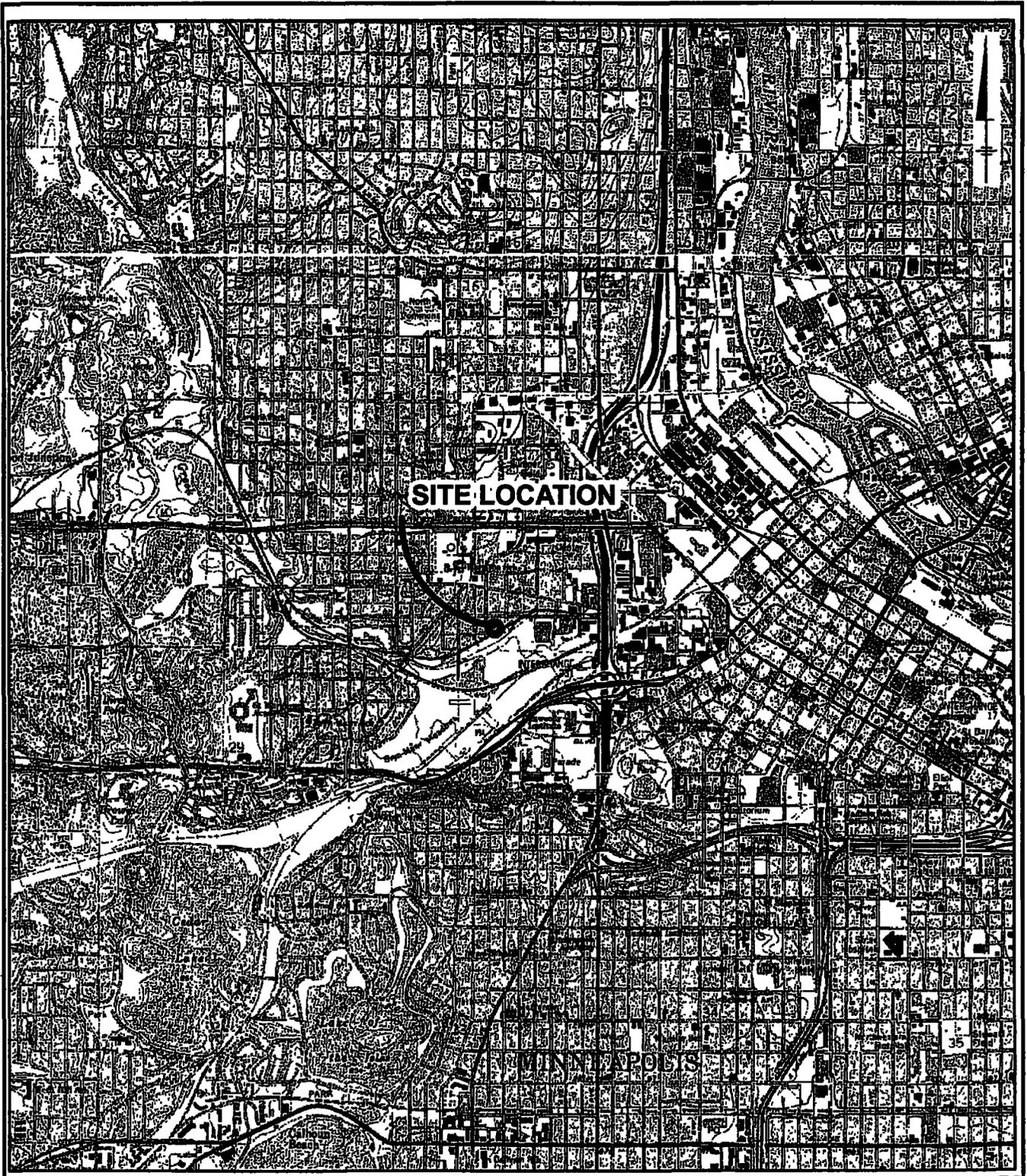
There are no known ground disturbances or fills other than those which would have occurred during original construction of this line and any subsequent maintenance or rehabilitation. There are no known toxic waste areas within the right-of-way of this railroad line.

The following excerpt from ICC document *Assessment of Environmental Impacts Associated with Railroad Abandonment Proposals* discusses archeological evaluations:

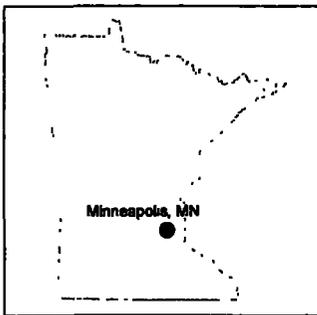
“Salvaging an abandoned railroad line is normally confined to the limits of the right of way and rarely involves major excavation work. If the right of way is to be leveled at all, only the roadbed built up during actual construction of the line would be affected. It is unlikely that there are any historic track structures under the roadbed since old rails and ties are salvaged during maintenance and rehabilitation operations. Likewise, there is usually neither significant damage to the vegetation found within the right of way nor any effect on land adjacent to the railroad property. By confining salvage operations of a rail line as discussed above, it is not anticipated that any archaeological sites in or immediately adjacent to the right of way, would be affected by the abandonment.”

END OF REPORT

**Appendix A**  
**Consolidated U.S.G.S. Topographic Map**



GRAPHIC SCALE



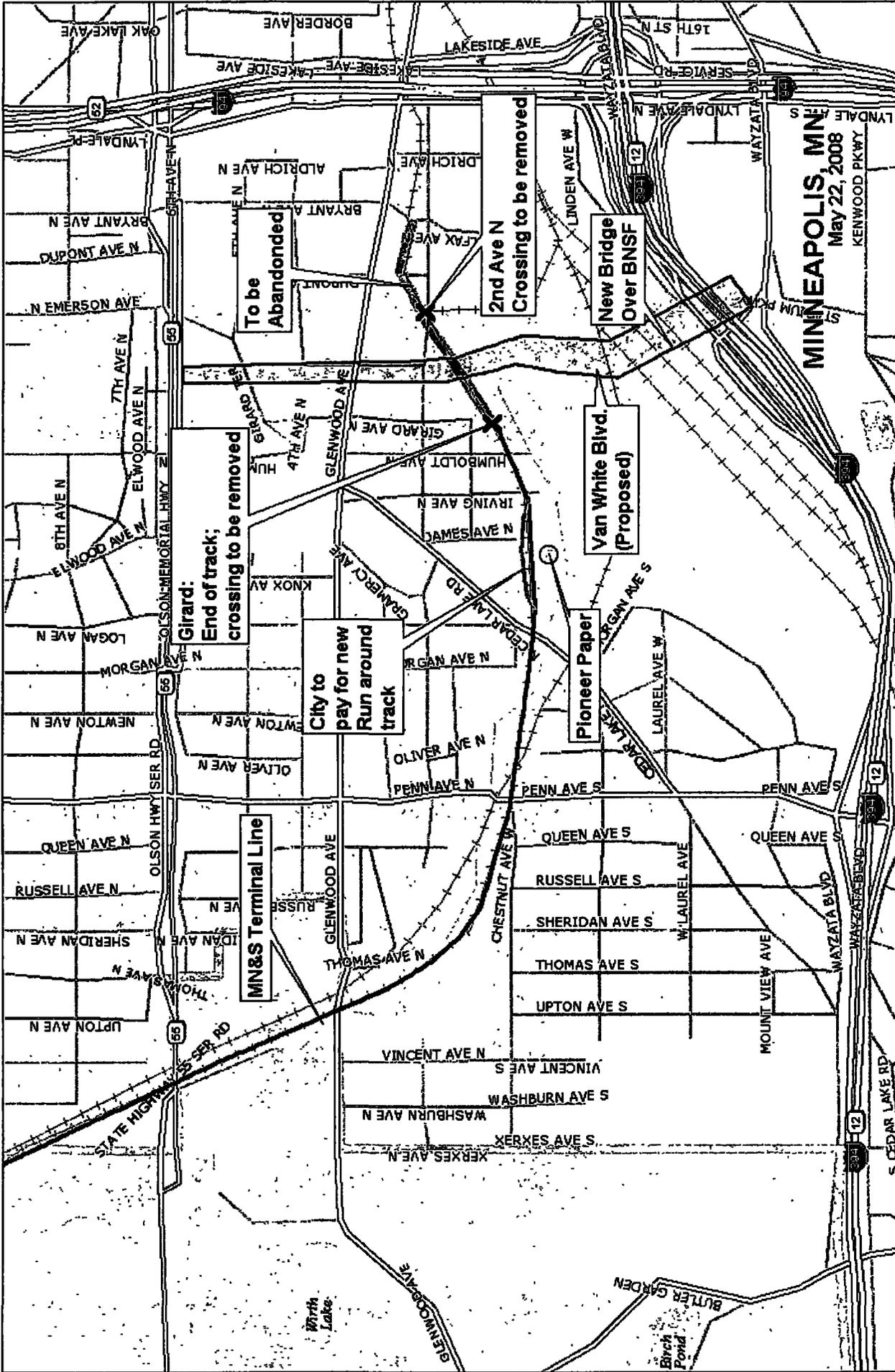
CANADIAN PACIFIC  
MN&S TERMINAL LINE  
MINNEAPOLIS, MINNESOTA

**SITE LOCATION**

 **ARCADIS** | **FIGURE 1**

**NOTES:**  
USGS Topographic Quadrangles:  
Minneapolis North and South

**Appendix B**  
**Location Map**



**MINNEAPOLIS, MN**  
 May 22, 2008



Data Zoom 13-7



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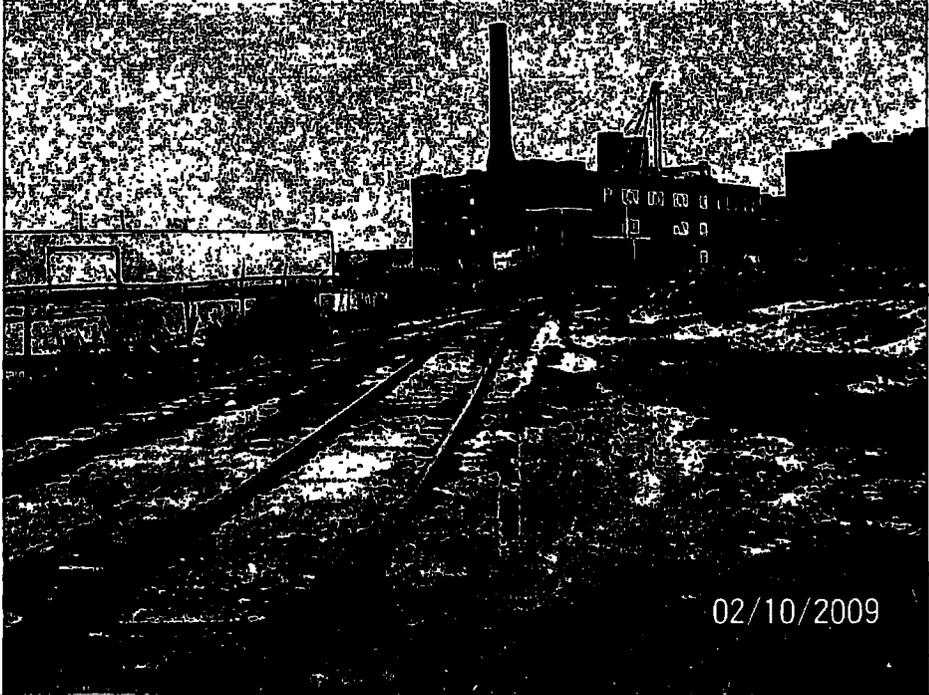
**Appendix C**  
**Photographs of Railroad Structures**

Site Photographs

|   |  |
|---|--|
| <b>CLIENT: CP</b>                                 | <b>SITE NAME: MN&amp;S Terminal Line</b>   |
| <b>PROJECT #: WI0001203.0001</b>                  | <b>SITE LOCATION: Minneapolis, MN</b>  |
| <b>PHOTOGRAPH #: 001</b>                          |  |
| <b>PHOTOGRAPHER: TNK</b>                          |  |
| <b>DATE: 2-10-09</b>                              |  |
| <b>DIRECTION: East</b>                            |  |
| <b>COMMENT:</b><br>Looking east at Lease 28478-02 |  |

|   |  |
|---|--|
| <b>CLIENT: CP</b>   | <b>SITE NAME: MN&amp;S Terminal Line</b>   |
| <b>PROJECT #: WI0001203.0001</b>  | <b>SITE LOCATION: Minneapolis, MN</b>  |
| <b>PHOTOGRAPH #: 002</b>  |  |
| <b>PHOTOGRAPHER: TNK</b>  |  |
| <b>DATE: 2-10-09</b>  |  |
| <b>DIRECTION: Northeast</b>   |  |
| <b>COMMENT:</b><br>Looking northeast at Former MN&S Line, Lease 30349 behind green fence. |  |

**Site Photographs**

|  |   |
|--|---|
| <b>CLIENT:</b> CP  | <b>SITE NAME:</b> MN&S Terminal Line  |
| <b>PROJECT #:</b> WI0001203.0001   | <b>SITE LOCATION:</b> Minneapolis, MN   |
| <b>PHOTOGRAPH #:</b> 003   |   |
| <b>PHOTOGRAPHER:</b> TNK   |   |
| <b>DATE:</b> 2-10-09   |   |
| <b>DIRECTION:</b> Northeast  |   |
| <b>COMMENT:</b><br>Looking northeast at Former MN&S line, Red brick building is A&L Laboratories |  |

|  |  |
|--|--|
| <b>CLIENT:</b> CP  | <b>SITE NAME:</b> MN&S Terminal Line   |
| <b>PROJECT #:</b> WI0001203.0001   | <b>SITE LOCATION:</b> Minneapolis, MN  |
| <b>PHOTOGRAPH #:</b> 004   |  |
| <b>PHOTOGRAPHER:</b> TNK   |  |
| <b>DATE:</b> 2-10-09   |  |
| <b>DIRECTION:</b> East   |  |
| <b>COMMENT:</b><br>Looking east at Former MN&S Line. Colfax Avenue at electric pole. |  |

**Site Photographs**

|   |   |
|---|---|
| <b>CLIENT: CP</b>   | <b>SITE NAME: MN&amp;S Terminal Line</b>  |
| <b>PROJECT #: WI0001203.0001</b>  | <b>SITE LOCATION: Minneapolis, MN</b>   |
| <b>PHOTOGRAPH #: 005</b>  |  |
| <b>PHOTOGRAPHER: TNK</b>  |   |
| <b>DATE: 2-10-09</b>  |   |
| <b>DIRECTION: West</b>  |   |
| <b>COMMENT:</b><br>Looking southwest at Former MN&S line. In the background is Lease 29419-03 and to the north (right) is Lease 28478-02. |   |

|   |  |
|---|--|
| <b>CLIENT: CP</b>   | <b>SITE NAME: MN&amp;S Terminal Line</b>   |
| <b>PROJECT #: WI0001203.0001</b>  | <b>SITE LOCATION: Minneapolis, MN</b>  |
| <b>PHOTOGRAPH #: 006</b>  |  |
| <b>PHOTOGRAPHER: TNK</b>  |  |
| <b>DATE: 2-10-09</b>  |  |
| <b>DIRECTION: Northeast</b>   |  |
| <b>COMMENT:</b><br>Looking northeast at Lease 30349 and Former MN&S line. |  |

**Site Photographs**

|  |   |
|--|---|
| <b>CLIENT: CP</b>  | <b>SITE NAME: MN&amp;S Terminal Line</b>  |
| <b>PROJECT #: WI0001203.0001</b>   | <b>SITE LOCATION: Minneapolis, MN</b>   |
| <b>PHOTOGRAPH #: 007</b>   |  |
| <b>PHOTOGRAPHER: TNK</b>   |   |
| <b>DATE: 2-10-09</b>   |   |
| <b>DIRECTION: Northeast</b>  |   |
| <b>COMMENT:</b><br>Looking northeast at Lease 30349(right) and Former MN&S line. |   |