

**SURFACE TRANSPORTATION BOARD
SECTION OF ENVIRONMENTAL ANALYSIS**

POST POST ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN STB DOCKET NO. AB-57 (Sub No. 57X)

December 7, 2009

ABANDONMENT TYPE

☒ Notice of Exemption ☐ Petition for Exemption ☐ Regulated Abandonment

☐ NO NEW COMMENTS WERE RECEIVED

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SEA served an Environmental Assessment (EA) for this proceeding on September 21, 2009 for public review and comment. In the EA, SEA recommended one environmental condition concerning Section 106 historic preservation matters and concluded that the proposed action would not significantly impact the quality of the human environment. On October 9, 2009, SEA issued a Post Environmental Assessment (Post EA) which included the Section 106 condition initially imposed in the EA.

Comments

SEA received one comment after issuance of the Post EA. The Minnesota Historical Society (the State Historic Preservation Office or SHPO) sent a letter to Soo Line Railroad Company (Soo) dated November 20, 2009. A copy of that letter was also mailed to SEA by the SHPO. In its letter, the SHPO stated that based on the additional information provided to them by the applicant and other available information, they conclude that the MN & S railroad line, subject of the Notice of Exemption and predecessor of the applicant Soo, does not meet the criteria for listing in the National Register of Historic Places. They, therefore, conclude that no properties listed in or eligible for listing in the National Register will be affected by Soo's rail line abandonment.

RECOMMEND REMOVAL OF SECTION 106 CONDITION

Based on the above information, SEA has determined from the SHPO's received written comments that there are no historic properties that may be affected by this abandonment. SEA concurs with this finding and recommends that the Section 106 condition be removed.

Conclusions

Based on all information provided from all sources to date, SEA has determined that the Section 106 process has been completed in this proceeding.

Pursuant to the Section 106 regulations of the National Historic Preservation Act (NHPA), and following consultation with the SHPO and the public, we have determined that the proposed abandonment would not affect historic properties listed in or eligible for inclusion in the National Register of Historic Places. The documentation for this finding, as specified at 36 CFR 800.11(e), consists of the railroad's Historic Report, all relevant correspondence, and the September 21, 2009 Environmental Assessment, which have been provided to the SHPO and made available to the public through posting on the Board's website at <http://www.stb.dot.gov>.

Accordingly, we recommend that the Section 106 condition imposed by the Board in the proceeding be removed. Please contact Alan Cassiday if you need further information or justification.

SEA believes that if the above recommendations are implemented, the proposed action will not significantly affect the quality of the human environment.

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Section 106 file