

**SURFACE TRANSPORTATION STB
SECTION OF ENVIRONMENTAL ANALYSIS**

POST ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN
STB DOCKET NO. AB-57 (Sub-No. 58X)

November 24, 2009

ABANDONMENT TYPE

The time for comments on the Environmental Assessment (EA) has expired in this:

☒ 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 November 6, 2009 for public review and comment. In the EA, SEA recommended three environmental conditions and concluded that the proposed action would not significantly impact the quality of the human environment. One comment was received during the comment period, and that comment is discussed below.

Comments on the EA

In the EA, SEA recommended that the Board require the Soo Line Railroad Company d/b/a Canadian Pacific Railway Company to retain its interest in and take no steps to alter the historic integrity of all sites and structures on the right-of-way that are 50 years old or older until completion of the Section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f (NHPA). However, the Wisconsin Historical Society (State Historic Preservation Office or SHPO) has submitted a letter stating that there are no properties located within the project area that are listed in or eligible for listing in the National Register of Historic Places (National Register).

Pursuant to the Section 106 regulations of the 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. 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 EA, 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, it is not necessary to impose a Section 106 condition in this proceeding. Please contact Christa Dean if you need further information or justification.

Conclusions

The EA comment period has ended. Accordingly, SEA recommends that the conditions recommended in the EA, as modified by the recommendations in this document, should be imposed upon any decision granting abandonment authority. The conditions are:

1. The Soo Line Railroad Company d/b/a Canadian Pacific Railway Company shall consult with the National Geodetic Survey (NGS) and notify NGS at least 90 days prior to beginning salvage activities that will disturb or destroy any geodetic station markers.
2. The Soo Line Railroad Company d/b/a Canadian Pacific Railway Company shall consult with the U.S. Army Corps of Engineers' St. Paul District before performing any work, such as constructing access roads, staging areas or disposal sites, beyond the foot print of the existing ballast and in the vicinity of any wetlands.

If the above conditions are imposed, SEA believes that the proposed action will not significantly affect the quality of the human environment.

SEA CONTACT: Christa Dean 245-0299



WISCONSIN
HISTORICAL
SOCIETY

October 5, 2009

W. Karl Hansen
Leonard, Street and Deinard
150 South Fifth St., Ste. 2300
Minneapolis, MN 55402

SHSW#: 09-0808/MI/WK

RE: Canadian Pacific Railway Abandonment MP94.04 to MP 93.2

Dear Mr. Hansen:

We have reviewed the above referenced project as required for compliance with Section 106 of the National Historic Preservation Act and 36 CFR Part 800: Protection of Historic Properties, the regulations of the Advisory Council on Historic Preservation governing the Section 106 review process.

There are no archeological or architectural properties listed in the National Register of Historic Places located within the area of potential effect of the proposed undertaking. Furthermore, we are not aware of any properties that may be eligible for the National Register in this area.

We remind you that 36 CFR 800.4 includes the requirement that you seek information, as appropriate to the undertaking, from parties likely to have knowledge of or concerns with historic properties in the project area-such as Indian tribes, local governments, and public and private organizations.

Please call me at (608) 264-6507 if you have any questions concerning this matter.

Sincerely,

Sherman Banker
Wisconsin State Historic Preservation Office