

46167  
OEA

SERVICE DATE – DECEMBER 15, 2017

**SURFACE TRANSPORTATION BOARD**  
WASHINGTON, DC 20423

**ENVIRONMENTAL ASSESSMENT**

**Docket No. AB 6 (Sub-No. 497X)**  
**BNSF Railway Company – Abandonment Exemption –**  
**in Benton County, Minn.**

**BACKGROUND**

In this proceeding, BNSF Railway Company (BNSF) filed a notice of exemption under 49 C.F.R. § 1152 for BNSF to abandon 1.75 miles of rail line between Milepost 0.0 to the end of the line at Milepost 1.75 in St. Cloud, Benton County, Minnesota (the line). A map depicting the line in relationship to the area served is appended to this Environmental Assessment (EA). If the notice becomes effective, BNSF would be able to salvage track, ties, and other railroad appurtenances and to dispose of the right-of-way.

**ENVIRONMENTAL REVIEW**

BNSF submitted Environmental and Historic Reports that conclude the quality of the human environment would not be affected significantly as a result of the abandonment or any post-abandonment activities, including salvage and disposition of the right-of-way. BNSF served the Environmental and Historic Reports on a number of appropriate federal, state, and local agencies as required by the Surface Transportation Board's (Board) environmental rules [49 C.F.R. § 1105.7(b)].<sup>1</sup> The Board's Office of Environmental Analysis (OEA) has reviewed and investigated the record in this proceeding.

The Minneapolis St. Cloud Railroad acquired the land for this line in May of 1882. The line was subsequently purchased by the St. Paul, Minneapolis and Manitoba Railway Company (SPMMRC) which began operations on December 7, 1882. In 1889 the line came under control by Great Northern Railway (GNR). SPMMRC was sold to GNR on November 1, 1907. GNR merged with the Burlington Northern Railway Company (BNRC). BNRC merged with the Atchison, Topeka and Santa Fe Railway Company in 1996 to become the Burlington Northern and Santa Fe Railway Company, which changed its name to BNSF Railway Company in 2005.

BNSF states that the proposed abandonment would be consistent with existing land use plans. The right-of-way is approximately 100 feet wide and occupies a total of 18.60 acres, of

---

<sup>1</sup> The Environmental and Historic Reports are available for viewing on the Board's website at [www.stb.gov](http://www.stb.gov) by going to "E-Library," selecting "Filings," and then conducting a search for AB 6 (Sub-No. 497X).

which 0.02 are reversionary. Based on information in BNSF's possession, the line does not contain federally granted rights-of-way. The line may be suitable for alternative public use.

There are seven public at-grade crossings, one private at-grade crossing, and two bridges located on the line. The bridges are at Milepost 1.35 (52-foot ballast deck timber pile bridge built in 1934) and Milepost 1.54 (72-foot reinforced concrete trestle bridge built in 1916). BNSF indicates that bridges on any railbanked segment of the line would not be removed.

BNSF is unaware of any archeological resources or any other previously unknown historic properties in the project area. The right-of-way was disturbed during original construction by cuts and fill and any archeological resources that may have been present would have been affected at that time.

### ***Diversion of Traffic***

No local or overhead freight rail traffic has traveled over the line since July 2015. The line east of Milepost 1.75 has been previously abandoned. The two former customers located on the line are Quad Graphics (QG) and Northern Metal Recycling (NMR). QG received its final shipment in June 2014 and has since closed its plant. NMR will continue to be served from an industry spur located off the mainline near Milepost 74 and has indicated that it will not be affected by the proposed abandonment. No passenger or freight traffic would be diverted to other transportation systems. The proposed abandonment would not adversely impact the development, use and transportation of energy resources or recyclable commodities; transportation of ozone-depleting materials; or result in the diversion of rail traffic to truck traffic that could result in significant impacts to air quality or the local transportation network.

### ***Salvage Activities***

Impacts from salvage and disposal of a rail line typically include removal of tracks and ties, removal of ballast, dismantling of any bridges or other structures that may be present on the rail right-of-way, and regrading of the right-of-way. Salvage may be performed within the right-of-way, or, if necessary, via the construction of new access points to the right-of-way.

BNSF salvage work for abandonments is performed by experienced rail material salvagers and is generally bid on the open market. Each salvage contract includes detailed information on any environmental or historical conditions recommended by OEA and imposed by the Board's final decision. Completed work is independently inspected by BNSF to ensure compliance with BNSF standards of quality and all contractual obligations.

BNSF has indicated that the proposed abandonment would include the removal of track materials such as rails, ties, and four bridges. The railroad right-of-way, ballast, and culverts would remain in place so as not to alter the prevailing waterflows along the line. BNSF salvage contractors are required to limit their activities to the width of the right-of-way and not to place

fills or other material in water bodies, including inland waterways. When the salvage process is complete, waterflows in the area should not be disrupted. The bridges on any railbanked segment of the line would not be removed.

According to BNSF, the salvage process would begin with the unbolting of the track materials or rails. With the use of specialized machinery placed on the line's right-of-way, the rails and related steel (angle bars, tie plates, spikes, switches and any other metal parts) would be removed. The wooden ties would then be raised from the ballast with a tool designed for minimum disruption of ground material. Good quality ties would be re-used in rail service. Landscape-quality ties would be sold to lumber dealers for landscaping. Scrap ties would be loaded into railcars and shipped to an EPA-approved disposal site.

BNSF states that road crossings would be removed and remediated, then repaved with gravel, asphalt or concrete, as required by governing authority. Any signals would be dismantled and removed.

BNSF indicates that there are no known hazardous waste sites or sites where there have been known hazardous material spills on the right-of-way.

The line is not located within a designated coastal zone. No designated wetlands or 100-year flood plains would be affected by the proposed abandonment. The proposed work would not result in the discharge of dredged or fill material within waters of the United States and does not involve work in, over, or under navigable waters of the United States. The U.S. Department of the Army Corps of Engineers, St. Paul District Office (Corps) has indicated that salvage activities related to the proposed abandonment, as described, would not require Corps permits.

The National Geodetic Survey has advised OEA that no geodetic station markers have been identified that may be affected by the proposed abandonment. No farmland would be converted during abandonment activities. Therefore, the proposed abandonment would have no adverse effect on land classified as prime agriculture land by the U.S. Department of Agriculture, Natural Resource Conservation Service.

BNSF states that no wildlife sanctuaries, refuges, National or State parks, or forests would be adversely affected by activities related to the proposed abandonment. Based on information that BNSF included in its report, OEA obtained an official list of threatened or endangered species that may be in the project area using the U.S. Fish and Wildlife Service (USFWS) online Information for Planning and Consultation (IPaC) tool.<sup>2</sup> The Gray wolf (*Canis lupus*) and the Northern long-eared bat (*Myotis septentrionalis*) were identified as federally threatened protected species potentially present in the project area. According to the IPaC report, there are no designated critical habitats within the project area. Due to the limited scope of the

---

<sup>2</sup> U.S. Fish and Wildlife Service, Information, Planning, and Conservation System, <http://ecos.fws.gov/ipac> (last visited November 29, 2017).

abandonment's salvage activities, OEA has determined that these species would not be adversely affected by the proposed abandonment and that the proposed abandonment would have no adverse effect on endangered or threatened species or areas designated as a critical habitat. OEA is sending a copy of this EA to the USFWS Minnesota-Wisconsin Ecological Services Field Office for review and comment.

OEA believes that any air emissions associated with activities related to the proposed abandonment would be temporary and would not have a significant impact on air quality. Noise associated with activities related to the proposed abandonment would also be temporary and should not have a significant impact on the area surrounding the proposed abandonment.

Based on all information available to date, OEA does not believe that activities related to the proposed abandonment would cause significant environmental impacts.

## **HISTORIC REVIEW**

BNSF submitted Environmental and Historic Reports as required by the Board's environmental rules [49 C.F.R. § 1105.8(a)] and served the reports on the Minnesota Historical Society (Minnesota State Historic Preservation Office or SHPO) pursuant to 49 C.F.R. § 1105.8(c). The SHPO has requested additional information for review, and OEA therefore has not been able to consider the SHPO's opinion before determining if the rail line may be potentially eligible for listing on the National Register of Historic Places. Accordingly, we are recommending a condition requiring the railroad to retain its interest in and take no steps to alter the historic integrity of all historic properties including sites, buildings, structures and objects within the project right-of-way (the Area of Potential Effect) eligible for listing or listed in the National Register of Historic Places until completion of the Section 106 process. Guidance regarding the Board's historic preservation review process is available on the Board's website at <http://www.stb.gov/stb/environment/preservation.html>.

Pursuant to 36 C.F.R. § 800.2, OEA conducted a search of the Native American Consultation Database to identify federally-recognized tribes that may have ancestral connections to the project area.<sup>3</sup> The database indicated that the following federally-recognized tribes may have knowledge regarding properties of traditional religious and cultural significance within the APE of the proposed abandonment: Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Bois Forte Band of the Minnesota Chippewa Tribe, Fond du Lac Band of the Minnesota Chippewa Tribe, Grand Portage Band of the Minnesota Chippewa Tribe, Keweenaw Bay Indian Community, Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin, Lac Vieux Desert Band of Lake Superior Chippewa Indians, Leech Lake Band of the Minnesota Chippewa Tribe, Mille Lacs Band of the Minnesota Chippewa Tribe, Minnesota Chippewa Tribe, Sokaogon Chippewa Community, St. Croix Chippewa Indians of

---

<sup>3</sup> Native American Consultation Database, <http://home.nps.gov/nacd/> (last visited November 29, 2017).

Wisconsin, and the White Earth Band of Minnesota Chippewa Tribe. Accordingly, OEA is sending a copy of this EA to the tribes for review and comment.

## **CONDITIONS**

OEA recommends that the following environmental condition be imposed on any decision granting abandonment authority:

BNSF Railway Company (BNSF) shall retain its interest in and take no steps to alter the historic integrity of all historic properties including sites, buildings, structures, and objects within the project right-of-way (the Area of Potential Effect) that are eligible for listing or listed in the National Register of Historic Places until the Section 106 process of the National Historic Preservation Act, 54 U.S.C. § 306108, has been completed. BNSF shall report back to the Office of Environmental Analysis (OEA) regarding any consultations with the Minnesota Historical Society (SHPO) and the public. BNSF may not file its consummation notice or initiate any salvage activities related to abandonment (including removal of tracks and ties) until the Section 106 process has been completed and the Board has removed this condition.

## **CONCLUSIONS**

Based on the information provided from all sources to date, OEA concludes that, as currently proposed, abandonment of the line would not significantly affect the quality of the human environment. Therefore, the environmental impact statement process is unnecessary.

Alternatives to the proposed abandonment 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**

Following abandonment and salvage of the rail lines, the right-of-way may be suitable for other public use. A request containing the requisite 4-part showing for imposition of a public use condition (49 C.F.R. § 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. Nevertheless, the Board will accept late-filed requests as long as it retains jurisdiction to do so in

a particular case. This request must comply with the Board's rules for use of rights-of-way as trails (49 C.F.R. § 1152.29).

### **PUBLIC ASSISTANCE**

The Board's Office of Public Assistance, Governmental Affairs, and Compliance responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact this office directly at (202) 245-0238, or mail inquiries to Surface Transportation Board, Office of Public Assistance, Governmental Affairs, and Compliance, Washington, DC 20423.

### **COMMENTS**

If you wish to file comments regarding this Environmental Assessment, send original and two copies to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Kenneth Blodgett, who prepared this Environmental Assessment. Environmental comments may also be filed electronically on the Board's website, [www.stb.gov](http://www.stb.gov), by clicking on the "E-FILING" link. **Please refer to Docket No. AB 6 (Sub-No. 497X) in all correspondence, including e-filings, addressed to the Board.** If you have any questions regarding this Environmental Assessment, please contact Kenneth Blodgett by phone at (202) 245-0305, fax at (202) 245-0454, or e-mail at [Kenneth.Blodgett@stb.gov](mailto:Kenneth.Blodgett@stb.gov).

Date made available to the public: December 15, 2017.

**Comment due date: December 29, 2017.**

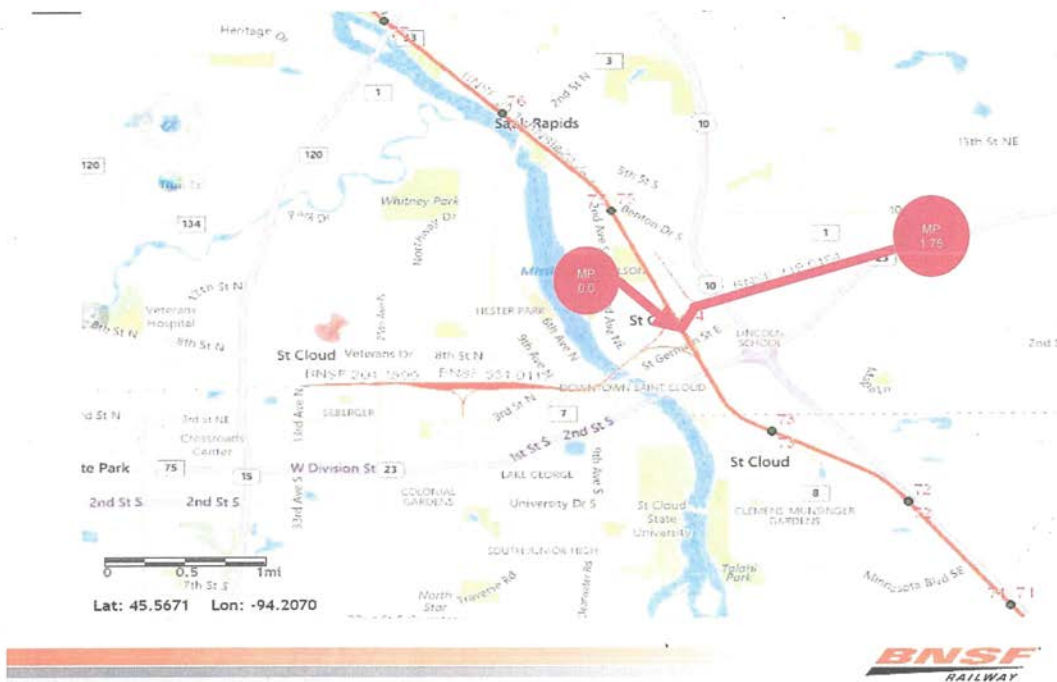
By the Board, Victoria Rutson, Director, Office of Environmental Analysis.

Attachments

AB 6 (Sub-No. 497X)

Decision ID 46167

## St. Cloud, MN Proposed Abandonment



12/4/2017

2