

**SURFACE TRANSPORTATION BOARD
SECTION OF ENVIRONMENTAL ANALYSIS**

POST ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN STB DOCKET NO. AB-6 (Sub-No. 439X)

AUGUST 13, 2007

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 July 21, 2006 for public review and comment. At the conclusion of the EA process, SEA recommended nine environmental conditions and concluded that the proposed action would not significantly impact the quality of the human environment if these recommended conditions were imposed. In a decision served August 14, 2006, the Board imposed all nine of the environmental conditions.

One of the imposed conditions required BNSF Railway Company (BNSF) to consult with the U.S. Fish and Wildlife Service (USFWS) to determine possible impacts to species of Federal concern, and to report the results of these consultations in writing to SEA. On August 7, 2007, SEA received written documentation from BNSF regarding consultations completed by BNSF with the USFWS (see attached). During these consultations, the USFWS stated that the proposed abandonment would have no significant impact on fish and wildlife resources, and that no threatened species are known to occupy the project area.

Conclusions

Based on the above information, SEA has determined that the USFWS consultation process has been completed in this proceeding and recommends that the subject condition be removed.

SEA CONTACT: Dave Navecky, 202-245-0294

Distribution: Ann Newman, Office of Proceedings
 SEA Chron

~~EI-3041~~**Facsimile Transmission Sheet**

**SIDNEY STRICKLAND AND
ASSOCIATES, PLLC**
3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-338-1325
FAX: 202-295-3854

To: Dave Navecky
Fax Number: (202) 245-0454

Date: 8/7/07

From: Liz Waite
(202) 338-1325, liz.waite@stricklandpllc.com

Comments: Mr. Navecky,
Attached is an email from the FWS regarding
environmental condition #4 in STB Docket No.
AB-6 (Sub. No. 439x). Please call me if you
have any questions. Thank you.

Liz Waite
Attorney

Sidney Strickland and Associates, PLLC



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Message

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From: "Sims, John A" <John.Sims@bnsf.com>
To: Liz <liz.waite@stricklandpilc.com>
Subject: FW: STB Docket No. AB-6 (Sub. No. 439X) BNSF Railway Company-Abandonm
 Bottineau County, ND
Date: 23-Jul-07 11:52 AM

-----Original Message-----

From: Terry_Ellsworth@fws.gov [mailto:Terry_Ellsworth@fws.gov]
Sent: Wednesday, August 30, 2006 1:09 PM
To: Sims, John A
Subject: Re: STB Docket No. AB-6 (Sub. No. 439X) BNSF Railway
 Company-AbandonmentExemption - in Bottineau County, ND

Mr. Sims,

The project as described will have no significant impact on fish and
 wildlife resources. No endangered or threatened species are know to
 occupy
 the project area. If project design changes are made, please submit
 plans
 for review.

Terry Ellsworth
 North Dakota Ecological Services Field Office
 3425 Miriam Avenue
 Bismarck, ND 58501

 Office (701) 355-8505
 Fax (701) 355-8513
 Terry_Ellsworth@fws.gov

"Sims, John A"

<John.Sims@bnsf.c To:
 <terry_ellsworth@fws.gov>

om> cc: "Sims, John A"
 <John.Sims@bnsf.com>, "Batie, Richard A"
 <Richard.Batie@bnsf.com>

08/30/2006 10:07 Subject: STB Docket No.
 AB-6 (Sub. No. 439X) BNSF Railway Company-Abandonment

AM Exemption - in Bottineau County, ND

Mr. Ellsworth,

Per our discussion this morning, this message will describe the salvage process. The salvage process involves bidding out the track materials on the open market, selecting a qualified rail material salvager, negotiating a salvage contract with the winning bidder, having the salvage contractor remove the track materials along the line and then have BNSF's local roadmaster inspect the salvage job to make sure the work done complies with BNSF standards and is completed to BNSF's satisfaction.

The salvager then starts the removal process with the unbolting of the track materials or rails. The rails are removed along with all the steel parts including angle bars, tie plates, spikes and any other metal parts.

Next the wooden ties are removed with the bridges removed last. The culverts and the right of way stays intact so that no waterflows along the line are affected. Timber trestles are dismantled and removed. The wooden

bridge pilings are either pulled out, cut off at ground level, or broken off at below the mud line. Steel bridges are dismantled and removed. If there are concrete abutments and piers, they may be left intact.

Following the salvage operations, any waterflows in the area should not be disrupted.

No fills or other material or debris is to be placed in water bodies by BNSF salvage contractors.

If you have any questions, please give me a call.

Sincerely,
John Sims, Paralegal
BNSF - Law Dept
2500 Lou Menk Dr, 3rd Fl
Fort Worth, TX 76131-2828
T - (817) 352-2376

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immediately by return e-mail and/or telephone at (817) 352-2376. Thank you.

