



STATE OF MINNESOTA

Office of Governor Mark Dayton

116 Veterans Service Building ♦ 20 West 12th Street ♦ Saint Paul, MN 55155

February 19, 2015

The Honorable Deb Miller
Acting Chair
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

Re: Construction of Connecting Track between Canadian Pacific and BNSF Railways in the City of Crystal, Minnesota

Dear Chair Miller:

The BNSF Railway and the Canadian Pacific Railway are expected to initiate a proceeding at the Surface Transportation Board (STB) in the near future, to seek approval to construct a new connecting track in the City of Crystal between the eastbound CP mainline and the southbound Monticello branch of the BNSF. The stated intent of this new construction is to alleviate congestion in other parts of the railroads' networks.

The proposed new connection directly impacts the cities of Crystal, Robbinsdale, New Hope, Golden Valley, Plymouth, and Minneapolis because a high volume of mainline traffic, including High Hazard unit trains originating in the Bakken oil fields, would be diverted onto a lightly constructed and maintained single track line. This traffic would travel through downtown Minneapolis and residential communities that have not previously been exposed to such traffic.

I share the communities' concerns about the impact of the proposed diversion of rail traffic, including increased noise and vibration, decreased vehicular and pedestrian safety, simultaneous blockage of grade crossings causing delays of emergency response vehicles, and exposure to High Hazard unit trains. I respectfully request that these matters be investigated by the STB in a full Environmental Impact Statement (EIS).

In addition, the Minnesota Department of Transportation, the Minnesota Pollution Control Agency, and the impacted cities should be included as participants in all stages of the proceeding. They should be included on the service list when the railroads file their notices and applications, be consulted during the preparation of the EIS and have an opportunity to comment on the EIS once it has been filed.

There may be questions raised about whether this circumstance qualifies for treatment under the exemption process described in the STB's regulations at 49 CFR §1150.36. Historically, there has never been a direct connection between these rail lines. Local news reports indicate that the railroads have contacted landowners for the purpose of acquiring new land on which to construct the connecting track.

If the railroads seek to proceed under the exemption process, we wish to have the opportunity to provide comments on why the exemption process does not apply to this proceeding. In either case, since this connection establishes a completely new route option and traffic pattern in the system that has not been previously utilized, the STB retains full jurisdiction over the construction and trackage rights agreements, and has the legal responsibility to ensure a full and timely environmental review that includes public disclosure and comments.

If you have any questions or wish to discuss this matter further, please contact Minnesota Department of Transportation Commissioner Charles Zelle, at 651-366-4800, or my Assistant Chief of Staff, Joanna Dornfeld, at 651-201-4323.

Thank you for your consideration of these requests.

Sincerely,



Mark Dayton
Governor

cc: Chairman and CEO Matt Rose, BNSF
CEO Hunter Harrison, Canadian Pacific
Commissioner Charlie Zelle, Department of Transportation
Commissioner John Stine, Pollution Control Agency
Commissioner Liz Wielinski, Minneapolis Park & Recreation Board
Mayor Jim Adams, Crystal
Mayor Regan Murphy, Robbinsdale
Mayor Shep Harris, Golden Valley
Mayor Kathi Hemken, New Hope
Mayor Kelli Slavik, Plymouth
Representative Lyndon Carlson
Representative Mike Freiberg
Representative Ryan Winkler
Representative Mike Nelson
Representative Sarah Anderson
Representative Ray Dehn
Representative Frank Hornstein
Representative Ron Erhardt
Senator Ann Rest
Senator Kari Dziedzic
Senator Bobby Joe Champion
Senator Chris Eaton
Senator Scott Dibble
Congressman Keith Ellison
Senator Amy Klobuchar
Senator Al Franken