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State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 1157

02/23/2015 Authored by Freiberg; Carlson; Dehn, R.; Nelson and Hornstein

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy and Finance

1.1 A bill for an act  
1.2 relating to transportation; requiring an environmental impact statement prior to  
1.3 construction for certain rail projects connecting track.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. **ENVIRONMENTAL IMPACT STATEMENT; CERTAIN TRACK**  
1.6 **CONNECTION PROJECTS.**

1.7 Subdivision 1. **Definition.** For purposes of this section, "track connection project"  
1.8 means a rail construction project that:

1.9 (1) is in a county within which there is located a city of the first class, as provided in  
1.10 Minnesota Statutes, section 410.01;

1.11 (2) is located at or near the site of two intersecting tracks of rail; and

1.12 (3) establishes switches, turnouts, or other forms of connecting track between  
1.13 the two intersecting tracks, in which (i) the tracks are owned by two different railroad  
1.14 companies, and (ii) the project provides for alternative routing of unit trains, as defined  
1.15 in Minnesota Statutes, section 115E.01, subdivision 11d, transported as of the effective  
1.16 date of this section on either of the intersecting tracks through a city of the first class  
1.17 identified in clause (1).

1.18 Subd. 2. **Environmental impact statement.** An environmental impact statement  
1.19 must be conducted under Minnesota Statutes, section 116D.04, and applicable  
1.20 Environmental Quality Board rules governing track connection projects, to make a  
1.21 determination concerning the existence of a local safety or security hazard under  
1.22 applicable federal law. The Department of Transportation shall serve as the responsible  
1.23 governmental unit for the environmental impact statement. A track connection project  
1.24 may not begin construction and no final governmental decision may be made to grant a

2.1 permit, approve the project, or begin the project until the commissioner of transportation  
2.2 has determined the environmental impact statement is adequate.

2.3 Subd. 3. **Expiration.** This section expires December 31, 2018.

2.4 **EFFECTIVE DATE.** This section is effective the day following final enactment.