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SERVICE DATE - DECEMBER 17, 2002

SURFACE TRANSPORTATION BOARD

WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

STB DOCKET NO. AB-6 (Sub-No. 398X)

**The Burlington Northern and Santa Fe Railway Company - Abandonment Exemption - In San Bernardino County, CA**

## **BACKGROUND**

In this proceeding, the Burlington Northern and Santa Fe Railway Company (BNSF) filed a notice of exemption under 49 CFR 1152.50 seeking exemption from the requirements of 49 U.S.C. 10903 for BNSF to abandon a line of railroad in San Bernardino County, California (CA). The rail line proposed for abandonment spans 1.92 miles from Milepost 9.48 to Milepost 11.40 in Redlands, CA. A map depicting the rail line in relationship to the area served is appended to this report. If the notice becomes effective, BNSF would be able to abandon and discontinue service on the line. The right-of-way (ROW) is owned by the San Bernardino Associated Governments, and BNSF does not propose the salvaging of track, ties or other railroad appurtenances, or disposal of the ROW.

## **DESCRIPTION OF THE LINE**

The rail line is located in Redlands, San Bernardino County, CA. According to BNSF, there has been no originating or terminating rail traffic on the subject line for the past 2 years. BNSF has also stated that there is no overhead rail traffic on the line.

The rail line is located in Redlands, CA, which has a population of approximately 65,000. Land use in the vicinity of the ROW is largely residential and urban. There are eight public crossings along the ROW.

The width of the ROW typically ranges from 50 to 100 feet. The ROW was originally acquired by the Southern California Railway Company and the California Central Railway Company from 1887 and 1893. Both of these railroads are predecessors to the Atchison Topeka and Santa Fe Railway Company, which merged with the Burlington Northern Railroad Company to become BNSF.

According to BNSF, there are no buildings or other structures on the ROW that are 50 years of age or older.

## **ENVIRONMENTAL REVIEW**

The applicant submitted environmental and historical reports that indicate that the quality of the human environment would not be affected significantly as a result of the abandonment or any post-abandonment activities. The applicant served these reports on a number of appropriate Federal, state, and local agencies as required by the Surface Transportation Board's (Board) environmental rules [49 CFR 1105.7(b)]. We have reviewed and investigated the record in this proceeding.

The District Conservationist with the U.S. Department of Agriculture, Natural Resources Conservation Service has stated that prime agricultural land is not present on or adjacent to the rail line.

The U.S. Army Corps of Engineers had not responded to the applicant's environmental report at the time this EA was prepared. However, because BNSF would not conduct salvaging activities, the proposed abandonment would not be expected to require the dredging or filling of any wetlands, or require a wetlands permit under Section 404 of the Clean Water Act (33 U.S.C. 1344).

The California Department of Fish and Game, Eastern Sierra - Inland Deserts Region has stated that the project area does not contain any threatened or endangered species, or known wildlife sanctuaries, refuges, or designated critical habitat. The rail line crosses Zanja Creek, which may contain riparian scrub habitat, and several rare species of wildlife may occur in the vicinity of the ROW. Because BNSF would not conduct salvaging activities, the proposed abandonment would not be expected to adversely impact these biological resources. The U.S. Fish and Wildlife Service had not responded to the applicant's environmental report at the time this EA was prepared.

Because BNSF would not conduct salvaging activities, the proposed abandonment would not be expected to adversely affect water quality, or require a permit under Section 402 of the Clean Water Act (33 U.S.C. 1344).

In response to applicant's environmental report, the City of Redlands proposed that the abandonment begin at Milepost 9.36 rather than Milepost 9.48. An abandonment beginning at Milepost 9.36 would encompass Church Street, a major north-south arterial, for which the City is currently developing a widening and reconstruction plan. If abandonment were to encompass Church Street, the City believes that it could save a minimum of \$350,000 in crossing upgrades and improvements. The San Bernardino Associated Governments also responded to the environmental report and noted that a study is underway to determine the feasibility of extending passenger rail service from San Bernardino to Redlands. The eastern terminus of the proposed service would be at the University of Redlands, which is located 0.5 mile east of Milepost 9.48. The proposals by the City of

Redlands and the San Bernardino Associated Governments address potentially conflicting ROW uses. However, this EA limits its analysis to the abandonment as currently proposed by BNSF, that is, with the abandonment beginning at Milepost 9.48.

Because traffic has not moved on the subject rail line for the past 2 years, the proposed abandonment would not be expected to impact the development, use and transportation of energy resources or recyclable commodities, or result in the diversion of rail traffic to truck traffic that could result in impacts to air quality or the local transportation network.

The City of Redlands has stated that the rail line abandonment would not affect the 100-year floodplain.

The California Office of Historic Preservation (the State Historic Preservation Office or SHPO) has concluded that the abandonment as proposed would not affect historic properties.

## **CONDITIONS**

We recommend no environmental conditions be placed on any decision granting abandonment authority.

## **CONCLUSIONS**

Based on the information provided from all sources to date, we conclude 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**

If abandonment and salvage of the rail line does take place, the ROW may be suitable for other public use. A request containing the requisite four-part showing for imposition of a public use condition (49 CFR 1152.28) must be filed with the Surface Transportation 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 Surface Transportation Board, with a copy to the railroad, within 20 days of publication of the notice of exemption in the Federal Register. However, the Board will accept late-filed requests as long as it retains jurisdiction to do so. This request must comply with the Board's rules for use of ROWs as trails (49 CFR 1152.29).

### **PUBLIC ASSISTANCE**

The Board's Office of Public Services (OPS) responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact OPS directly at 202-565-1592 or mail inquiries to the Surface Transportation Board, Office of Public Services, Washington, DC 20423.

### **ENVIRONMENTAL COMMENTS**

If you wish to file comments regarding this environmental assessment, send an **original and two copies** to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of David Navecky, who prepared this environmental assessment. **Please refer to STB Docket No. AB-6 (Sub-No. 398X) in all correspondence addressed to the Board. Questions regarding this environmental assessment should be referred to David Navecky at 202-565-1593 (naveckyd@stb.dot.gov).**

Date made available to the public: December 17, 2002.

Comment due date: **January 2, 2003.**

STB Docket No. AB-6 (Sub-No. 398X)  
Environmental Assessment

By the Board, Victoria Rutson, Chief, Section of Environmental Analysis.

Vernon A. Williams  
Secretary

Attachment

