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SEA

SERVICE DATE – APRIL 11, 2008

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

STB DOCKET NO. AB-33 (Sub-No. 265X)

Union Pacific Railroad Company
- Abandonment and Discontinuance of Trackage Rights Exemption -
In Los Angeles County, CA

BACKGROUND

In this proceeding, Union Pacific Railroad Company (UP) filed a notice of exemption under 49 CFR 1152.50 seeking exemption from the requirements of 49 U.S.C. 10903 in connection with the abandonment of a portion of a line, known as the Santa Monica Industrial Lead, in Los Angeles County, California. The line proposed for abandonment extends between milepost 485.61 and milepost 485.69. If the notice becomes effective, the railroad will be able to salvage track, ties and other railroad appurtenances and dispose of the right-of-way.

UP also seeks to discontinue trackage rights over the portion of the Santa Monica Industrial Lead between milepost 485.69 and milepost 486.00. This segment is owned by the Los Angeles Metropolitan Transportation Authority.¹ A map depicting the rail line in relationship to the area served is appended to this Environmental Assessment (EA).

ENVIRONMENTAL REVIEW

UP submitted an Environmental Report that concludes the quality of the human environment would not be affected significantly as a result of the abandonment and discontinuance of trackage rights or any post-abandonment activities, including salvage and disposition of the right-of-way. UP served the Environmental Report 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)].² The Board's Section of Environmental Analysis (SEA) has reviewed and investigated the record in this proceeding.

¹ Unless otherwise indicated, the portion of the line that UP seeks to abandon and the portion of the line that UP seeks to discontinue trackage rights over will be referred to together as the "line."

² The railroad's Environmental and Historic Reports are available for viewing on the Board's website at www.stb.dot.gov by going to "E-Library," selecting "Filings," and then conducting a search for AB-33 (Sub-No. 265X).

Diversion of Traffic

UP states that the line has not generated any traffic for at least two years and that any overhead traffic on the line can be rerouted over other lines. Accordingly, the proposed project 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

The rail line is located in an industrial area of Los Angeles, where the topography is level, and the right-of-way is approximately 30 feet wide. The line does not cross any waterways, and there are no bridges associated with this proposed project. As part of the proposed abandonment, UP plans to salvage the rail, crossties, and other track material. The proposed discontinuance of trackage rights would not include any salvage operations.

UP does not believe that the right-of-way is suitable for other public purposes because the area is adequately served by existing roads and utility lines. UP also does not believe that the right-of-way is suitable for use as a recreational trail because of its limited length and location in an industrial area.

SEA sent information about the proposed project to the California Coastal Commission, and on April 7, 2008, the California Coastal Commission determined that the project is not located within the California coastal zone. Accordingly, state coastal management consistency certification is not required.

Based on all information available to date, SEA does not believe that salvage activities would cause significant environmental impacts.

HISTORIC REVIEW

UP submitted an Historic Report as required by the Board's environmental rules [49 CFR 1105.8(a)] and served the report on the California Department of Parks and Recreation's Office of Historic Preservation (State Historic Preservation Office or SHPO) pursuant to 49 CFR 1105.8(c). The line was originally constructed by the Los Angeles and Independence Railway in 1875. As stated above, the proposed discontinuance of trackage rights over the line from milepost 485.69 to milepost 486.00 would not include any salvage operations. The portion of the line that UP proposes to abandon contains a combination of 90 and 126-pound jointed rail, which was installed in 1975. According to UP, there are no structures located on the line that are 50 years old or older.

The SHPO has not completed its review of the proposed project. Therefore, SEA 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 (National Register). Accordingly, for the portion of the line that UP is proposing to abandon, 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 until completion of the Section 106 process.³

Pursuant to 36 CFR 800.2, SEA conducted a search of the Native American Consultation Database at <http://home.nps.gov/nacd/> to identify Federally recognized tribes, which may have ancestral connections to the project area. The database identified no Federally-recognized tribes in Los Angeles County.

CONDITIONS

SEA recommends that the following environmental condition be placed on any decision granting abandonment authority:

1. Union Pacific Railroad Company (UP) shall retain its interest in the portion of the line between milepost 485.61 and milepost 485.69 and shall 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, 16 U.S.C. 470f, has been completed. UP shall report back to the Board's Section of Environmental Analysis regarding any consultations with the State Historic Preservation Office and the public. UP 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, SEA concludes that, as currently proposed, and if the recommended condition is imposed, abandonment of and discontinuance of trackage rights over 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. Alternatives to the proposed discontinuance of trackage rights would include denial (and therefore no change in operations) 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.

³ Guidance regarding the Board's historic preservation review process is available on the Board's website at <http://www.stb.dot.gov/stb/environment/preservation.html>.

PUBLIC USE

Following abandonment and salvage of the rail line, the right-of-way 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 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 for 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 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) 245-0230, or mail inquiries to Surface Transportation Board, Office of Public Services, Washington, DC 20423.

COMMENTS

If you wish to file comments regarding this EA, send an **original and two copies** to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Christa Dean who prepared this EA. Environmental comments may also be filed electronically on the Board's website, www.stb.dot.gov, by clicking on the "E-FILING" link. **Please refer to Docket No. AB-33 (Sub-No. 265X) in all correspondence, including e-filings, addressed to the Board.** If you have any questions regarding this EA, please contact Christa Dean the environmental contact for this case, by phone at (202) 245-0299, fax at (202) 245-0454, or e-mail at christa.dean@stb.dot.gov.

Date made available to the public: April 11, 2008.

Comment due date: April 28, 2008.

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

Anne K. Quinlan
Acting Secretary

Attachment