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SEA

SERVICE DATE – MARCH 28, 2008

**SURFACE TRANSPORTATION BOARD**  
WASHINGTON, DC 20423

**ENVIRONMENTAL ASSESSMENT**

**STB DOCKET NO. AB-33 (Sub-No. 259X)**

**Union Pacific Railroad Company - Abandonment Exemption -  
In Los Angeles County, CA**

**BACKGROUND**

In this proceeding, Union Pacific Railroad Company (UP) filed a petition of exemption from the requirements of 49 U.S.C. 10903 in accordance with 49 U.S.C. 10502, the applicable Rules at 49 C.F.R. 1121 and 49 C.F.R. 1152, and the applicable Special Rules at 49 C.F.R. 1152.60. This exemption, if approved, would permit UP to abandon its easement over a portion of its Lakewood Industrial Lead, from milepost 16.2, at Carson Street, to milepost 16.5, near Cover Street (Line), a total of approximately 0.3 miles in the City of Lakewood, Los Angeles County, California. The entire Line is located on property owned by Ganahl Lumber Company (Ganahl) and traverses U.S. Postal Service zip code 90712. 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. 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)].<sup>1</sup> The Board's Section of Environmental Analysis (SEA) has reviewed and investigated the record in this proceeding.

***Diversion of Traffic***

UP states that Ganahl is the Line's sole shipper. If the abandonment is approved, UP would continue to provide rail service to Ganahl via an adjoining section of its Lakewood Industrial Lead, which would continue to operate under Federal jurisdiction.

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<sup>1</sup> The railroad's Environmental and Historic Reports are available for viewing on the Board's website at [www.stb.dot.gov](http://www.stb.dot.gov) by going to "E-Library," selecting "Filings," and then conducting a search for AB-33 (Sub-No. 259X).

According to UP, the Line was sold to Ganahl on August 11, 2006, allowing it to develop and expand its transload facility. At the time of the sale, UP retained an operating easement over the Line for the purpose of allowing UP to serve other customers that may locate along the Line. The potential for additional customers has not been realized, therefore, UP is now interested in abandoning its easement. This proposed action would provide Ganahl complete control over the property surrounding its industrial facility.

If approved, the proposed abandonment 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.

Furthermore, because the Line is located on private property and will continue to be utilized by Ganahl, UP believes that it would be impractical to use the Line for other public purposes, including roads and highways, other forms of mass transportation, conservation, or energy production or transmission. UP notes that the Line contains no Federally granted rights-of-way and none of the property is reversionary.

Accordingly, UP believes that there are no reasonable alternatives to abandonment of UP's easement over the Line.

### ***Salvage Activities***

The Line is located in an urban area and the right-of-way is approximately 80 feet wide. The Line, including the track materials and right-of-way, is owned by Ganahl. UP provides rail service over the Line pursuant to a railroad operating easement. Typically, in an exempt abandonment, if a petition of exemption becomes effective, the railroad would be able to salvage track, ties and other railroad appurtenances and dispose of the right-of-way.<sup>2</sup> But here, because UP does not own the Line, it has no plans to conduct any salvage activities on the Line as part of the proposed abandonment. However, in the event that salvage activities are conducted subsequent to the proposed abandonment of the Line, SEA has considered the potential environmental impacts that could arise.

In an e-mail dated September 26, 2007, the National Geodetic Survey submitted comments stating that there are no geodetic station markers that might be affected by the proposed abandonment. Accordingly, no mitigation regarding geodetic station markers is recommended.

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<sup>2</sup> Impacts from salvage and disposal of a rail line typically include removal of tracks and ties, removal of ballast, dismantling of any bridges or other structures that may be present on the rail right-of-way, and re-grading of the right-of-way by the railroad that owns the track material. Salvage may be performed by the line owner within the right-of-way, or, if necessary, via the construction of new access points to the right-of-way.

There are no known hazardous waste sites located within the Line's right-of-way proposed for abandonment.

Based on all information available to date, SEA does not believe that the proposed abandonment would cause significant environmental impacts. SEA is providing a copy of this EA to the following groups and agencies: California Environmental Protection Agency; U.S. Fish and Wildlife Service, Region 8; and the City of Lakewood, Planning and Environment Commission.

## **HISTORIC REVIEW**

UP submitted a Historic Report as required by the Board's environmental rules [49 CFR 1105.8(a)] and served the report on the California Office of Historical Preservation (SHPO) pursuant to 49 CFR 1105.8(c). The Line was originally constructed in 1891 by the Los Angeles Terminal Railway as part of a through route extending from Los Angeles to San Pedro, CA. The Line was sold to Ganahl on August 11, 2006. UP states that there are no structures 50 years old or older located on the Line. Furthermore, on March 19, 2008, via telephone, the SHPO stated that it had no comment on the proposed abandonment.

Pursuant to the Section 106 regulations of the National Historic Preservation Act at 36 CFR 800.4(d)(1), and following consultation with the SHPO and the public, we have determined that the proposed abandonment would not affect historic properties listed in or eligible for inclusion in the National Register. The documentation for this finding, as specified at 36 CFR 800.11(d), consists of the railroad's Historic Report, all relevant correspondence, and this EA, which have been provided to the SHPO and made available to the public through posting on the Board's web site at <http://www.stb.dot.gov>.

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

## **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 the line will not significantly affect the quality of the human environment. Therefore, the environmental impact statement process is unnecessary.

Alternatives to the proposed abandonment and discontinuance of service 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**

Following abandonment of UP's easement on the Line (and for the reasons discussed below), the right-of-way would likely not be suitable for other public use. Nevertheless, 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.

UP believes that because the Line is located on private property and would continue to be used by Ganahl, that it would be impractical to use the Line for other public purposes, including roads and highways, other forms of mass transportation, conservation, or energy production or transmission.

### **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. 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 Troy Brady who prepared this EA. Environmental comments may also be filed electronically on the Board's website, [www.stb.dot.gov](http://www.stb.dot.gov), by clicking on the "E-FILING" link. **Please refer to Docket No. AB-33 (Sub-No. 259X) in all correspondence, including e-filings, addressed to the Board.** If you have any questions regarding this EA, please contact Troy Brady the environmental contact for this case, by phone at (202) 245-0301, fax at (202) 245-0454, or e-mail at [Troy.Brady@stb.dot.gov](mailto:Troy.Brady@stb.dot.gov).

Date made available to the public: March 28, 2008.

**Comment due date: April 28, 2008.**

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

Anne K. Quinlan  
Acting Secretary

Attachment