

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

DRAFT ENVIRONMENTAL ASSESSMENT

Docket No. AB 874 (Sub-No. 1X)
Sierra Northern Railway – Abandonment Exemption –
in Yolo County, Cal.

BACKGROUND

In this proceeding, Sierra Northern Railway (Sierra) filed a petition under 49 U.S.C. § 10502 seeking exemption from the prior approval requirements of 49 U.S.C. § 10903 in connection with the abandonment of a line of railroad in Yolo County, California that extends approximately 0.70 miles from MP 3.10 to MP 3.80 (the Line). The Line is part of Sierra's Woodland Branch that extends from West Sacramento to Woodland. A portion of the Line is located on top of the Sacramento Weir (the weir), an essential part of the city of Sacramento's flood control system. Federal, state and local government agencies have determined that the weir needs to be widened to carry out urgent flood control improvements for the Sacramento area, requiring removal of the Line. A map depicting the Line in relationship to the area served is appended to this Draft Environmental Assessment (Draft EA). If the Board grants the exemption, Sierra will be able to salvage track, ties and other railroad appurtenances and to dispose of the right-of-way.

ENVIRONMENTAL REVIEW

Sierra submitted a combined Environmental and Historic Report that concludes the quality of the human environment would not be affected significantly as a result of the abandonment, including salvage of the right-of-way. Sierra served the Environmental and Historic Report on a number of appropriate federal, state, and local agencies as required by the Surface Transportation Board's (Board) environmental rules [49 C.F.R. § 1105.7(b)].¹ The Board's Office of Environmental Analysis (OEA) has reviewed and investigated the record in this proceeding.

The Sacramento & Woodland Railway constructed the Woodland Branch in 1912 to link the farming community of Woodland with the developing city of Sacramento. The Woodland Branch was rerouted along the top of the weir when the weir was constructed in 1916-17. The

¹ The Environmental and Historic Reports are available for viewing on the Board's website at <https://prod.stb.gov/> by clicking "Search STB Records;" selecting "Filings" in the "Search for" dropdown menu; entering "AB" "874" "1" "X" sequentially in the four boxes for "Docket Number," then selecting "Search."

segment of the Woodland Branch now proposed for abandonment lies north of Sacramento along the west bank of the Sacramento River.

Because Sacramento is located at the confluence of the Sacramento and American rivers, it has historically been subject to severe flooding. The weir is a crucial component in Sacramento's flood control system. The weir acts as a flood safety valve by allowing excess flood waters to spill out of the adjacent river system into the Sacramento Bypass, thus diverting flood waters away from populated areas of Sacramento and West Sacramento.

After extensive study, the U.S. Army Corps of Engineers (USACE) concluded that flood control facilities in the Sacramento area are not adequate and that an unacceptably high risk of flooding from levee failure threatens the public safety. USACE and the Sacramento Area Flood Control Agency (SAFCA) are in the process of implementing a flood control improvement project that would require removal of the Line to allow the weir to be widened so that pressure on the levees can be reduced by increasing water flow through the weir and the adjoining bypass. In 2015 and 2016, USACE, working with SAFCA, and the Central Valley Flood Protection Board issued a Draft and Final Environmental Impact Statement / Environmental Impact Report (EIS/EIR) that evaluated the potential environmental impacts of SAFCA's flood control improvement project. An addendum to the EIS/EIR in 2019 modified the description of the project in the EIS/EIR to include the proposed abandonment and removal of tracks. Post abandonment environmental impacts related to SAFCA's flood control project are appropriately addressed by USACE and SAFCA in their environmental review.

To carry out the flood control project, USACE has concluded that the existing railroad tracks from the top of the weir must be removed to a point approximately 1500 feet north of the weir. USACE and SAFCA would then construct an extension to the existing weir. SAFCA would like to acquire the property on which the Line is located. USACE and SAFCA have asked Sierra to abandon the Line and convey Sierra's interest in the Line to SAFCA. Sierra has agreed, subject to obtaining the required STB abandonment authority. Federal funding has been obtained to carry out the flood control project, and USACE and SAFCA would like to begin work as soon as possible.

Diversion of Traffic

Sierra has seven customers, all located in Woodland, that used the Line in 2019 for movement of tomato paste, limestone, polyvinyl, grain products, railway ties, calcium carbide and empty railcars (for repair). Sierra transported a total of 463 freight rail cars on the Line in 2019. Sierra has been in contact with all seven customers regarding the proposed abandonment. Three of the customers have industrial facilities located on the Line and currently receive rail service directly at those facilities. Each of the three customers has advised Sierra that it plans to use trucks as an alternative to rail service after the abandonment. The other four customers use Sierra's facilities for storage or car repair operations that would be carried out elsewhere. None of Sierra's customers have indicated to Sierra that it opposes the proposed abandonment.

The shipments of two of Sierra's customers, whose 2019 rail traffic amounted to 311 rail cars, would be diverted to truck. The remaining 2019 rail traffic originated from Sierra's customers that already transload their products to truck and would either move their transload location within the Sacramento region or would ship by rail to a different location. Using a rail-to-truck conversion factor of four trucks per railcar, Sierra estimates that the proposed abandonment would generate an estimated 1,244 trucks per year, or about 3.4 new truck movements per day. Given the extensive local road network, an additional 3.4 trucks per day would have a minor effect on regional or local transportation systems and patterns.

Accordingly, the proposed abandonment would not result in the diversion of rail traffic to truck traffic that could result in significant impacts to air quality or the local transportation network. Nor would the proposed abandonment adversely impact the development, use and transportation of energy resources or recyclable commodities or the transportation of ozone-depleting materials.

Salvage Activities

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 regrading of the right-of-way. Salvage may be performed within the right-of-way, or, if necessary, via the construction of new access points to the right-of-way. Following Sierra's consummation of the proposed abandonment, Sierra indicates that it would convey its interest in the Line to SAFCA. After conveyance, SAFCA would remove the railroad tracks in connection with the construction of the flood control project. Sierra may participate in the salvage and/or removal of track on behalf of SAFCA.

Sierra indicates that any salvage activities related to the proposed abandonment would have no adverse effect on prime agricultural land.

The Line is not located in a designated Coastal Zone Management Area. Accordingly, the proposed abandonment would not affect any land or water uses in a coastal zone or result in any coastal zone impacts.

Sierra states that any salvage related activities resulting from the proposed abandonment would be consistent with applicable federal, state, and local water quality standards and no permits under Sections 402 or 404 of the Clean Water Act would be required.

Sierra is not aware of any hazardous waste sites on the Line or sites where there have been hazardous material spills on the Line's right-of-way.

There are no wildlife sanctuaries or refuges, National or State parks or forests that would be affected by the proposed abandonment.

Sierra requested comments from the U.S. Fish and Wildlife Service (USFWS) regarding the potential impact of the proposed abandonment to protected wildlife, including federally listed

threatened and endangered species. To date, USFWS has not provided comments. To identify protected species in the project area, OEA conducted a search of the USFWS Information, Planning, and Conservation (IPaC) system.² Eight protected threatened or endangered species are located in the area of the proposed abandonment. The least Bell's vireo and the vernal pool tadpole shrimp were identified as federally endangered species potentially present in the project area. The giant garter snake, California red-legged frog, California tiger salamander, delta smelt, valley elderberry longhorn beetle, and the vernal pool fairy shrimp were identified as federally threatened species potentially present in the project area. According to the IPaC report, there is no critical habitat for these species in the project area. Based on the information provided, OEA has determined that these federally listed threatened or endangered species would not be affected by salvage because of the temporary and limited scope of the abandonment's salvage activities and the urban nature of the project area. OEA is providing USFWS's Sacramento and San Francisco Bay-Delta field offices a copy of this EA for review and comment.

OEA believes that any air emissions associated with salvage operations would be temporary and would not have a significant impact on air quality. Noise associated with salvage activities would also be temporary and should not have a significant impact on the area surrounding the proposed abandonment.

Based on all information available to date, OEA does not believe that the proposed abandonment would cause significant environmental impacts.

HISTORIC REVIEW

Sierra submitted a Historic Report as required by the Board's environmental rules [49 C.F.R. § 1105.8(a)] and served the report on the California Department of Parks and Recreation, Office of Historic Preservation (California State Historic Preservation Office or SHPO) pursuant to 49 C.F.R. § 1105.8(c).³

As noted above, USACE, SAFCA, and the Central Valley Flood Protection Board cooperated in preparing an EIS/EIR that evaluated the potential environmental impacts of SAFCA's flood control improvement project. An addendum to the EIS/EIR in 2019 modified

² U.S. Fish and Wildlife Service, Information, Planning, and Conservation System, <http://ecos.fws.gov/ipac> (last visited April 7, 2020).

³ Applicants seeking authority from the Board to abandon railroad lines may act on behalf of the Board when complying with the Section 106 regulations of the National Historic Preservation Act (NHPA). Applicants are authorized to initiate the Section 106 review process and carry out some of its steps, but the Board retains overall responsibility for the Section 106 review. See 36 C.F.R. 800.2(c)(4); 49 C.F.R. Part 1105; Delegation Letter (Dec. 9, 2009). The Delegation Letter can be found on the Board's website at <https://prod.stb.gov/resources/environmental/historic-preservation-overview/>.

the description of the project in the EIS/EIR to include the proposed abandonment and removal of tracks. At that time, GEI Consultants, Inc. (GEI) had a historian, who meets the Secretary of the Interior's Professional Qualifications Standards, inventory and evaluate the Line on behalf of SAFCA for eligibility to be listed on the National Register of Historic Places (NRHP) and California Register of Historical Resources (CRHR). GEI's inventory and evaluation found that the Line lacks integrity of design, materials, and workmanship to its period of historic significance. In a memorandum dated September 5, 2019 (Exhibit L of Sierra's Historic Report), GEI concluded that the evaluated railroad segment does not appear to meet NRHP or CRHR criteria and would not be eligible for listing in the NRHP or CRHR. OEA agrees with GEI's finding that the Line does not appear to be a historic property for purposes of Section 106 of the NHPA and is not a historic resource under the California Environmental Quality Act.

OEA believes that because the right-of-way was disturbed during original construction of the Woodland Branch and weir, any archaeological resources that may have been located in the right-of-way would have been affected at that time.

Pursuant to the Section 106 regulations of the National Historic Preservation Act at 36 C.F.R. § 800.4(d)(1), and following consultation with the SHPO and the public, OEA has determined that the proposed abandonment would not affect historic properties within the right-of-way (the Area of Potential Effect, or APE) listed in or eligible for inclusion in the National Register of Historic Places. The documentation for this finding, as specified at 36 C.F.R. § 800.11(d), consists of the railroad's Historic Report, all relevant correspondence, and this Draft EA, which have been provided to the SHPO and made available to the public through posting on the Board's website at <http://www.prod.stb.gov>.

Pursuant to 36 C.F.R. § 800.2, OEA conducted a search of the U.S. Department of Housing and Urban Development's tribal directory assessment tool to identify federally-recognized tribes that may have ancestral connections to the project area.⁴ The database identified two federally-recognized tribes, the Grindstone Indian Rancheria of Wintun-Wailaki Indians of California and the Yocha Dehe Wintun Nation, that may have knowledge regarding properties of traditional religious and cultural significance within the APE of the proposed abandonment. OEA is sending a copy of this Draft EA to these tribes for review and comment.

CONDITIONS

OEA recommends that no environmental conditions be imposed on any decision granting abandonment authority.

⁴ U.S. Department of Housing and Urban Development, <https://egis.hud.gov/TDAT/> (last visited April 8, 2020).

CONCLUSIONS

Based on the information provided from all sources to date, OEA concludes 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

Following abandonment and salvage of the 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 C.F.R. § 1152.28) must be filed with the Board and served on the railroad within the time specified in the Board's Federal Register notice of the proposed abandonment. The Federal Register notice is also issued as a Board decision and is available on the Board's website.⁵ Sierra states that the Line would not be suitable for other purposes. As explained above, Sierra plans to convey its property interest in the Line to SAFCA after consummating the abandonment so SAFCA can implement the flood control project.

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 of 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 C.F.R. § 1152.29). The Federal Register notice is also issued as a Board decision and is available on the Board's website.⁶ Sierra states that the Line would not be suitable for interim trail use/rail banking. As explained above, Sierra plans to convey its property interest in the Line to SAFCA after consummating the abandonment so SAFCA can implement the flood control project.

⁵ Board decisions are available for viewing on the Board's website at <https://prod.stb.gov/> by clicking "Search STB Records;" selecting "Decisions" in the "Search for" dropdown menu; entering "AB" "874" "1" "X" sequentially in the four boxes for "Docket Number," then selecting "Search."

⁶ Id.

PUBLIC ASSISTANCE

The Board's Office of Public Assistance, Governmental Affairs, and Compliance responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact this office directly at (202) 245-0238, or mail inquiries to Surface Transportation Board, Office of Public Assistance, Governmental Affairs, and Compliance, Washington, DC 20423.

COMMENTS

If you wish to file comments on this Draft EA, please send comments to Surface Transportation Board, Washington, DC 20423, to the attention of Kenneth Blodgett, who prepared this Draft EA. Environmental comments may also be filed electronically on the Board's website, www.prod.stb.gov, by clicking on the "E-FILING" link. **Please refer to Docket No. AB 874 (Sub-No. 1X) in all correspondence, including e-filings, addressed to the Board.** If you have any questions regarding this Draft EA, please contact Kenneth Blodgett by phone at (202) 245-0305, fax at (202) 245-0454, or e-mail at Kenneth.Blodgett@stb.gov.

Date made available to the public: April 22, 2020.

Comment due date: May 22, 2020.

By the Board, Victoria Rutson, Director, Office of Environmental Analysis.

Attachment

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Sierra Northern Railway
Abandonment Exemption
in Yolo County, California

-  The Line
-  Sacramento Weir

Note: Maps produced by the Surface
Transportation Board's Office of
Environmental Analysis are based
on information provided by the
railroad applicant and are for
general reference purposes only.

