

**SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC 20423**

**DRAFT ENVIRONMENTAL ASSESSMENT**

**Docket No. AB 1094X**

**City of Los Angeles – Abandonment Exemption –  
in Los Angeles County, Cal.**

**BACKGROUND**

In this proceeding, the City of Los Angeles (the “City”) filed a notice of exemption under 49 C.F.R. § 1152.50 seeking exemption from the prior approval requirements of 49 U.S.C. § 10903 in connection with the abandonment of a line of railroad in Los Angeles County, California. The rail line proposed for abandonment extends approximately 2.6 miles from milepost 4.00 (north of Front Street and east of the Gaffey Street Lead) to milepost 6.60 (at the end of the line), which comprises a portion of a line known as the San Pedro Subdivision (the Line). A map depicting the Line in relationship to the area served is appended to this Draft Environmental Assessment (Draft EA). If the notice becomes effective, the railroad will be able to salvage track, ties, and other railroad appurtenances and to dispose of the right-of-way.

**DESCRIPTION OF THE LINE**

The Line proposed for abandonment (known as the San Pedro Subdivision) is located in the City of Los Angeles, within the Port of Los Angeles (Port). The single-track right-of-way is approximately 25 feet wide. The northern segment of the Line, from milepost 4.00 (near the intersection of North Front Street and North Pacific Avenue) to a point just north of West Sixth Street, appears to be intact single track, with rails, ties, and ballast in place. This intact segment extends approximately 1.3 miles. The middle segment of the Line, from West Sixth Street to approximately West 14<sup>th</sup> Street, appears to have had the rail removed between 2012 and 2014. This segment also includes the former Southern Pacific railyard, which was also removed (an approximately seven acre site between West 7<sup>th</sup> Street and West 14<sup>th</sup> Street, east of Harbor Boulevard). This middle segment extends approximately 0.4 miles. The southern segment of the Line, from West 14<sup>th</sup> Street south to the line’s terminus at the south end of Signal Street, appears to be intact, with rails visible embedded in the pavement. It extends approximately 0.9 miles, for a total length of approximately 2.6 miles.

Rail operations accessing the harbor area started in the 1870s, and in 1876 as the markets expanded, the Southern Pacific Railroad laid down new track to connect San Pedro's local lines to the transcontinental railroad system. By 1917, an extensive network of rail lines connected the Los Angeles Harbor to the surrounding city, and carried a wide variety of raw and finished goods, including large amounts of crude oil and lumber. By 1929, the railroad companies operating in the harbor (Southern Pacific, Union Pacific, Santa Fe, and Pacific Electric Railways) consolidated their operations into the Harbor Belt Line Railroad (HBL). After a lull during the Great Depression, freight activity increased during WWII as the Port of Los Angeles took on an active role in military operations. Commercial activities at the port continued to grow and modernize through the twentieth century. By the 1990s, the City and the railroads that serviced the Line (Atchison, Topeka and Santa Fe Railway Company, Southern Pacific Transportation Company, and Union Pacific Railroad Company) transferred operations of the Line from HBL to a third-party operator, PHL. The City had an operating agreement with PHL which was later amended to allow for operation of a restored passenger trolley on the Line. The 1.5-mile trolley line opened in 2003 and operated as the Waterfront Red Car Line. PHL discontinued all rail service in 2016.

The City intends to integrate the property underlying the Line into its San Pedro Waterfront Project, a redevelopment of the public waterfront to create or expand open space areas, commercial development, transportation and parking facilities, and cruise ship facilities and operations.<sup>1</sup> The property underlying the Line will be redeveloped in accordance with the proposed waterfront project. The Line has been inactive to local traffic since service was discontinued in 2016.

## **ENVIRONMENTAL REVIEW**

The City submitted a combined environmental and historic report (E&H Report) that concludes the quality of the human environment would not be affected significantly as a result of the proposed abandonment of the Line. The City served the E&H 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)]<sup>2</sup> implementing the National Environmental

---

<sup>1</sup> A detailed description of the San Pedro Waterfront Project has been documented in a Final Environmental Impact Statement/Final Environmental Impact Report in September, 2009 (<https://www.portoflosangeles.org/environment/environmental-documents>).

<sup>2</sup> The E&H Report is 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" "1094" "X" sequentially in the boxes for "Docket Number," then selecting "Search." The E&H Report was filed on May 18, 2021.

Policy Act. The Board's Office of Environmental Analysis (OEA) has reviewed and investigated the record in this proceeding.

### ***Diversion of Traffic***

According to the City, no local traffic has moved over the Line for the last five years, and there is no overhead traffic to be rerouted over other lines. Therefore, 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. Should the Board authorize the proposed abandonment, the City intends to salvage the remaining portions of the Line and integrate the underlying property into its San Pedro Waterfront Project.

The City 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 for Planning and Conservation (IPaC) system.<sup>3</sup> Six protected threatened or endangered species are located in the area of the proposed abandonment: Pacific Pocket Mouse (*Perognathus longimembris pacificus*), California Least Tern (*Sterna antillarum browni*), Coastal California Gnatcatcher (*Polioptila californica californica*), Least Bell's Vireo (*Vireo bellii pusillus*), Western Snowy Plover (*Charadrius nivosus nivosus*), and the Riverside Fairy Shrimp (*Streptocephalus woottoni*). According to the IPaC report, there is no critical habitat for these species in the project area. OEA has determined that these federally listed threatened or endangered species would not be affected because of the abandonment's limited scope of salvage and the urban nature of the project area. OEA is providing USFWS (Carlsbad Fish and Wildlife Office) a copy of this EA for its review.

The City requested comments from the U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS) regarding potential impacts to prime farmland and

---

<sup>3</sup> USFWS Information for Planning and Conservation (IPaC) search conducted on June 7, 2021 (<https://ecos.fws.gov/ipac/>).

prime farmland soils. Although NRCS has not responded to date, OEA does not expect the loss of any prime farmland or soils due to the urban nature of the area and the limited scope of salvage.

The E&H Report was submitted to the U.S. Environmental Protection Agency, Region 9 (USEPA) and the U.S. Army Corps of Engineers, Los Angeles District (USACE) for comments on potential permitting requirements under Sections 402 and 404 of the Clean Water Act (CWA) (33 U.S.C. §§ 1342 and 1344), respectively. To date, OEA has not received a response from either agency. OEA does not anticipate the need for permits under the CWA because of the limited nature of salvage activities and absence of work in waters of the U.S. OEA is providing a copy of this Draft EA to the USEPA and USACE for review.

The proposed abandonment is located within the California coastal zone management area. The City requested comments from the California Coastal Commission (CCC) regarding the requirement for coastal management consistency under the Coastal Zone Management Act of 1972 (CZMA)(16 U.S.C. § 1451 et seq.). To date, CCC has not provided comments. Thus, OEA is recommending that a condition be imposed on any decision granting abandonment authority requiring the City to consult with the CCC prior to beginning any salvage activities to determine whether state coastal management consistency certification is required. If consistency certification is required, the City shall be prohibited from performing any salvage activities until it obtains consistency certification and shall then notify OEA, pursuant to the CZMA and the Board's environmental regulations at 49 CFR § 1105.9.

OEA believes that any air emissions associated with abandonment activities would be temporary and would not have a significant impact on air quality. Similarly, any noise related to abandonment activities would also be temporary and should not have a significant impact on the area surrounding the proposed abandonment.

The National Geodetic Survey (NGS) has indicated that there may be geodetic survey markers in the right-of-way that could be disturbed by the proposed abandonment. Accordingly, OEA recommends a condition requiring the City to notify NGS at least 90 days prior to beginning abandonment-related-salvage activities, to allow time for any geodetic survey markers that may be present in the right-of-way to be preserved.

Based on all information available to date, OEA does not believe that the proposed abandonment would cause significant environmental impacts. In addition to the parties on the Board's service list for this proceeding, OEA is providing a copy of this Draft EA to the USFWS (Carlsbad Fish and Wildlife Office) and the California Coastal Commission for review and comment.

## **HISTORIC REVIEW**

The City served the E&H Report on the California State Historic Preservation Officer (State Historic Preservation Office or SHPO), pursuant to 49 C.F.R. § 1105.8(c).<sup>4</sup> OEA has not heard from the SHPO and therefore 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. Accordingly, OEA is recommending a condition requiring the City 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 Effects) eligible for listing or listed in the National Register of Historic Places until completion of the Section 106 process. Guidance regarding the Board's historic preservation review process is available on the Board's website at <https://prod.stb.gov/resources/environmental/historic-preservation-overview>.

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 (TDAT) to identify federally recognized Tribes that may have ancestral connections to the project area.<sup>5</sup> The database indicated that the following federally-recognized tribes may have knowledge regarding properties of traditional religious and cultural significance within the right-of-way (the APE) of the proposed abandonment: the Soboba Band of Luiseno Indians and the Torres Martinez Desert Cahuilla Indians. Accordingly, OEA is sending a copy of this Draft EA to these Tribes for review and comment.

## **CONDITIONS**

OEA recommends that the following conditions be imposed on any decision granting abandonment authority:<sup>6</sup>

---

<sup>4</sup> 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. 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 at a link on the bottom of the Board's website overseeing historic preservation at <https://prod.stb.gov/resources/environmental/historic-preservation-overview>.

<sup>5</sup> U.S. Department of Housing and Urban Development, Tribal Directory Assessment Tool, <https://egis.hud.gov/tdat> (last accessed June 7, 2021).

<sup>6</sup> If an interim trail use agreement under 16 U.S.C. § 1247(d) and 49 C.F.R. § 1152.29 is reached for the Line (or a portion thereof), compliance with these conditions is not required with

1. Pursuant to the Coastal Zone Management Act (16 U.S.C. § 1451 et seq.) and the Board's environmental regulations at 49 C.F.R. § 1105.9, the City shall consult with the California Coastal Commission and obtain state coastal management consistency certification, if necessary. The City may not file its consummation notice or initiate any salvage activities related to abandonment (including removal of tracks and ties) until it reports the results of these consultations in writing to the Board's Office of Environmental Analysis and the Board has removed this condition.
2. The City shall notify the National Geodetic Survey (NGS) at [NGS.Infocenter@noaa.gov](mailto:NGS.Infocenter@noaa.gov) at least 90 days prior to beginning abandonment-related salvage activities.
3. The City shall 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 Effects) 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, 54 U.S.C. § 306108, has been completed. The City shall report back to OEA regarding any consultations with the State Historic Preservation Office and the public. The City 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, OEA concludes that, as currently proposed, and if the recommended conditions are 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 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 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

---

respect to any portion of the Line covered by the interim trail use agreement for the duration of the agreement.

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.<sup>7</sup>

### **TRAIL 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.<sup>8</sup>

### **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**

As of March 17, 2020, all filings and other submissions should be submitted electronically through the Board's website at <https://prod.stb.gov>. To submit a comment on the Draft EA, select "File an Environmental Comment" under "Need Assistance?" on the Board's home page. Brief comments can be typed in the comment field provided, and lengthier comments can be attached as Word, Adobe Acrobat or other file formats. If you have any questions, please contact Alan Tabachnick by email at [alan.tabachnick@stb.gov](mailto:alan.tabachnick@stb.gov) or by phone at 202-245-0347.

Date made available to the public: June 11, 2021.

**Comment due date: June 26, 2021.**

---

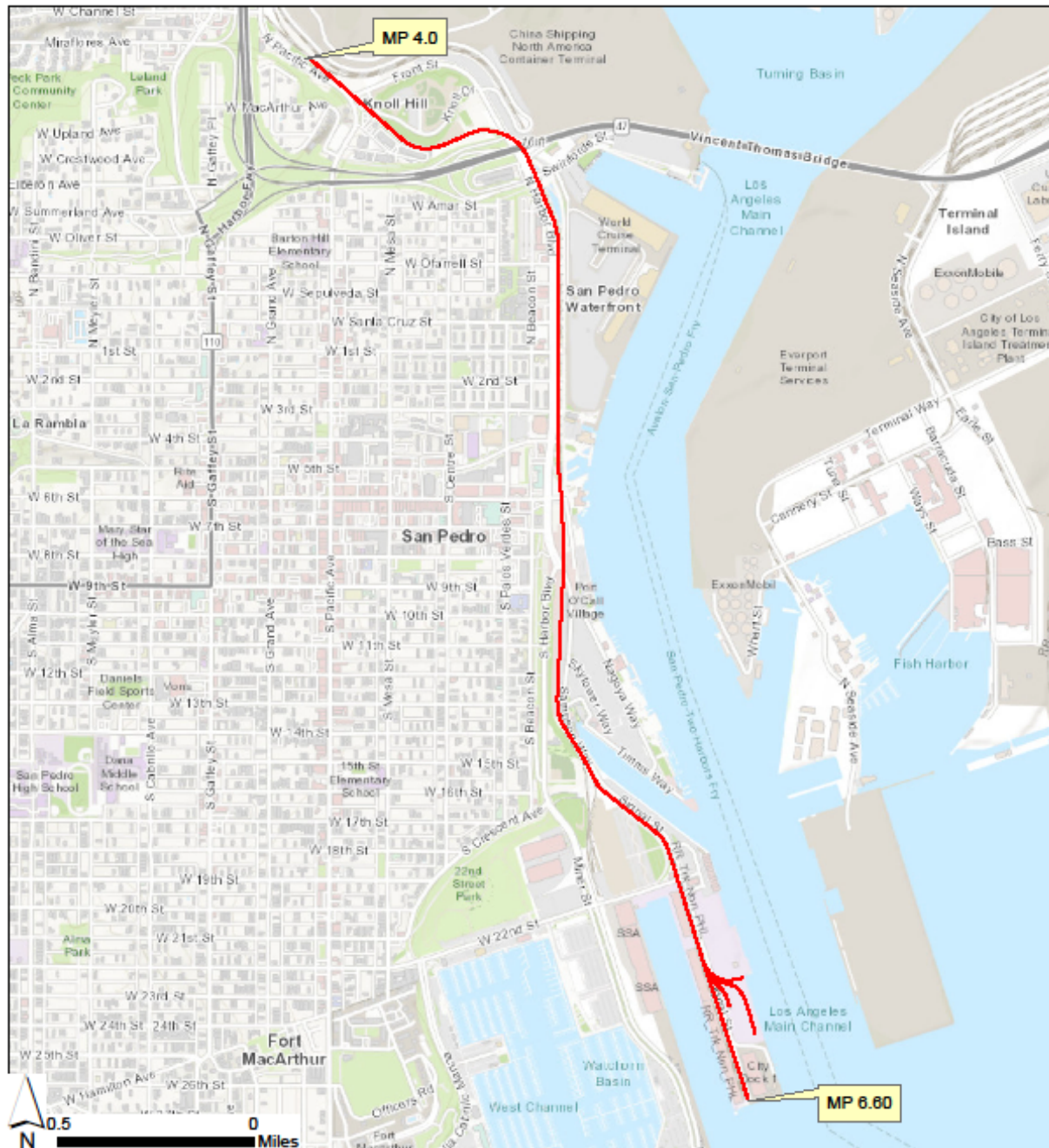
<sup>7</sup> Board decisions are available for viewing on the Board's website at <https://prod.stb.gov> by clicking "Search STB Records," selecting "Decisions" in the "Search for" dropdown menu; entering "AB" "1094" "X" sequentially in the boxes for "Docket Number," then selecting "Search."

<sup>8</sup> Id.

Docket No. AB 1094X

By the Board, Danielle Gosselin, Acting Director, Office of Environmental Analysis.

Attachment



**Docket No. AB 1094X**  
City of Los Angeles  
Abandonment Exemption  
in Los Angeles County, Cal.

**Legend**

— The Line

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

