



EI- 26812

**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
**NATIONAL MARINE FISHERIES SERVICE**  
West Coast Region  
777 Sonoma Avenue, Room 325  
Santa Rosa, California 95404-4731

January 23, 2020

Refer to NMFS No: INQ-2020-00005

Dave Navecky  
Surface Transportation Board  
395 E Street, SW  
Washington, D.C. 20423

Re: Docket No. FD 36312, Oakland Global Rail Enterprise Proposed Rail Operations,  
Oakland, California

Dear Mr. Navecky:

Thank you for your letter of January 9, 2020 requesting information from NOAA's National Marine Fisheries Service regarding resources under our jurisdiction and environmental issues associated with proposed rail operations by Oakland Global Rail Enterprise (OGRE) at and near the former Oakland Army Base (OAB) in Alameda County, California. The project area includes the existing rail line right-of-way at the former OAB and OGRE's operations would be integrated with the Port of Oakland's newly developed Outer Harbor Intermodal Terminal.

Based on information presented in your January 9, 2020 letter, it is unclear if the proposed project will affect the waters of San Francisco Bay. San Francisco Bay is adjacent to the former OAB, and supports the following species (Distinct Population Segments [DPS]) listed under the Endangered Species Act (ESA):

**Central California Coast steelhead DPS (*Oncorhynchus mykiss*)**  
threatened (71 FR 834; January 5, 2006)  
critical habitat (70 FR 52488; September 2, 2005); and  
**North American green sturgeon southern DPS (*Acipenser medirostris*)**  
threatened (71 FR 17757; April 7, 2006)  
critical habitat (74 FR 52300; October 9, 2009).

San Francisco Bay is also identified as essential fish habitat (EFH) for various life stages of fish species managed with the following Fishery Management Plans (FMP) under the Magnuson-Stevens Fishery Conservation and Management Act (MSA):

**Pacific Coast Groundfish FMP** - (starry flounder, English sole, sand sole, etc.);  
**Coastal Pelagic Species FMP** - (northern anchovy, Pacific sardine, etc.); and  
**Pacific Coast Salmon FMP** - (chinook and coho salmon).

If the Surface Transportation Board (STB) determines the proposed action may affect the above listed species or designated critical habitats, consultation pursuant to section 7 of the ESA will be



required. In addition, if the STB determines the proposed action may adversely affect EFH, the consultation requirements of section 305(b) of the MSA apply.

If you require additional information, please direct questions to Sara Azat, North-Central Coast Office, 777 Sonoma Avenue, Santa Rosa, California 95404, (707) 575-6067, or [sara.azat@noaa.gov](mailto:sara.azat@noaa.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Gary Stern".

Gary Stern  
San Francisco Bay Branch Chief  
California Coastal Office

cc: ARN# 151422WCR2020SR00025