



Legislation Text

File #: 2021-0995, **Version:** 1

To: Board of Supervisors

Department or Agency Name(s): Board of Supervisors District 4

Staff Name and Phone Number: Supervisor James Gore 707-565-2241

Vote Requirement: Majority

Supervisory District(s): Countywide

Title:

Adopt a Resolution Opposing the Transport of Coal through the North Bay and Declaring Support for the North Coast Railroad Authority request to the Surface Transportation Board

Recommended Action:

Adoption of Resolution Opposing the Application from the North Coast Railroad Company and Encouraging the Surface Transportation Board to Support Railbanking.

Executive Summary:

Adopt a Resolution in support of the North Coast Railroad Authority's request to railbank, and opposing North Coast Railroad Company plan to transport coal through the North Bay.

Discussion:

After decades of failed attempts to restart freight service on the former Northwestern Pacific Railroad, which at one point ran over 300 miles from Marin County to north of Eureka, by the North Coast Railroad Authority, State Sen. Mike McGuire introduced the Great Redwood Trail Act (SB 1029) a bill to convert the publicly owned line into a destination for bikers and hikers, which was passed in 2018. SB 1029 was amended by SB 69 in 2021, and the process of transforming the North Coast Railroad Authority (NCRA) into the Great Redwood Trail Agency is underway. Once completed, the Great Redwood Trail would be the longest continuous rail-banked trail in America.

In an effort to preserve ownership of the right of way upon which the Trail is expected to be located, NCRA recently submitted an application to the U.S. Surface Transportation Board to railbank the right of way between Willits and Humboldt County. Rail-banking allows for the removal of tracks if necessary to facilitate trail development, but also preserves the rail corridor for future transportation-related uses, including the restoration of rail travel/freight transport.

While the U.S. Surface Transportation Board was considering the North Coast Railroad Authority's application for railbanking, the North Coast Railroad Company emerged to state its intent to oppose the request. This entity represented to the STB that it planned to provide an Offer of Financial Assistance to take over the line and that it had sufficient funding to restore the line and resume freight rail service. Investigative reporting by the Salt Lake Tribune uncovered a plan to pursue a \$1 billion loan from the U.S. Department of the Transportation's Railroad Rehabilitation and Improvement Financing program to finance their proposal.

Issue

The North Coast Railroad Authority (NCRA) is seeking the STB's permission to abandon failed, unused rail segments between Willits and several points in Humboldt County to establish the Great Redwood Trail. The rail line has been closed since 1998 due to unstable terrain, landslides, washed out hillsides and collapsed tunnels caused by rainstorms. Geologic instability and slides have destroyed long stretches of track and in some segments through the canyon, track segments are gone leaving tracks hanging in the air high above the Eel River.

In August of this year corporation newly formed LLC called the North Coast Railroad Company (NCRC), based in Wyoming, filed paperwork with the STB objecting to the NCRA's request to exempt its railbanking filing from the submission of what are called "offers for financial assistance," which are used to purchase rights of way in lieu of granting a request for abandonment. In its filing, NCRC stated its intent to purchase the railroad. Their proposed use is suspected to be for the transportation of coal mined in Utah, Montana and/or Wyoming bound for other nations.

Community Impacts

Shipping coal through California's North Coast presents a serious danger to all of our communities. The Russian and Eel Rivers supply drinking water to nearly one million people in Northern California and serve as habitat for numerous threatened and endangered species.

Coal contributes to a staggering health crisis which experts estimate leads to over 13,000 premature deaths, 200,000 asthma attacks, and more than \$100 Billion in health care costs each year in the United States alone.

According to a 2015 study, between five hundred and two thousand pounds of coal and coal dust can escape from every single loaded train car and loose coal can cause devastating impacts to our drinking water, watersheds, and surrounding environment. Coal dust can cause devastating disease in humans and animals, cause spontaneous fires, and degrade and destabilize the rail bed.

Coal is the single biggest contributor to climate change and the burning of coal is responsible for nearly 50% of the carbon dioxide emissions worldwide, and accounts for over 70% of the greenhouse gas emissions from all electric generation.

Given the risk of toxic coal shipments, staff recommends the Board adopt the resolution opposing coal transport through the North Bay and urging the U.S. Surface Transportation Board to support railbanking.

Prior Board Actions:

None.

FISCAL SUMMARY

Narrative Explanation of Fiscal Impacts:

None.

Narrative Explanation of Staffing Impacts (If Required):

None.

Attachments:

Resolution

Related Items “On File” with the Clerk of the Board:

None.