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California Land Use & Development Law Report

## **CEQA Not Preempted by Federal Rail Transportation Law for Projects Carried Out by State Agencies**

The California Supreme Court has issued its decision in [\*Friends of the Eel River v. North Coast Railroad\*](#), an important case regarding preemption of state environmental law by the Interstate Commerce Commission Termination Act (ICCTA), which contemplates a unified national system of railroad lines subject to federal, not state, regulation. The court held that the preemptive scope of the ICCTA is broad and that the statute preempts the California Environmental Quality Act for private rail owners and operators. However, in its 6-1 decision, the majority held that CEQA was not preempted by the ICCTA for projects owned by a state agency. Our full report on the case is available [here](#).

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