



SURFACE TRANSPORTATION BOARD

Washington, DC 20423

Office of Environmental Analysis

April 3, 2020

Kathryn K. Floyd
Venable LLP
600 Massachusetts Avenue NW
Washington, DC 20001

Re: Docket No. FD 36312, Oakland Global Rail Enterprise—Request for Authority to Operate
a Rail Line in Oakland, Cal.: Status of Environmental Review

Dear Ms. Floyd:

The Board's Office of Environmental Analysis (OEA) received your March 12, 2020 letter explaining why Oakland Global Rail Enterprise (OGRE) believes that OEA's environmental review in this proceeding should move forward now. Your letter was submitted in reply to a February 11, 2020 letter from Charles Spitulnik, outside counsel to the City of Oakland (City). Mr. Spitulnik argues that OEA's environmental review should not move forward because of ongoing contractual disputes and state court litigation between OGRE and the City.

OEA has reviewed the letters and the status of the environmental review in this proceeding. The next step in the environmental review is a site visit, but the earliest OEA's site visit could occur is this summer because of current travel and social distancing restrictions surrounding the COVID-19 pandemic. Until the site visit can be scheduled, OEA's work in this matter will be temporarily paused. OEA will coordinate the site visit with you and the City at the appropriate time. Once we are able to schedule the site visit, we will do so and move forward with the environmental review regardless of the status of the contractual disputes and state court litigation.

If you have any questions, please contact Dave Navecky of my staff at 202-245-0294.

Sincerely,

Victoria Rutson
Director
Office of Environmental Analysis

cc: Charles Spitulnik, Kaplan Kirsch & Rockwell
Alyssa Lynd, Skelly & Loy