

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Finance Docket No. 35941

ENTERED
Office of Proceedings
February 8, 2022
Part of
Public Record

**HIGH DESERT CORRIDOR JOINT POWERS AUTHORITY
–CONSTRUCTION AND OPERATION EXEMPTION–
–PASSENGER RAIL LINE IN LOS ANGELES AND
SAN BERNARDINO COUNTIES, CA**

REPLY TO COMMENTS ON PETITION FOR EXEMPTION

In accordance with the Board’s Order Instituting a Proceeding (served December 10, 2021), the High Desert Corridor Joint Powers Authority (“Authority”) hereby files its reply to the comment of the San Manuel Band of Mission Indians (“San Manuel Band”) on the Authority’s Petition for Exemption filed September 24, 2021. In that Petition, the Authority seeks an exemption under 49 U.S.C. § 10502 from the prior approval requirements of 49 U.S.C. § 10901 to construct and operate a high-speed passenger rail line between Palmdale, Cal., and the town of Apple Valley, Cal. (the “HDC Rail Project”). The Authority also requested an exemption from ongoing regulation under 49 U.S.C. Subtitle IV.

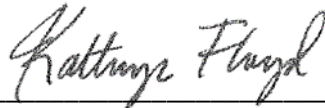
The Authority first would like to express appreciation for the San Manuel Band’s acknowledgment of its efforts to improve communications and engage in productive conversations over the past year. As noted in the Authority’s Petition, the FRA is conducting a reevaluation of the current rail project design to determine if further NEPA process is warranted. In addition, as the lead agency, the FRA is reinitiating the NHPA Section 106 process. The Authority understands that the STB’s Office of Environmental Analysis will be coordinating with the FRA on those

reviews. The Authority is committed to working with the San Manuel Band and the federal agencies as part of the ongoing environmental and cultural resource processes.

Beyond the environmental and cultural resources issues, the San Manuel Band's letter does not raise any questions regarding the transportation merits of the HDC Rail Project. As shown in the Authority's Petition, the HDC Rail Project will contribute to the development of a sound rail transportation system by introducing a safe, efficient, comfortable, and convenient transportation option, offer an efficient and cost-competitive option for persons traveling between two of California's fastest growing areas encourage, and promote energy conservation by mitigating traffic congestion in a busy and highly congested transportation corridor. An exemption for the Project will avoid an unnecessarily cumbersome application process for the construction of the passenger line and minimize the time and administrative expense associated with the Authority's proposal.

The Authority appreciates the opportunity to respond to comments received on its Petition for Exemption and thanks the Board for its attention to this important project.

Respectfully submitted,

A handwritten signature in cursive script, reading "Kathryn Kusske Floyd", written in dark ink.

Kathryn Kusske Floyd

Dated: February 8, 2022

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this February 8, 2022, I caused a copy of the foregoing Response to Comments to be served on all parties of record by email or first-class mail, postage prepaid.



Margaret K. Fawal