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Subject Update on the DXE EIS and Next Steps - Save the Date for Working Group Meetings 11/18 & 12/9

To DXE EIS Working Group:

This email is to apprise you of updates on the DesertXpress project since issuance of the Draft EIS and establish dates for EIS Working Group meetings to arrive at an agency preferred alternative for the Final EIS.

Updates Since DEIS

The Draft EIS for DesertXpress was published on March 27, 2009. The comment period extended for 56 days, during which FRA conducted public hearings in Las Vegas, Barstow, and Victorville on April 28, 29, and 30, respectively. FRA received 50 written comment letters containing approximately 500 unique comments on the Draft EIS and the project in general, as well as numerous oral comments at the public hearings.

Following the close of the public comment period, the project applicant (DesertXpress Enterprises) has proposed several changes or modifications to rail alignment segments as well as alternate sites for the Victorville passenger station and Sloan Road maintenance facility. The applicant has proposed these changes to reduce or avoid specific impacts identified in the DEIS or to address concerns raised in public/agency comments received during the DEIS review period. The proposed changes include:

- 1) An alternate passenger station site in Victorville (Victorville Station Site 3) to reduce or avoid traffic impacts at the Stoddard Wells Road interchange, as identified in the DEIS;
- 2) A modified rail alignment in Segment 4 (referred to as Segment 4C) through the Mountain Pass/Ivanpah area to avoid the Mojave National Preserve as well as potential conflict with the proposed Ivanpah Solar Project;
- 3) An alternate site for the Sloan Road MSF to address concerns raised by Clark County Department of Aviation about possible conflicts with planned roadway facilities to serve the planned Southern Nevada Supplemental Airport in the Ivanpah valley.
- 4) Six modifications to the alignment of Alternative B (side running alignment) to address constructability issues and improve operating characteristics. These modifications are relatively minor in nature moving the proposed rail line between 200 and 400 feet from the locations studied in the DEIS.

In addition to the four changes above, modifications and alternate sites proposed by the applicant, FRA is studying an alignment alternative that would follow the I-15 freeway through the Barstow area (referred to as Segment 2C). This alignment alternative was discussed in the DEIS but not studied in detail. In response to comments submitted by the City of Barstow during the DEIS review period, the FRA will be including detailed analysis of this alternative in the Final EIS.

Next Steps

FRA, through its consultants CirclePoint and ICF Jones & Stokes, is currently conducting detailed environmental analysis of the the changes, modifications and alternatives listed above. Upon the completion of the analysis, the applicant will submit information regarding their preferred alternative. We anticipate the applicant's preferred alternative will include many of the avoidance alternatives listed above, providing the results of the analysis demonstrate the anticipated reduction or avoidance of

impacts.

To facilitate consultation with the Cooperating Agencies regarding the applicant's preferred alternative and to move towards consensus regarding an Agency Preferred Alternative, FRA will prepare several documents for your review in advance of the Final EIS, including:

- 1) A technical report summarizing the impacts of the four applicant proposed changes and modifications listed above
- 2) Analysis of an alignment following the I-15 median through Barstow (Segment 2C)
- 3) A summary and preliminary responses to comments received during the Draft EIS review period.

FRA anticipates providing these materials along with the Applicant's Preferred Alternative request to the Cooperating Agencies and EIS Working Group members by **November 11, 2009**. After these reports are distributed, FRA will convene two conference calls/webinars with the EIS Working Group.

The tentative date for Call 1 is **Wednesday, November 18, 2009 at 10 a.m. Pacific, 1 p.m. Eastern**. The purpose of this call will be to confirm receipt of the materials, provide an overview of key findings and confirm next steps in determining an Agency Preferred Alternative. Cooperating Agency/EIS Working Group members will have a chance to ask general questions about the avoidance alternatives and next procedural steps. This call is expected to last up to two hours.

The tentative date for Call 2 is **Wednesday, December 9, 2009**. FRA's goal for this second call is for the agencies to arrive at an Agency Preferred Alternative. FRA will then incorporate the Agency Preferred Alternative into the Final EIS. This call is likely to last several hours in order to facilitate detailed discussion.

FRA respectfully requests that all appropriate people in your agency save these dates and/or inform FRA immediately of any conflicts that would prevent your participation in either of these calls.

In addition, should you have any questions, please do not hesitate to contact me at wendy.messenger@dot.gov or 202-493-6396.

As always, FRA thanks you for your cooperation and participation on the DesertXpress project.

Best regards,

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