



U.S. Department
of Transportation

**Federal Railroad
Administration**

EP 660

EI - 16031

CG

1200 New Jersey Avenue, SE
Washington, DC 20590

OCT 30 2008

To: Surface Transportation Board
Bureau of Land Management
National Park Service
Federal Highway Administration
California Department of Transportation
Nevada Department of Transportation

Dear DesertXpress EIS Working Group Members:

Please find enclosed your review copy(s) of the administrative Draft Environmental Impact Statement (DEIS) for the DesertXpress high-speed passenger rail project. Each receiving agency is also being provided with a CD with electronic files of the Administrative DEIS. As we have discussed in previous conference calls, your agency's review and comment on the administrative DEIS is essential to ensure that the document will support your future decisions regarding the project.

In order to meet our overall schedule to release the DEIS in late December/early January, we ask that you provide written comments no later than **Friday, December 5**. Please transmit your comments by email (scanned hard copy markups are acceptable) both to the Federal Railroad Administration (FRA) and our independent contractor CirclePoint.

The FRA will then convene an in-person meeting to review and resolve all agency comments. It will be extremely difficult to resolve major comments at this meeting unless they are provided in writing by December 5th. The in-person meeting is scheduled for Wednesday and Thursday, December 10 and 11, at a location to be determined in Sacramento. We will start on Wednesday the 10th at 10 AM to accommodate those who prefer to travel to Sacramento in the morning. If we are able to resolve all comments on Wednesday, no meeting on Thursday will be necessary.

In the last month, DesertXpress Enterprises Inc. (the applicant) provided additional information and proposed a change to the project. First, the project applicant provided previously requested locations for proposed electric utility corridors, which would be needed in the event that the electric multiple unit (EMU) propulsion technology is selected. The administrative DEIS includes analysis of the potential adverse effects of the utility corridors in all technical topics except biology and cultural resources analyses. As soon as field work is authorized, it will be completed over a 2-3 week period, and revised DEIS sections will be provided to the EIS Working Group showing the changes.

Second, the applicant advised FRA that the EMU option could achieve a top speed of 150 miles per hour, rather than the 125 miles per hour previously indicated. Notably, the Diesel EMU option would continue to top out at 125 miles per hour. FRA has incorporated the 150 miles per hour EMU speed into all analyses, with the exception of noise and vibration. FRA anticipates that a revised noise section reflecting the 150 mile per hour change will be provided to reviewing agencies by the 2nd week of November.

In addition, the administrative DEIS includes a draft programmatic agreement to address the Section 106 process for historic resources. The FRA has worked with the STB and BLM to prepare this draft, which is also being sent to the California and Nevada State Historic Preservation Officers and the Advisory Council on Historic Preservation for concurrent review. A final PA will be executed prior to publishing the FEIS.

Should you have any questions or concerns, please contact me or Wendy Messenger (202) 493-6396 [wendy.messenger@dot.gov] at the FRA. You may also contact Scott Steinwert [s.steinwert@circlepoint.com] or John Cook [j.cook@circlepoint.com] at CirclePoint (415) 227-1100. Should you have any major concerns with the administrative DEIS, please contact us at your earliest convenience.

I want to thank you in advance for your cooperation and commitment in completing this EIS process.

Sincerely,

A handwritten signature in black ink, appearing to read "David Valenstein", written in a cursive style.

David Valenstein
Environmental Program Manager
(202) 493-6368
[david.valenstein@dot.gov]