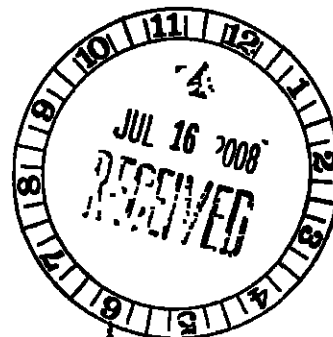


222947

**Twin Springs Ranch
HC-76, Box 1100
Tonopah, Nevada 89049**

July 14, 2008



Hon. Annie K. Quinlan, Acting Secretary
Surface Transportation Board
395 E Street, S W
Washington, D C 20423-001

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Office of Proceedings
JUL 16 2008

Part of
Public Record

**RE STB Finance Docket No. 35106, Comments, Department of Energy (DOE) Application
for a Certificate of Public Convenience and Necessity for the Caliente Rail Line**

Dear Secretary Quinlan:

We oppose the DOE selection of the Caliente rail alignment for the construction and operation of a rail line to Yucca Mountain. We have repeatedly informed DOE that the construction of the rail line through Reville and Railroad Valleys, and related construction of water wells and a ballast quarry, would have devastating impacts on the Twin Springs Ranch. We request that our February 24, 2005 and January 10, 2008, comments, on the DOE Draft EIS for the Rail Alignment, be made a part of the record of this proceeding.

We believe that the STB must prepare a new EIS on the proposed rail line. The DOE EIS uses "disturbed acreage" as the primary measure of impacts on ranching. In the case of the Twin Springs Ranch, DOE ignored the fact that the railroad would laterally bisect our primary grazing areas, and cut-off grazing areas from water sources. A new EIS should assess the impacts of the rail line on each affected grazing operation in its entirety, and not just the area disturbed within the right of way. A new EIS should fully evaluate the impacts of an act of terrorism on future use of grazing lands and water resources. A new EIS should also evaluate all reasonable alternative rail routes to Yucca Mountain, and alternative modes of transportation, including legal-weight trucks.

We support Nye County's recommendation that STB require DOE to conduct a radiological survey of areas of the Caliente Corridor affected by weapons testing before any certificate of public convenience and necessity is approved. Thank you for the opportunity to comment.

Sincerely yours,

Joe B. Fallini Jr.

Joe B. Fallini Jr

On behalf of 1/2 Fallini Trust and 1/2 Helen Fallini Living Trust, Joe Fallini, Susan Fallini and Family, Anna Fallini and Family, Corrina Fallini and Family, Lorinda Fallini and Family

Certificate of Service

I HEREBY CERTIFY that a true and correct copy of this letter was delivered to the following Parties of Record by (1) first-class U.S. mail, postage prepaid, or (2) e-mail addressed as shown below, or (3) other expeditious method, on this day July 14, 2008.

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