

SERVICE DATE - JULY 12, 2021

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. FD 36488

DESERTXPRESS ENTERPRISES, LLC—CONSTRUCTION AND OPERATION
EXEMPTION—PASSENGER RAIL LINE BETWEEN VICTOR VALLEY AND RANCHO
CUCAMONGA, CAL.

Decided: July 12, 2021

On April 13, 2021, DesertXpress Enterprises, LLC, a Nevada limited liability company d/b/a Brightline West (DesertXpress), filed a petition under 49 U.S.C. § 10502 for an exemption from the prior approval requirements of 49 U.S.C. § 10901 to construct and operate an approximately 50-mile rail line for high-speed passenger rail service between Victor Valley, Cal., and Rancho Cucamonga, Cal. (RC Line). (DesertXpress Pet. 1.) The RC Line would connect with another DesertXpress high-speed passenger rail line the Board exempted from § 10901 in 2011 (Las Vegas Line). See DesertXpress Enters.—Constr. & Operation Exemption—in Victorville, Cal., & Las Vegas, Nev., FD 35544 (STB served Oct. 25, 2011). DesertXpress states that it plans to initiate high-speed rail service between Las Vegas and Rancho Cucamonga in 2025. (DesertXpress Pet. 11.) The Board has received several comments from stakeholders and interested parties in response to the petition, and DesertXpress has filed a reply to the comments.

DesertXpress explains that it has initiated consultation with both the Federal Railroad Administration (FRA) and the Board's Office of Environmental Analysis (OEA) regarding the environmental review process under the National Environmental Policy Act, 42 U.S.C. §§ 4321-4370h for the RC Line. (DesertXpress Pet. 10.) DesertXpress states that FRA will serve as lead agency in conducting the environmental review for the RC Line. (*Id.*) OEA served as a cooperating agency with FRA in reviewing the environmental impacts of the Las Vegas Line, and a similar approach to the environmental review is anticipated for the RC Line.

By this decision, the Board is instituting a proceeding under 49 U.S.C. § 10502(b) to consider the issues presented and to permit time to conduct the required environmental review.

It is ordered:

1. Under 49 U.S.C. § 10502(b), a proceeding is instituted.
2. This decision is effective on its date of service.

By the Board, Valerie O. Quinn, Acting Director, Office of Proceedings.