

Gavin Newsom
Governor

David S. Kim
Secretary

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Notice of Intent by the Secretary of the California State Transportation Agency (CalSTA) relative to a proposed long-term leasehold agreement between the California Department of Transportation (Caltrans) and DesertXpress Enterprises, LLC, which does business as XpressWest (XpressWest), for XpressWest compatible use of State highway rights-of-way not otherwise disposed of or in use, for its proposed privately funded high-speed passenger rail line between Apple Valley, California, and Las Vegas, Nevada, along existing Interstate 15 alignment.

AGENCY: California State Transportation Agency

ACTION: Notice of intent.

SUMMARY: Pursuant to the authority granted under California Public Utility Code Section 7551.1, the Secretary of the California State Transportation Agency (CalSTA) intends to take delegation action relative to the Department of Transportation (Caltrans) executing a long-term leasehold agreement with DesertXpress Enterprises, LLC, which does business as XpressWest (XpressWest), concerning State right-of-way which is not otherwise disposed of or in use, for its proposed privately funded high-speed rail line between Apple Valley, California, and Las Vegas, Nevada, along the existing Interstate 15 alignment.

DATES: CalSTA will accept written and electronic comments on the proposed action of a long-term leasehold agreement over State rights-of-way with XpressWest for a 15-day period after the posting of this notice or until 5:00 p.m. on May 26, 2020.

ADDRESSES: You may submit comments by the following methods:

Written: Meardey Tim
California Department of Transportation, District 8 Office
464 West 4th Street, 6th Floor
San Bernardino, California 92401

Electronic: meardey.tim@dot.ca.gov

FOR FURTHER INFORMATION: For general information, including information on how to comment, you may contact Meardey Tim, California Department of Transportation, District 8 Office, 464 West 4th Street, 6th Floor, San Bernardino, CA 92401, or phone (909) 383-4631.

SUPPLEMENTARY INFORMATION: If you wish CalSTA or Caltrans to withhold your street address, except for the city or town, from public view or from disclosure under the California Public Records Act, you must state this prominently at the beginning of your written comment. We will honor requests to the extent allowed by law. CalSTA

and Caltrans will not consider anonymous comments. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be available for public inspection in their entirety.

Background Information: Under California Public Utility Code section 7551.1 (Section 7551.1), the Secretary of CalSTA may grant every railroad corporation whose primary business is the transportation of passengers, the rights-of-way for the location, construction and maintenance of its necessary works and for every necessary adjunct thereto over any portion of highway owned by the State of California which is not otherwise disposed of or in use for passenger rail service. Under California Government Code section 13982 the Secretary of CalSTA may designate in writing the authority under Section 7551.1 to Caltrans.

XpressWest is proposing to construct a privately funded high-speed rail line between Apple Valley, California, and Las Vegas, Nevada, along the existing Interstate 15 alignment and has requested that the Secretary grant State Highway rights-of-way to XpressWest, which is not otherwise disposed of or in use for passenger rail service. State law requires XpressWest to pay fair market value for all rights-of-way granted by the Secretary.

Following this Notice of Intent process, the Secretary intends to delegate the Section 7551.1 authority to the Director of Caltrans to move ahead with finalizing negotiations and executing a lease agreement to allow XpressWest to use existing State rights-of-way along the Interstate 15 alignment for private passenger rail service. The terms and conditions of the contemplated long-term leasehold are set forth in Attachment A, **Right of Way Use Agreement Related to the DesertXpress High-Speed Rail Project – Apple Valley to California/Nevada Border Segment.**

For media inquiries contact Garin Casaleggio at (916) 323-5400 or Garin.Casaleggio@calsta.ca.gov.

[Posted May 8, 2020]