

1.0 Purpose and Need

The Draft Environmental Impact Statement (EIS) for the DesertXpress Project, which was published in March 2009, included a detailed purpose and need statement in **Chapter 1.0, Purpose and Need**. This statement identified a number of factors, including improved safety, convenience, travel speed, and existing corridor capacity constraints that collectively established the purpose and need for the project.

Following publication of the Draft EIS, the project Applicant (DesertXpress Enterprises, LLC) proposed several project modifications and additions to address substantive comments received during public and agency review of the Draft EIS and to reduce or avoid significant environmental effects. These project modifications and additions are detailed in **Chapter 2.0, Alternatives**, of this Supplemental Draft EIS. After evaluating the proposed project modifications and additions, FRA determined, pursuant to 40 C.F.R. 1502.9, it was necessary to prepare a supplement to the Draft EIS. The FRA is issuing this Supplemental Draft EIS consistent with the policy goals of the National Environmental Policy Act (NEPA) to inform both the public and the decision makers of the potential for environmental impacts as a result of the DesertXpress Project. This Supplemental Draft EIS focuses specifically on these proposed modifications and additions and the associated environmental effects and mitigation strategies, as well as any relevant changes to the regulatory context or existing environment.

The proposed project modifications and additions do not in any way change the underlying purpose and need for the project.

1.1 PURPOSE OF THE PROPOSED PROJECT

The purpose of the project is to provide reliable and safe passenger rail transportation using proven high-speed rail technology between Southern California (Victorville) to Las Vegas that is a convenient alternative to automobile travel on the Interstate-15 freeway (I-15), or air travel to and from Las Vegas, and that adds transportation capacity in the I-15 corridor.

Extending nearly 200 miles on new, high-speed double track with no at-grade crossings, DesertXpress would provide trains departing both ends of the line at least hourly and as frequently as every 20 minutes on Fridays and Sundays. DesertXpress would travel at speeds up to 150 mph. The 200-mile trip would take between 1 hour and 45 minutes and 2 hours, and would operate every day of the year. The trains would be based on high-

speed trains used in Europe and customized for the unique setting of the high desert. The trains tracks would utilize (to the extent feasible) existing railroad rights-of-way and an existing freeway (I-15) corridor, thereby increasing the overall capacity of I-15 corridor while minimizing the disturbance of lands outside the corridor. Each car would be self-propelled to provide the high power-to-weight ratio needed to follow the alignment and negotiate its relatively steep grades as it travels through two desert mountain passes.

In **Section 1.2** of the Draft EIS there is a more detailed discussion of the project's purpose of increasing the capacity of the I-15 corridor.

1.2 NEED FOR THE PROPOSED PROJECT

The need for a high-speed rail service stems from several factors: high and increasing travel demand amidst lagging capacity on the I-15 corridor and constraints to expansion of air travel, and frequent accidents in the I-15 corridor.

In **Section 1.3** of the Draft EIS there is a more detailed discussion of the travel demand and capacity constraints between Southern California and Las Vegas and safety considerations, which are summarized below.

Relief of Traffic Congestion

In its opening year, the project is expected to reduce auto emissions and save fuel by diverting an estimated 2.7 million automobile trips from I-15. Over time, this diversion rate is expected to increase.

Increasing Capacity of I-15 Corridor

The approximate 60-foot right-of-way width required for project rail alignments would be narrower than the width of additional highway lanes needed to carry a comparable number of people in automobiles on the I-15 corridor. The project could potentially reduce the need for programmed and/or planned but unfunded improvements.

Improving Traveler Safety

By reducing the number of automobiles on I-15, the project could potentially reduce the accident rate thus improving traffic safety. Accident rates along the I-15 freeway corridor are higher than respective statewide averages in California and Nevada. In California, the fatal accident rate in the I-15 corridor exceeds the statewide average for highway facilities. In the Nevada portion of the I-15 corridor, higher than average rear-end collision rates suggest that excessive congestion is a factor in causing accidents.

Inability for Increased Air Traffic to Meet Forecast Travel Demand

The rapid increase travel demand between Southern California and Law Vegas, coupled with the growth in population in the areas surrounding Victorville, Barstow and Las Vegas

has placed increasing pressures on the highways and airports servicing the region. Constraints on the expansion of airports in Southern California limit the ability for increased air traffic to relieve freeway congestion and provide a more reliable travel mode. In addition, capacity constraints at McCarran International Airport in Las Vegas are such that a secondary metropolitan airport is being studied for a site near Primm.

1.3 MAJOR AUTHORIZING LAWS AND REGULATIONS

Chapter 1.0, Purpose and Need, of the Draft EIS identified several laws and regulations of the lead and cooperating agencies and described how these were pertinent to the project. None of these authorizing laws or regulations has been substantively amended since publication of the Draft EIS.

Of particular relevance is that there has been no change in the statutory authority of the National Park Service (NPS) that permits NPS to grant the private transportation right-of-way through the Preserve necessary to construct Segment 4A analyzed in the Draft EIS. Segment 4A would traverse a 1.55 mile portion of the Mojave National Preserve (Preserve). As of July 2010, no legislative or land exchange option has been formally promulgated that would potentially allow NPS to grant this right-of-way.

In addition, **Section 1.4** of the Draft EIS identified numerous permits and licenses that would be required in order for the project to be constructed and implemented. There has been no change to this list of such permits and licenses since publication of the Draft EIS.

STB Preemption Authority

Section 1.4.1.1 of the Draft EIS discussed the STB decision in DesertXpress Enterprises, LLC-Petition for Declaratory Order finding that the project is not subject to state and local land use and environmental review and permitting. STB issued this finding under its authority contained in 49 U.S.C. 10501 (b), as broadened by the ICC Termination Act of 1995, Pub L. No. 104-88, 109 Stat. 803 (1995) (ICCTA). STB's decision was issued in STB Finance Docket No. 34914 (STB served June 27, 2007).

Subsequent to the March 2009 publication of the Draft EIS, STB's decision was appealed by the California-Nevada Super Speed Train Commission and the American Magline Group. The appeal argued that changed circumstances, new evidence, and material error constituted sufficient grounds to reopen and reconsider the STB's 2007 decision. The STB held an oral hearing on the matter in October 2009. In a decision issued on May 6, 2010, STB denied the petitioner's request to reopen and reverse the June, 2007 finding and reaffirmed its 2007 decision asserting STB jurisdiction over the DesertXpress project.

1.4 RELATIONSHIP TO OTHER TRANSPORTATION PROJECTS AND PLANS IN THE STUDY AREA

The Draft EIS included a discussion of the project's relationship to other transportation projects and plans in the study area. For some of these projects, additional pertinent information has become available following the March 2009 publication of the Draft EIS.

High Desert Corridor Project

This project would provide improved linkage between the Victor Valley and the Antelope Valley through a variety of new facilities and facility expansions. The City of Victorville received federal funds to develop a portion of the corridor between US 395 and I-15 and westerly to State Route 18.

This Supplemental Draft EIS includes a new Victorville Station Site option, which would be located to the north of the proposed new freeway (E-220).

US 395 Realignment and Widening

The San Bernardino County Association of Governments (SANBAG) is no longer the lead agency for this project. Caltrans is continuing to pursue this project; completion of environmental studies is anticipated in 2015.

Southern Nevada Supplemental Airport

The Clark County Department of Aviation (CCDOA) is continuing its planning and studies of a new commercial airport in the Ivanpah Valley north of Primm, east of I-15. As elaborated further in Chapter 2.0, Alternatives, consultation with CCDOA subsequent to publication of the Draft EIS led to the introduction of a new location for a maintenance facility (the Relocated Sloan Maintenance and Storage Facility or RSMSF).

ACE Rapid Transit System

The Regional Transportation Commission of Southern Nevada (RTC) has started rapid bus transit service on two of several scheduled lines. In March 2010, service began on the Gold and C Lines. The Gold Line serves Downtown Las Vegas and The Strip; the C Line provides express service from Northeast Las Vegas towards the University of Nevada Las Vegas (UNLV) campus, northwest of McCarran International Airport. Other lines in the system are expected to be operational by late 2010.