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May 13, 2016

The Honorable Trey Duhon  
Waller County Judge  
P.O. Box 604  
Waller, Texas 77484

Dear Judge Duhon:

We received your letter dated May 6, 2016, regarding the ongoing National Environmental Policy Act (NEPA) process for the Dallas-Houston High-Speed Rail Project. The Texas Department of Transportation (TxDOT) has relayed your letter and the documentation you provided to the Federal Railroad Administration (FRA) for them to address as part of the NEPA process.

As you noted in your letter, after the February 9, 2016 meeting with Waller County Sub-Regional Planning Commission (WCSRPC), we advised the FRA of your concerns about the NEPA process. FRA acknowledged WCSRPC's concerns, but stated that they have been following the NEPA process as prescribed by law and is confident that this will be evident in the final environmental document.

The Draft Environmental Impact Statement (DEIS) will be published in the fall of this year, at which time the public comment period will begin. During this time, there will be a round of public hearings at which all stakeholders can formally express their opinions on the project. Therefore, FRA has indicated that until the DEIS is released, they will not participate in any coordination meetings, and has requested that TxDOT also refrain from participating. Thus, FRA and TxDOT will not be able to attend WCSRPC's upcoming coordination meeting.

Your letter also raises concerns about petitions filed with the Surface Transportation Board (STB) by Texas Central Railroad and Infrastructure, Inc. and Texas Central Railroad, LLC (collectively, TCR), and requests that TxDOT oppose such filings. However, TxDOT will not be submitting a formal response to TCR's STB filings. Given TxDOT's ongoing role in coordinating with FRA in the NEPA process, TxDOT has determined it should remain neutral in the STB proceeding, as it has in all regards to the project.

However, recognizing that there would be significant interest in TCR's STB petitions, TxDOT informed a number of stakeholders and elected officials along the corridor of TCR's petitions and invited them to contact the STB. In response to requests from some of these stakeholders, the STB has agreed to extend the reply date for TCR's Petition for Clarification to May 19, 2016, and the reply date for TCR's Petition for Exemption to May 31, 2016.

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We appreciate your interest in these filings and are available to assist you going forward with information that you may need on behalf of WCSRPC. Please contact me at (512) 486-5134 if we may be of assistance.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Harmon', followed by a long horizontal line extending to the right.

Dan Harmon  
Interim Rail Division Director

cc: Quincy D. Allen, P.E., Houston District Engineer, TxDOT  
Mark Werner, P.E., Rail Division, TxDOT