

High Speed Rail The Future Role of the States Nevada's Perspective



High Speed Rail Conference
Las Vegas, Nevada
November 3, 2011

Nevada's Rail Background:

- Nevada Passenger Rail Service has diminished and is secondary to freight.
- The State DOT's role with rail is very limited.
 - Safety enhancements at rail crossings
 - Operation Lifesaver
 - State Rail Plan
- Legislative restrictions exist on the State's involvement with rail

Legislative Restrictions:

- **NRS 408.233** States that the Nevada Department of Transportation shall not operate any railroad or airport.
- **NRS 705.428** The Department of Transportation may contract for the construction, improvement or rehabilitation of the trackage and other rail properties of any rail line, but no such contract may require the expenditure of state money unless previously authorized by the Legislature.

Antiquated Legislation:

Dating back to the early 1900's, Nevada Statutes are difficult to interpret in today's world.

NRS 37.230 (1911) Condemnation by railroad companies

NRS 37.240 (1911) Two railroad companies may have right-of-way over same passes: changes and expense of reconstruction of public highways

NRS 78.075 (1925) Railroad companies: Powers

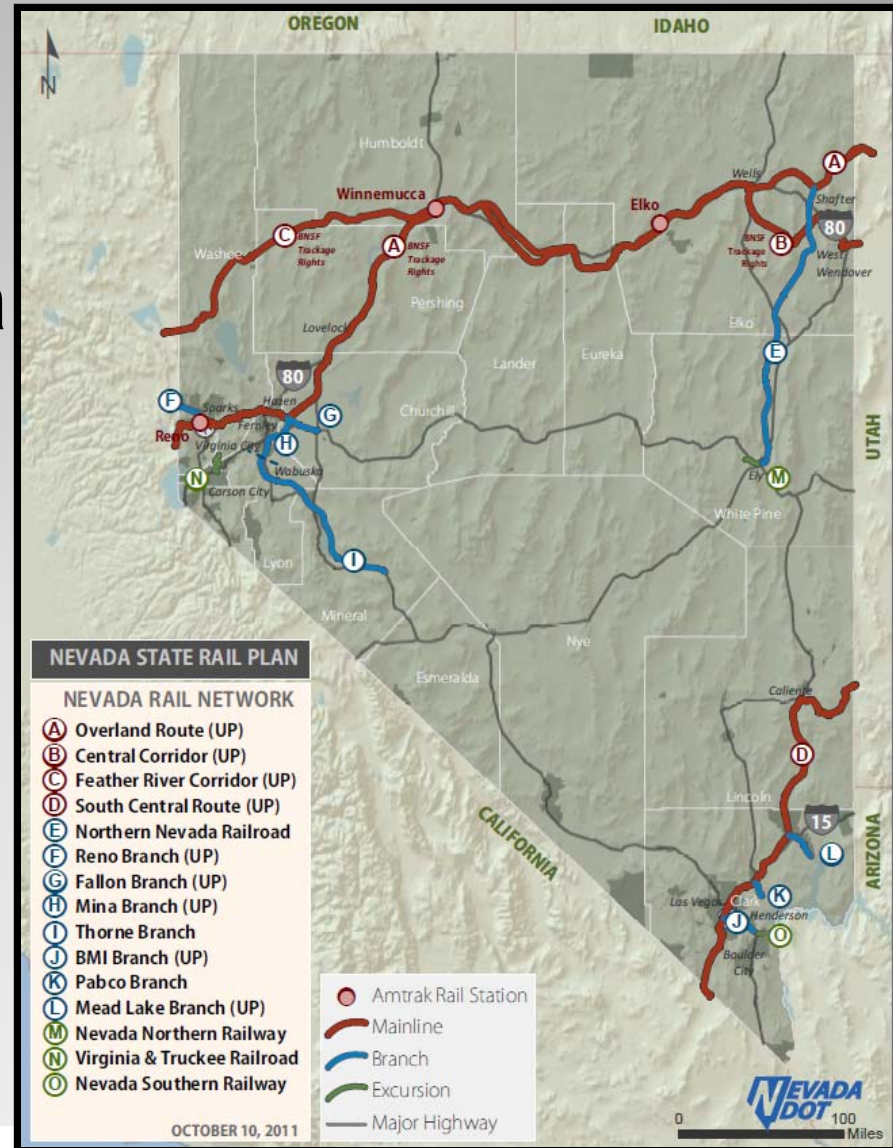
NRS 78.080 (1925) Railroad companies. Rights-of-ways granted by the State, counties and municipalities.

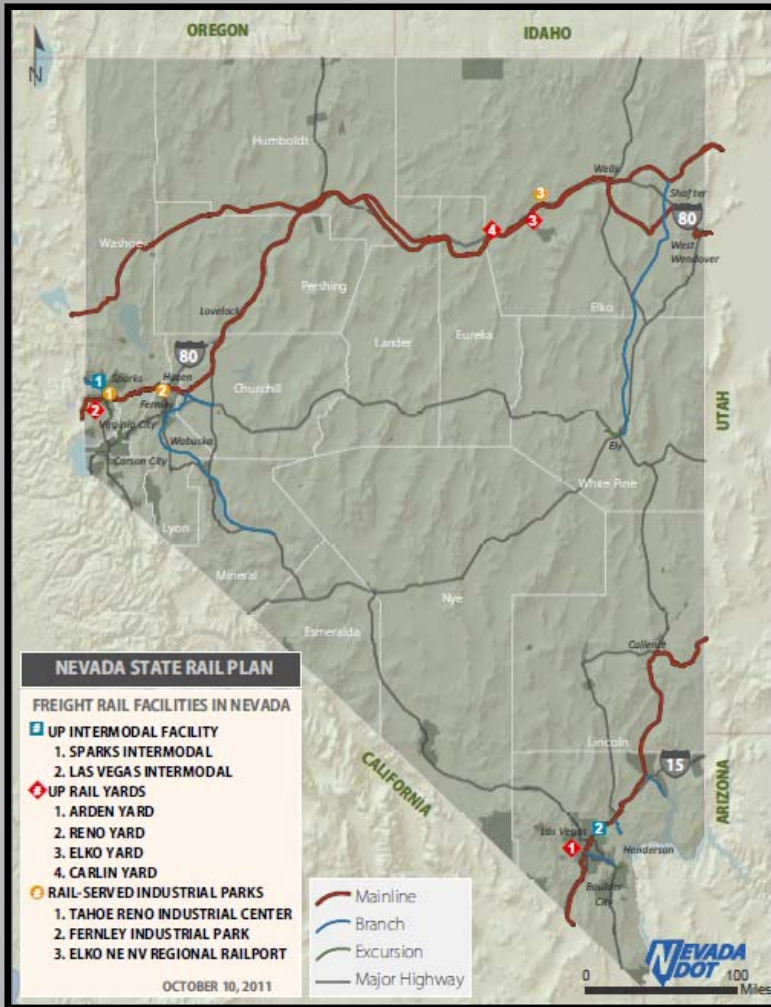


Current Main Rail Lines for Nevada and Adjoining States

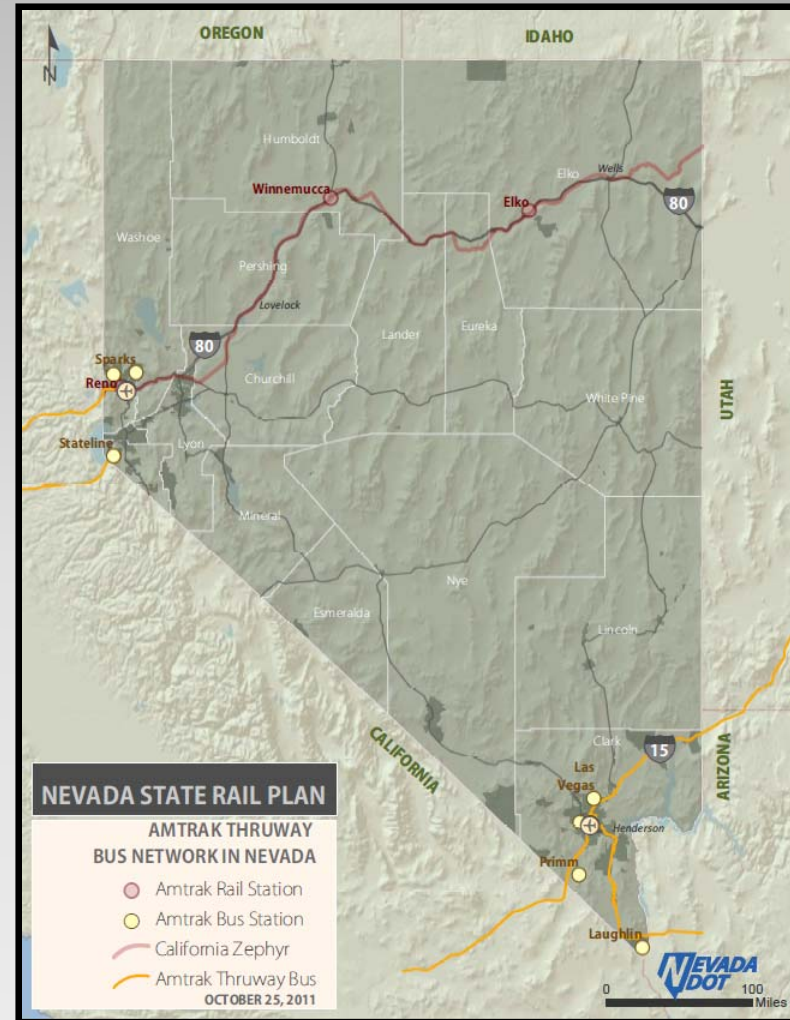
Existing Rail Lines in Nevada

- Passenger
- Freight
- Excursion





Freight Rail



Passenger Rail

NDOT's role:

- Partner:
 - Leverage our resources as possible to assist in rail studies and development (e.g. collect and share data)
 - Identify potential rail corridors and work to reserve the corridors for future development
 - Identify and pursue grants and other funding opportunities.
 - Work with other states and agencies on developing the rail network and the interconnectivity with other aspects of the nation's transportation system.

Current Studies:

- ❖ I-15 Corridor System Master Plan
(CA, AZ, NV, UT)
- ❖ Nevada State Rail Plan
- ❖ Connecting Nevada
- ❖ I-80 Corridor System Master Plan
(CA, NV, UT, WY)
- ❖ Proposed Interstate and High Priority
Corridors Mexico to Canada – joint study
with ADOT

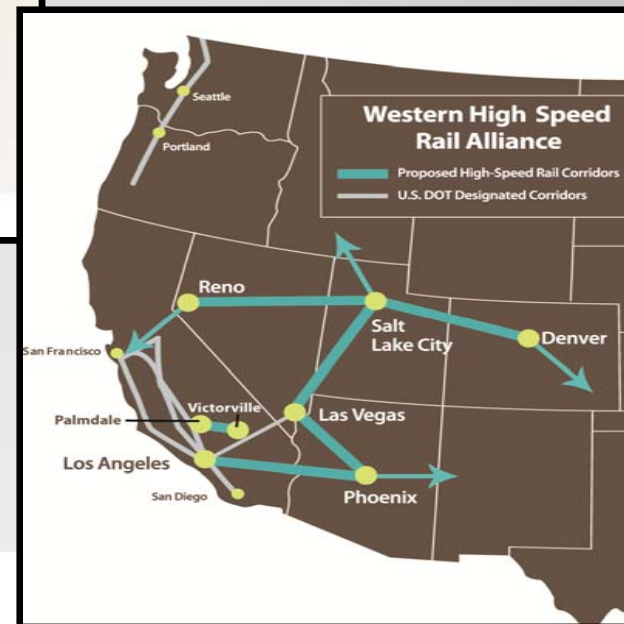


Connects into California High Speed Rail Line

Feeds into WHSRA Proposed High Speed Corridors

"Golden Triangle"

Las Vegas – Los Angeles
 Los Angeles – Phoenix
 Phoenix – Las Vegas



DesertXpress:

- New way of doing business. Revising historical processes of restricting longitudinal encroachments within control of access facilities.
- Developing operational inter-operability processes for shared areas of operation
- Adopting standards for co-existing in NDOT right-of-way. Considered a Public Private Partnership.
- Working through adapting right-of-way considerations (leases, licenses, easements etc.) to best fit the interests of all parties.
- Establishing and strengthening partnerships and relationships with other federal and state agencies. (BLM, FRA, FHWA, Caltrans, FAA)

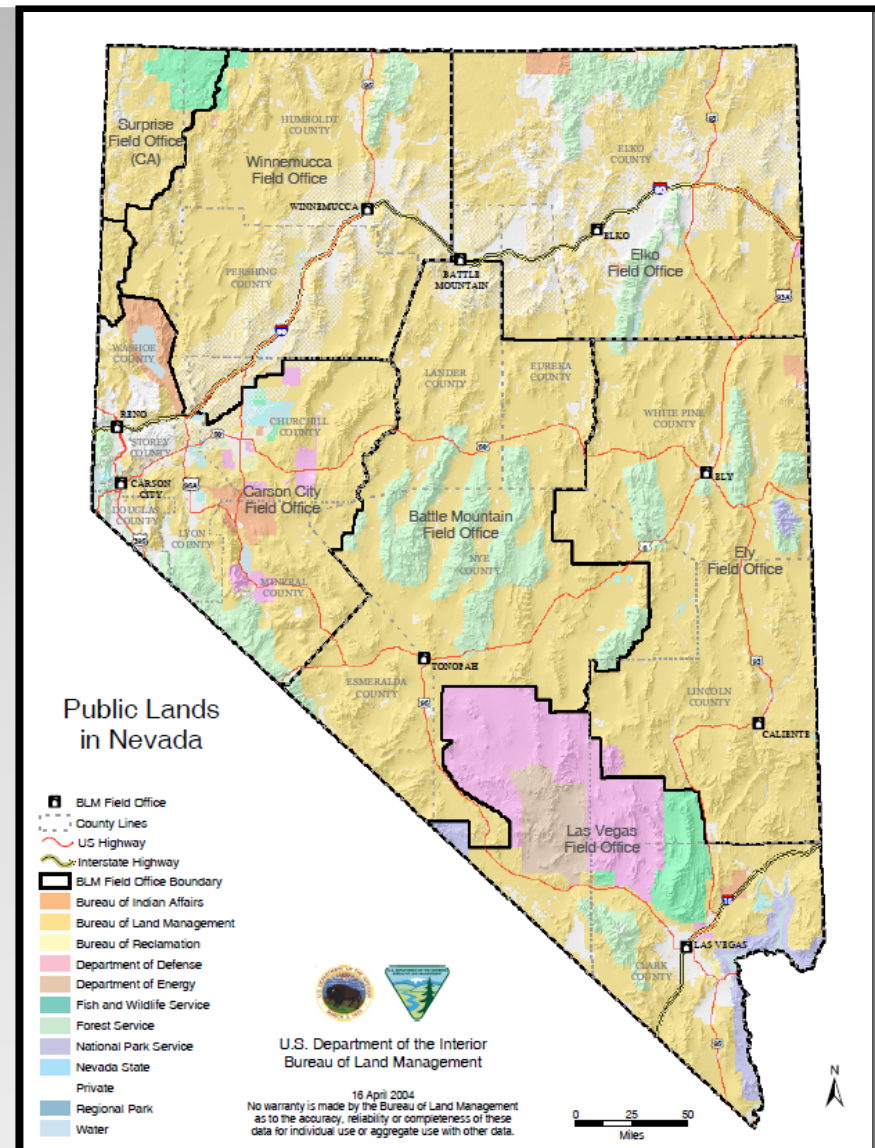


Right-of-Way Considerations

- **R/W held in fee simple:** Consider a multi-use or airspace lease and an encroachment permit. A lease rate will be determined and the terms of the agreement will need to be determined..
- **R/W held by easement over private property:** Consider a license from the Department and permission from the underlying fee holder.
- **R/W held by easement where BLM is the underlying fee holder.** This type of encroachment will rely on using the existing MOU between NDOT, FHWA and the BLM.
- **Union Pacific Railroad (UPRR) crossing:** There is a UPRR crossing that crosses I-15 right-of-way. Right-of-way ownership will need to be verified, but if UPRR holds the underlying easement or ownership, additional coordination will be needed with UPRR and possibly the Nevada PUC.
- **Temporary Construction Easements:** Where the alignment runs alongside of the right-of-way, temporary construction easements may be required along the corridor during construction

Challenges:

- Land and resource constrictions
 - 84.5% Federal lands
 - Terrain challenges
- Significant Environmental Impacts
- Limited experience with rail
- Existing Legislation



Opportunities:

- **Public Lands**

- Opportunity to reserve corridors

- **Ongoing statewide studies**

- Identify potential corridors within existing right-of-way.
- Establish planning/project recommendations to allow future accommodation of rail

- **New Partnerships**

- Establishing new multi-modal networks that compliment each other
- Connectivity and Interconnectivity of modes both within the state and with our adjoining states.
- Working relationships with railroad companies towards system enhancements that will help develop passenger rail service
- Multi-agency studies to include rail development or enhancements



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