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Honorable Ann K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street S.W.
Washington, DC 20423-001

April 8, 2008

Reference: Comments on the United States Department of Energy's (DOE) Application of Certificate of Public Convenience and Necessity to the Surface Transportation Board Finance Docket No. 35106. (*DOE – Rail Construction and Operation – Caliente Line in Lincoln, Nye, and Esmeralda Counties, Nevada*)

Dear Secretary Quinlan,

The Esmeralda County Board of County Commissioners appreciates the opportunity to provide comments on the above referenced document. With the prospect of the proposed rail construction and operation coming through Esmeralda County, we have a legitimate interest as hosts to the DOE preferred rail line for the transportation of high-level radioactive waste and spent nuclear fuel to a geologic repository at Yucca Mountain.

It is the intent of Esmeralda County to support DOE's application for Certificate of Public Convenience and Necessity for rail to the repository, however, Esmeralda County has three major issues in developing and implementing policy which protects public safety, minimizes adverse economic impacts, and maximizes economic opportunities associated with the rail line. The major issues are: 1. Shared use, 2. A through going rail system, 3. Caliente Corridor DOE preferred corridor selection.

Shared Use – Esmeralda County believes that shared use is essential and we support the evaluation of a shared use. This rail investment must be a

component of an integrated strategy for coordinated community development in central Nevada. Availability of the rail line for commercial shipping has the potential to generate significant economic benefit for businesses served by rail, and for towns and counties in which they are located. The addition of rail spurs to industrial and business support areas in rural communities and near the Yucca Mountain site could support major industries.

Through Going Rail System – Esmeralda County believes that a through going rail system in Nevada would better serve the shared use concept with national, regional and local level benefits. Nevada’s two widely separated metropolitan areas (Las Vegas and Reno) have grown dramatically, increasingly dominating the state economically and politically. A through going rail would serve to improve the movement of goods in services in Central Nevada. Regardless of the ultimate corridor selection, there should be a through going rail system connected to Yucca Mountain from both the north and the south. A through going rail system would serve to eliminate the necessity for rail shipments through the Las Vegas Valley where government leaders are concerned about the effect nuclear waste shipments may have on the tourism industry. Adding a southern approach would avoid the potential need for rail shipments through central California to connect with either corridor from the north. Having both northern and southern approaches to the repository would add flexibility to the national shipping program in that north-south and east-west rail corridors to accommodate seasonal (weather), construction, and load/density considerations. A through going rail system would also ensure the effective and efficient movement of waste shipments, reduce the number of rail shipments that would arrive at Yucca Mountain from any one direction, facilitate shipment of construction materials for the repository, and offer greater utility and economic benefit for shared use of the line by commercial freight. In the larger sense a through going railroad would link San Francisco/Oakland/Reno to Las Vegas/Los Angeles, a major addition to the flow of commerce in Central Nevada and the western seaboard. It is not reasonable to spend over two billion dollars on a dead end rail spur that does little to contribute to rail infrastructure and economic development in western Nevada and the southwestern United States when other alternatives could be further examined.

Caliente Corridor DOE preferred corridor selection – Esmeralda County believes that the DOE’s construction and operation cost estimates for the Caliente Corridor are very much under estimated due a to lack of details dealing with the socioeconomic costs and issues associated with rail in general and a through going rail. The National Academy of Science’s Study “Going the Distance” makes specific suggestions in reference to the Yucca Mountain rail corridor that there should be some effort to quantify costs and benefits of social impacts. As previously mentioned, Esmeralda County is in full support of DOE’s application for a Certificate of Public Convenience and Necessity for rail to the Yucca Mountain repository; however, Esmeralda County favors the Mina Corridor over the DOE’s selection of the Caliente Corridor.

Considering the unknown costs and impacts of the Caliente Route, the DOE needs to further examine the entire Mina Rail route. DOE should further mitigation efforts with the Walker River Paiute Tribe and also examine alternative routes around the Walker River Paiute Reservation or other northern corridors. Esmeralda County believes that by cancelling mitigation efforts with the Walker River Paiute it appears the DOE limited its options to seriously consider the Mina Corridor and even other possible corridors due to difficult political opposition, pursuing suboptimal options just to move the process forward and meet what they described as critical time schedules.

Esmeralda County wishes to suggest that the STB consider holding oral hearings on this matter. There has not been a substantive public debate on the overall issue of expanding construction and operation of a repository rail in the State of Nevada. It is important that the STB be involved with activities and decisions in this matter to better serve transportation issues in the State of Nevada and nationally. Despite Nevada’s political opposition to the repository it would be good to hear the views and needs of business, industry, and local government entities.

Sincerely,

William Kirby
Chairman

R. J. Gillum
Vice Chairman

Nancy Boland
Commissioner