



**CEQA EXEMPTION / NEPA CATEGORICAL EXCLUSION
DETERMINATION FORM (rev. 06/2022)**

Project Information

Project Name (if applicable): Brightline West – Cajon Pass High-Speed Rail Project

DIST-CO-RTE: 08-SBD-15

PM/PM: 4.1/51.8

EA: 0P401

Federal-Aid Project Number: 0800020205

Project Description

Caltrans proposes to enter into a Right of Way Use Agreement related to the DesertXpress High-Speed Rail System – Apple Valley to Rancho Cucamonga Project with DesertXpress Enterprises (a.k.a. Brightline West).

Caltrans CEQA Determination (Check one)

- Not Applicable** – Caltrans is not the CEQA Lead Agency
- Not Applicable** – Caltrans has prepared an IS or EIR under CEQA

Based on an examination of this proposal and supporting information, the project is:

- Exempt by Statute.** (PRC 21080[b]; 14 CCR 15260 et seq.)
- Categorically Exempt. Class** Enter class. (PRC 21084; 14 CCR 15300 et seq.)
 - No exceptions apply that would bar the use of a categorical exemption (PRC 21084 and 14 CCR 15300.2). See the [SER Chapter 34](#) for exceptions.
- Covered by the Common Sense Exemption.** This project does not fall within an exempt class, but it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment (14 CCR 15061[b][3].)

Senior Environmental Planner or Environmental Branch Chief

Andrew M. Walters

Andrew M. Walters

1/9/2024

Print Name

Signature

Date

Project Manager

Nader Naguib

Nader Naguib

1/9/2024

Print Name

Signature

Date



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Continuation sheet:

DesertXpress Enterprises, LLC, which does business as Brightline West, proposes to privately design, construct, operate, and maintain an interstate passenger high-speed railroad between Southern California and Las Vegas, Nevada. The dedicated passenger-only high-speed rail line will be designed and constructed for operation and maintenance within an approximately 218-mile corridor that will make a compatible use of the Interstate 15 freeway and rights-of-way ("I-15") and is proposed to be built primarily within the median of existing I-15.

Caltrans and DesertXpress previously entered a "Right of Way Use Agreement Related to the DesertXpress High-Speed Rail Project – Apple Valley to California/Nevada Border Segment" dated June 19, 2020 that applies to the approximately 135 miles of the private rail system that will be constructed between Apple Valley and the California/Nevada state line. The parties now intend to enter a lease agreement related to the approximately 49 miles of the private rail system and associated highway changes that are proposed to be constructed as part of the system between Apple Valley and Rancho Cucamonga in the I-15 corridor.

The Secretary of the California State Transportation Agency (CalSTA) has delegated to the Department of Transportation (Caltrans) authority granted under Public Utility Code Section 7551.1 to execute a leasehold agreement with XpressWest concerning State right-of-way which is not otherwise disposed of or in use for its proposed privately funded high-speed passenger rail line between Victor Valley and Rancho Cucamonga, California, within the existing Interstate 15 alignment.

Caltrans's action is limited to the execution of a Right of Way Use Agreement with XpressWest. This action to enter into a Right of Way Use Agreement concerning a portion of Interstate 15 rights-of-way for the construction, operation, and maintenance of passenger high-speed rail qualifies as a Statutory Exemption under Public Resources Code section 21080, subdivision (b)(10) as a project for the institution or increase of passenger or commuter services on rail or highway rights-of-way already in use, including modernization of existing stations and parking facilities.