



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Economics, Environmental Analysis and Administration

January 31, 2008

Amadeo Saenz, Jr., P.E.
Executive Director
Texas Department of Transportation
125 E. 11th St.
Austin, TX 78701-2483

Re: Finance Docket No. 35061, Liberty County Rural Rail Transportation District No. 1 – Construction and Operation Exemption – in Liberty County, Texas; Request for Joint Lead Agency Status

Dear Mr. Saenz:

Thank you for your December 12, 2007 letter regarding the proposed construction and operation of the Liberty County Rural Rail Transportation District No. 1 (LCRRTD) in Liberty County, Texas. In your letter, you request that the Texas Department of Transportation (TX DOT) be made a joint lead agency in this proceeding.

Pursuant to 40 CFR 1501.5 and 1501.6, the Surface Transportation Board's Section of Environmental Analysis typically grants joint lead or cooperating agency status to agencies with a licensing role in the proposed project. Because TX DOT does not have a licensing role here, we do not believe that granting joint lead agency status is appropriate in this case. We understand, however, that TX DOT has unique expertise and knowledge regarding transportation projects in the state of Texas. Therefore, we would like to invite TX DOT to participate as a consulting agency and to commit to working closely with your office during the course of the environmental review. We welcome any comments or concerns that TX DOT may have regarding the environmental effects associated with the proposed construction and operation of the LCRRTD.

If we can be of further assistance, please do not hesitate to contact me or Danielle Gosselin of my staff at (202) 245-0300. We look forward to working with you in the future.

Sincerely,

Victoria Rutson
Chief
Section of Environmental Analysis

cc: James L. Randall