

# TEXAS HOUSE OF REPRESENTATIVES



FD 36025  
240705

**LEIGHTON SCHUBERT**  
*District 13*

**ENTERED**  
**Office of Proceedings**  
**May 19, 2016**  
**Part of**  
**Public Record**

May 12, 2016

Chairman Daniel R. Elliott, III  
Surface Transportation Board  
395 E Street, S.W.  
Washington, DC 20423

Chairman Elliott,

Recently, the Surface Transportation Board (STB) received petitions from Texas Central Railroad and Infrastructure Inc., and Texas Central Railroad LLC (collectively, Texas Central - Filing Nos. 240521 and 250522).

I am writing to convey my opposition to these filings because they will substantially harm my constituents and their property rights. The proposed high-speed rail line is wholly within the State of Texas, and to my knowledge has no direct connection with any other interstate rail facilities. The petitions also ask the STB to ignore federal law and previous precedents which, if granted, could violate both state and federal law.

As a state legislator committed to representing my constituents and their interests, as well as the interests of the entire state, I have closely followed the development of this proposed high-speed rail line between Dallas and Houston. I am disappointed with Texas Central's lack of transparency and communication with property owners and stakeholders along the proposed route. Last year, several Texas legislators wrote to the Federal Railroad Administration expressing the belief that the federally required notification components of an environmental review were substantially flawed.

Texas Central's petitions ask the STB to waive federal laws requiring review of the public convenience and necessity of the proposed project. My constituents have made very clear this privately owned and operated rail line proposal is neither convenient, nor necessary.

Texas Central also asks for a ruling that would effectively allow eminent domain proceedings -



the first phase of construction - to commence without a finding of public convenience and necessity. Texas Central's argument that condemnation of private property does not equate to a legally cognizable injury until physical possession is taken defies reason and undermines the most basic principles of private property rights. Even Texas Central concedes litigation is likely.

For all the reasons outlined above, I categorically oppose the fast-tracking of the condemnation of private property for a project wholly contained within our state's borders, and I respectfully urge the Surface Transportation Board to reject Texas Central's petitions.

Sincerely,

A handwritten signature in black ink, appearing to read "Leigh Schubert". The signature is fluid and cursive, with the first name "Leigh" written in a larger, more prominent script than the last name "Schubert".

LEIGHTON SCHUBERT  
Texas State Representative  
House District 13

**Certificate of Service**

I hereby certify that I have served all parties of record in this proceeding with this document by United States mail or by e-mail.

/s/ Leighton Schubert

May 19, 2016