



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

November 10, 2021

Alan Tabachnick
Historic Preservation Specialist, Office of Environmental Analysis
Surface Transportation Board
395 E Street SW
Washington, DC 20423

**RE: Brightline West Cajon Pass High-Speed Rail Project
San Bernardino County, California
Initiation of Section 106 and Area of Potential Effects Consultation**

Dear Mr. Tabachnick,

The Federal Railroad Administration (FRA) is preparing an Environmental Assessment (EA) for the Brightline West Cajon Pass High-Speed Rail Project (Project). DesertXpress Enterprises, LLC (dba "Brightline West") proposes to construct and operate a 49-mile high-speed train system in San Bernardino County, between Victor Valley, California and Rancho Cucamonga, California. The EA will be prepared in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et. seq.*) (NEPA), the Council on Environmental Quality's NEPA regulations (40 CFR parts 1500-1508), FRA's Environmental Procedures (23 CFR Part 771), Section 4(f) of the U.S. Department of Transportation Act (49 U.S.C. 303 and 23 U.S.C. 138), and related environmental laws.

As stipulated in 36 C.F.R. Part 800.2(c)(3) and (5), the regulations that implement Section 106, FRA is seeking input from certain individuals, organizations and representatives of local government with a demonstrated interest in the undertaking and its potential to affect historic resources within the project area. Your opinions are essential to informed decision-making in the Section 106 process.

The purpose of this letter is to notify you that FRA is initiating consultation for the Cajon Pass Project, consistent with its responsibilities under Section 106 of the National Historic Preservation Act, in coordination with the preparation of an EA; and invite you to participate as a "Consulting Party" in the Section 106 consultation, pursuant to 36 CFR 800.2.

Project Description

The Project is proposed as a grade separated high-speed passenger train that would operate service between Victor Valley and Rancho Cucamonga, California. The Project includes a 49-mile rail alignment that will be constructed primarily within the existing I-15 ROW with sections running in the median or adjacent to the highway and on an existing transportation corridor for the last mile. The Project includes three stations in: Victor Valley; Hesperia; and Rancho Cucamonga. Trains are expected to operate daily on 45-minute headways between Victor Valley and Rancho Cucamonga.

Proposed Area of Potential Effects (APE)

The proposed APE, as defined in 36 CFR 800.16(d), is “the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The Area of Potential Effects is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking.” Consistent with 36 CFR 800.4(a)(1), FRA intends to finalize the APE in consultation with SHPO and the Consulting Parties.

To inform the delineation of the proposed APE, a cultural resource data search was conducted by the South Central Coastal Information Center on October 8, 2020. This review was conducted for 1/2-mile on either side of the Project centerline.

In its methodology to define the proposed APE, FRA considered preliminary data review and multiple years of agency coordination and feedback from Tribes from similar rail projects in the region. Additional consideration was given to the differences between the urban and rural environment, the types of resources and historical development patterns. FRA welcomes your comments on the proposed APE and will work with Consulting Parties to finalize the APE.

The proposed APE is based on preliminary design plans and is the area within which direct, indirect, and cumulative effects from the Project will be considered. The proposed APE is characterized by an area of direct impact (APE-ADI) and an area of indirect impact (APE-AII) as described below.

Proposed APE - Area of Direct Impact (APE-ADI)

The proposed APE-ADI is approximately 2,444.0 acres and 49.06 linear miles. The proposed APE-ADI considers where historic properties may be directly affected by Project construction and operational activities. The proposed APE-ADI includes the footprint of the alignment, facility features, and ancillary features. Facility features consist of station locations; substations; and operations, maintenance, and service facilities. Ancillary features include temporary construction easements, staging areas, and roadway reconstruction locations. The proposed APE-ADI also includes all areas proposed for eventual double-tracking. The proposed APE-ADI, as shown on the attached APE Map (Attachment 1) is currently wide enough to encompass potential minor shifts in alignments as the design advances.

The proposed APE-ADI takes into consideration the vertical depth of ground disturbance. FRA defined the vertical depth of the proposed APE-ADI based upon preliminary plan and profile

designs prepared for the Project. It accounts for the final depths necessary to construct rail bed, and footings or foundations of structural components. The proposed APE-ADI depth is expected to range from a few feet for at-grade work, up to 8 feet below grade to account for support pilings, and more than 100 feet for footings associated with waterway crossings. To account for varying depths of Project components and to provide flexibility for minor Project changes, FRA delineated the depth of the proposed APE-ADI as up to 120 feet below current grade.

Table 1 summarizes the proposed delineation methodology for the proposed APE-ADI.

Proposed APE-Area of Indirect Impact (APE-AII)

The proposed APE-AII is approximately 16,604.0 acres and 50.43 linear miles. The proposed APE-AII encompasses and extends beyond the entire area included in the proposed APE-ADI. It takes into account where historic properties may be directly affected by construction and operational activities in addition to changes in pattern of use, or changes in historic character through visual interventions, noise and/or vibration. The proposed APE-AII is a larger area than the proposed APE-ADI to account for potential effects to historic properties of religious or cultural significance to Tribes that extend past the proposed APE-ADI. FRA has developed a proposed APE-AII of 1,500 feet on either side of the Project's APE-ADI in rural areas and one tax lot adjacent to the APE-ADI, with a 200-foot minimum, in urban areas. The entire tax lot is included to encompass all structures on the property. The boundaries between urban and rural areas are defined by local urban boundaries.

The proposed APE-AII accounts for the vertical height of various Project components, listed in Table 1, such as catenary poles, elevated segments, and pedestrian bridges. To account for varying vertical dimensions of Project components and to provide flexibility for minor Project changes, the vertical height of the proposed APE-AII is delineated as up to 65 feet above current grade.

Table 1 summarizes the proposed delineation methodology for the proposed APE-AII.

Table 1: Proposed APE Delineations

Project Component	Proposed APE Delineation
APE-ADI (alignment, highway improvements only, interchange modifications)	Variable – Project footprint
Urban Alignment	One tax lot adjacent to APE-ADI, 200 feet minimum
Rural Alignment	1,500 feet either side of APE-ADI
Vertical Height of Project components	65 feet above current grade
Historic Properties, including those of Religious or Cultural Significance to Tribes	1,500 feet either side of APE-ADI

Per 36 CFR 800.11, an APE map (Attachment 1) has been provided to enable the review of the proposed APE. The proposed APE-ADI is depicted by the red shaded areas, and the proposed APE-AII is depicted by blue cross-hatching. The proposed APE is made up of both the proposed APE-ADI and proposed APE-AII.

Notification on Fieldwork

FRA intends to begin fieldwork for the final APE-ADI with Tribal archeological field monitors present. FRA considers all of these efforts preliminary until the APE is finalized through consultation. If there are areas identified in the final APE-ADI that were not surveyed, additional survey work will be completed to cover those areas.

Request for Participation and Comments

FRA is committed to involving the historic preservation community throughout this process. Because of your potential interest in the project, FRA is currently asking for your input regarding this project and any other relevant information you would like to share.

FRA requests that 1) you review the enclosed materials and provide any comments or information you may have regarding historic properties relevant to this project; and 2) that you notify FRA within 30 days of receipt of this letter whether you accept or decline consulting party status. To understand the role of a consulting party in the Section 106 process, please review Protecting Historic Properties: A Citizen's Guide to Section 106 which can be found here: <https://www.achp.gov/sites/default/files/documents/2017-01/CitizenGuide.pdf>. Should you accept consulting party status, please identify the point of contact(s) for your organization and current contact information, including email addresses.

If you have any additional questions or would like to discuss the Project in greater detail, FRA encourages you to please contact Matthew Mielke, Environmental Protection Specialist, at 202-536-8157 or matthew.mielke@dot.gov.

We look forward to working with you on this Project.

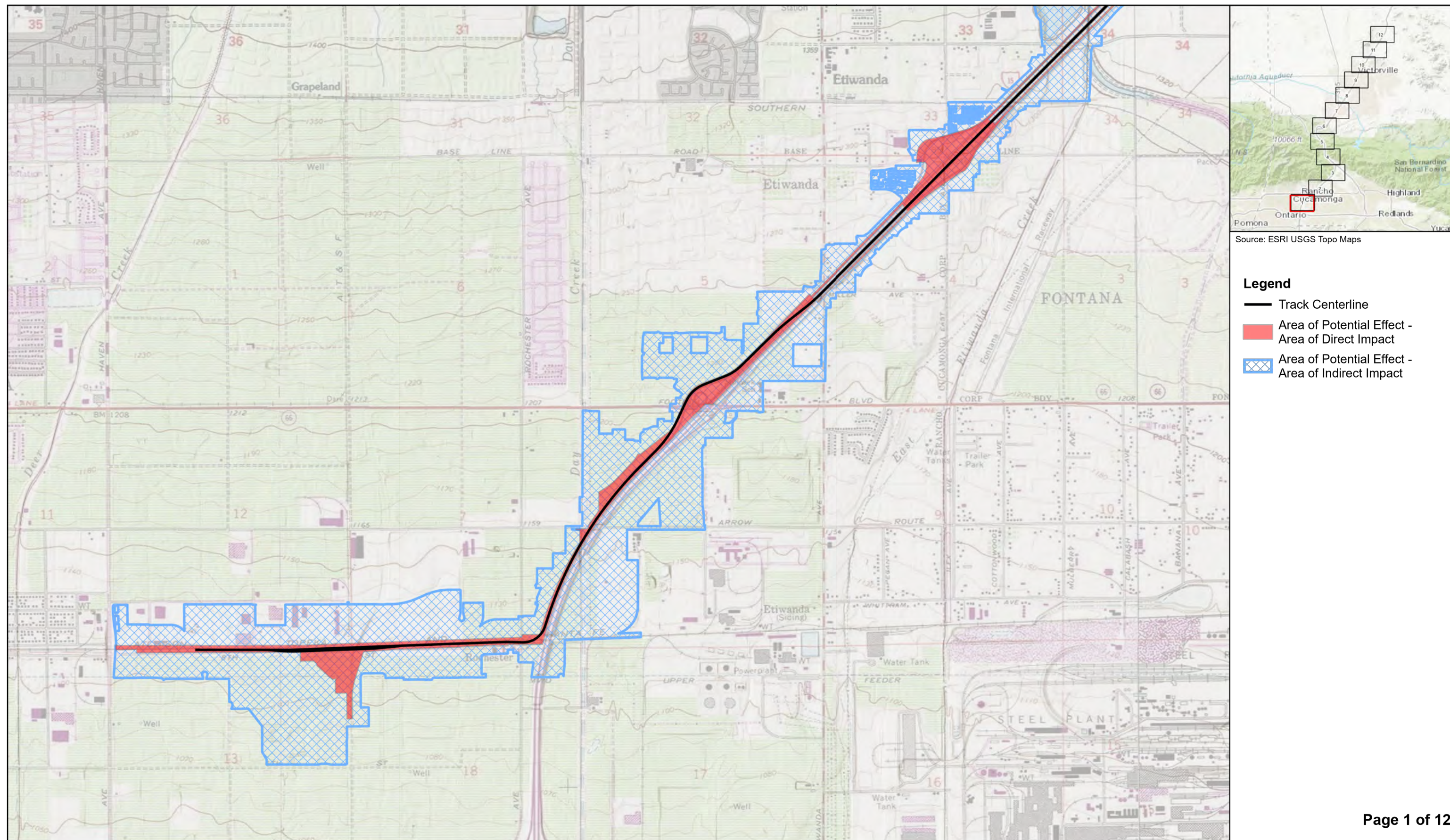
Sincerely,



Katherine Zeringue
Federal Preservation Officer
Federal Railroad Administration

Attachments: Proposed APE Maps

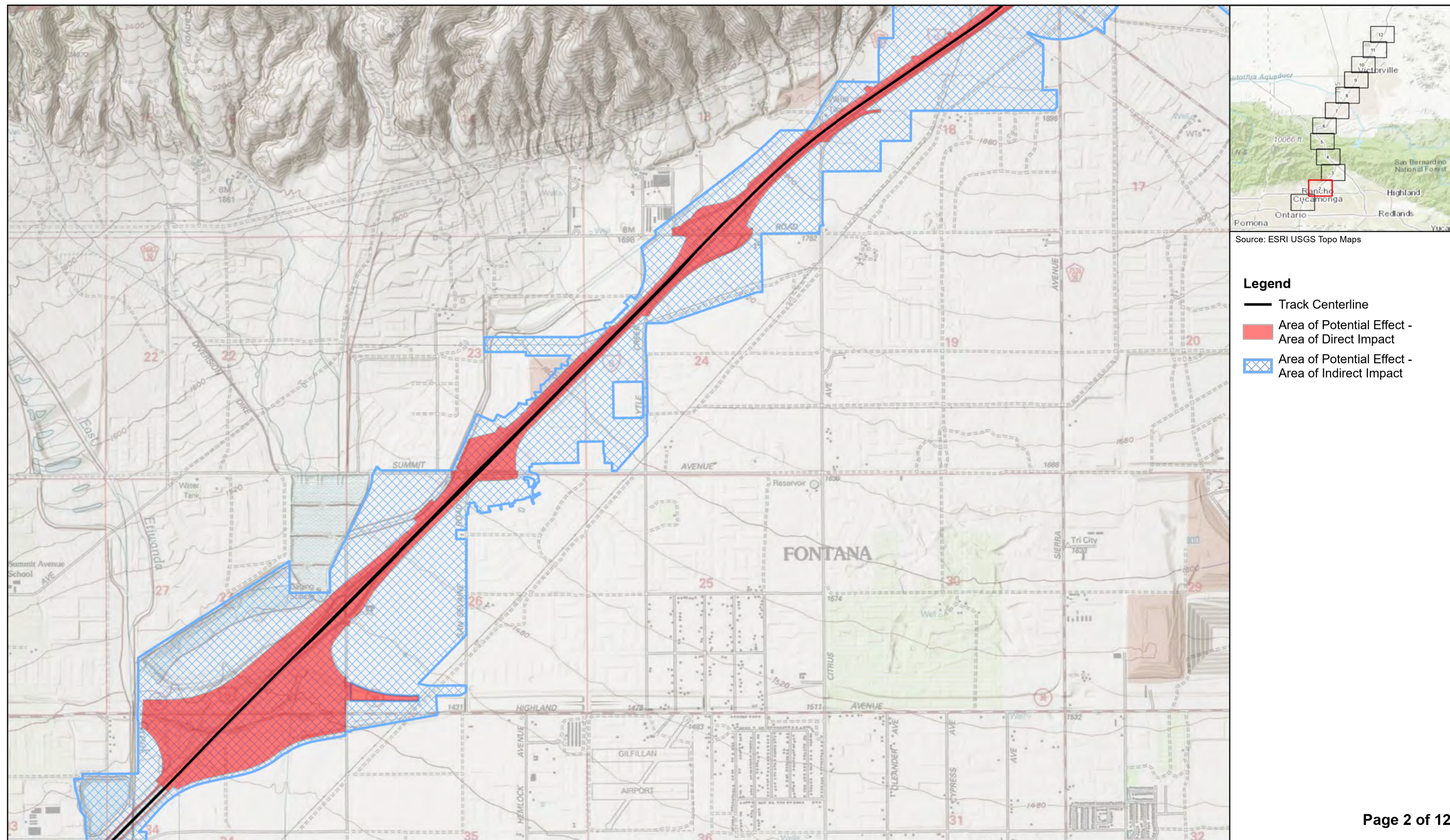
cc: Danielle Gosselin, STB
David Navecky, STB
Andrea Poole, STB
Matthew Mielke, FRA
Deborah Suciu Smith, FRA

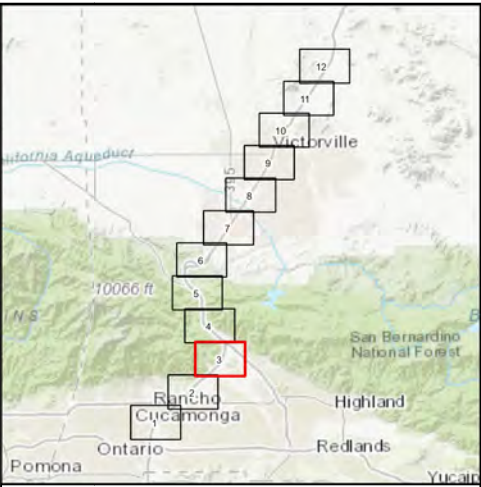
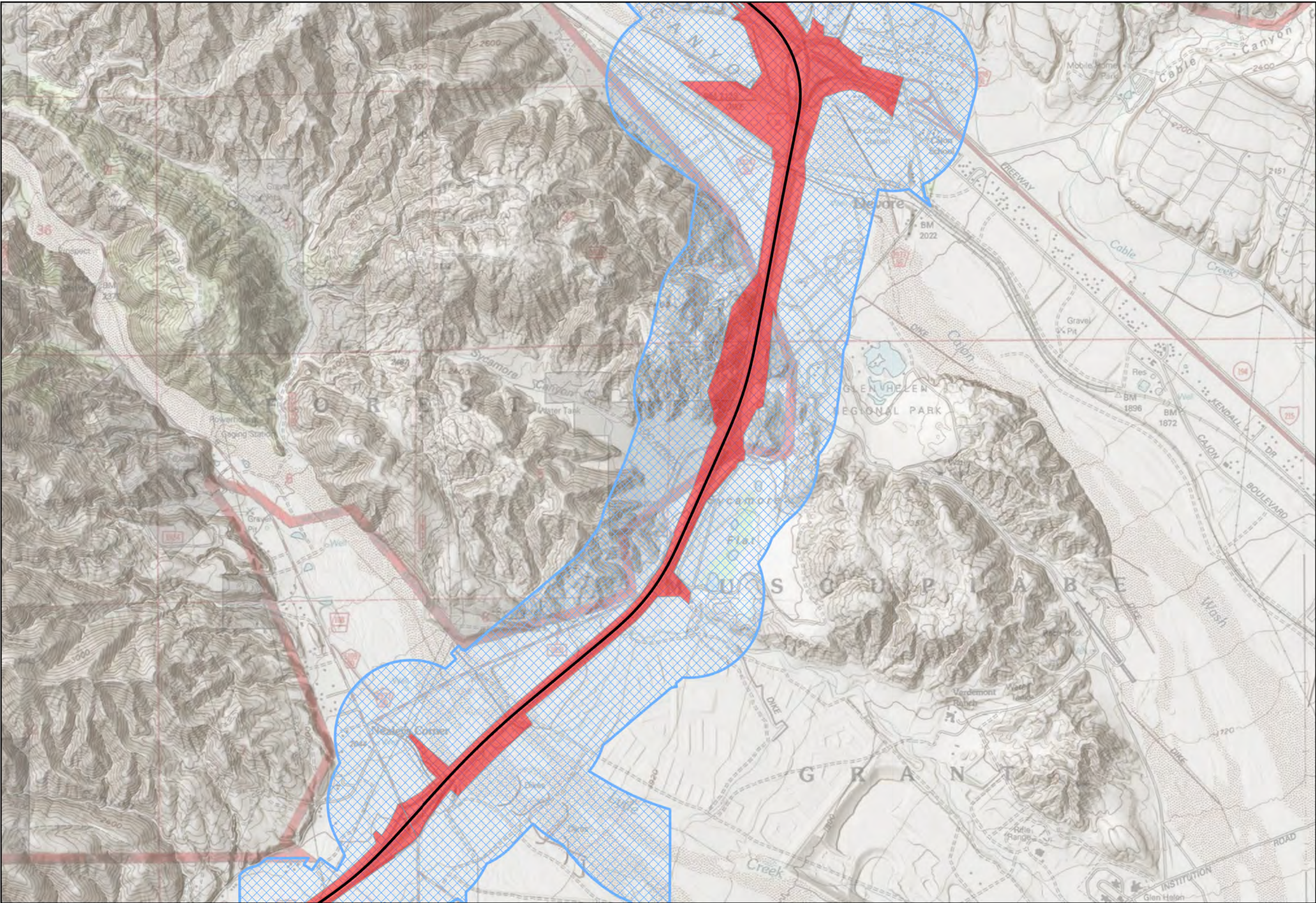


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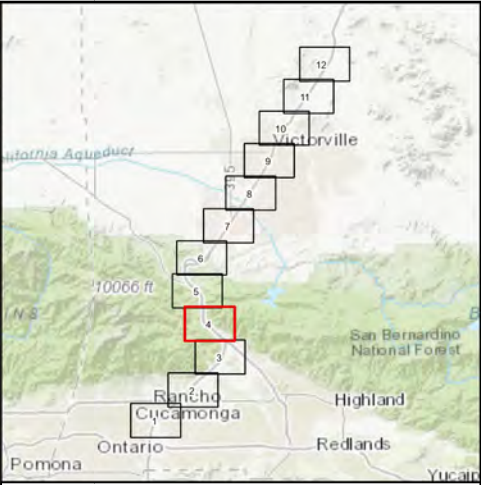
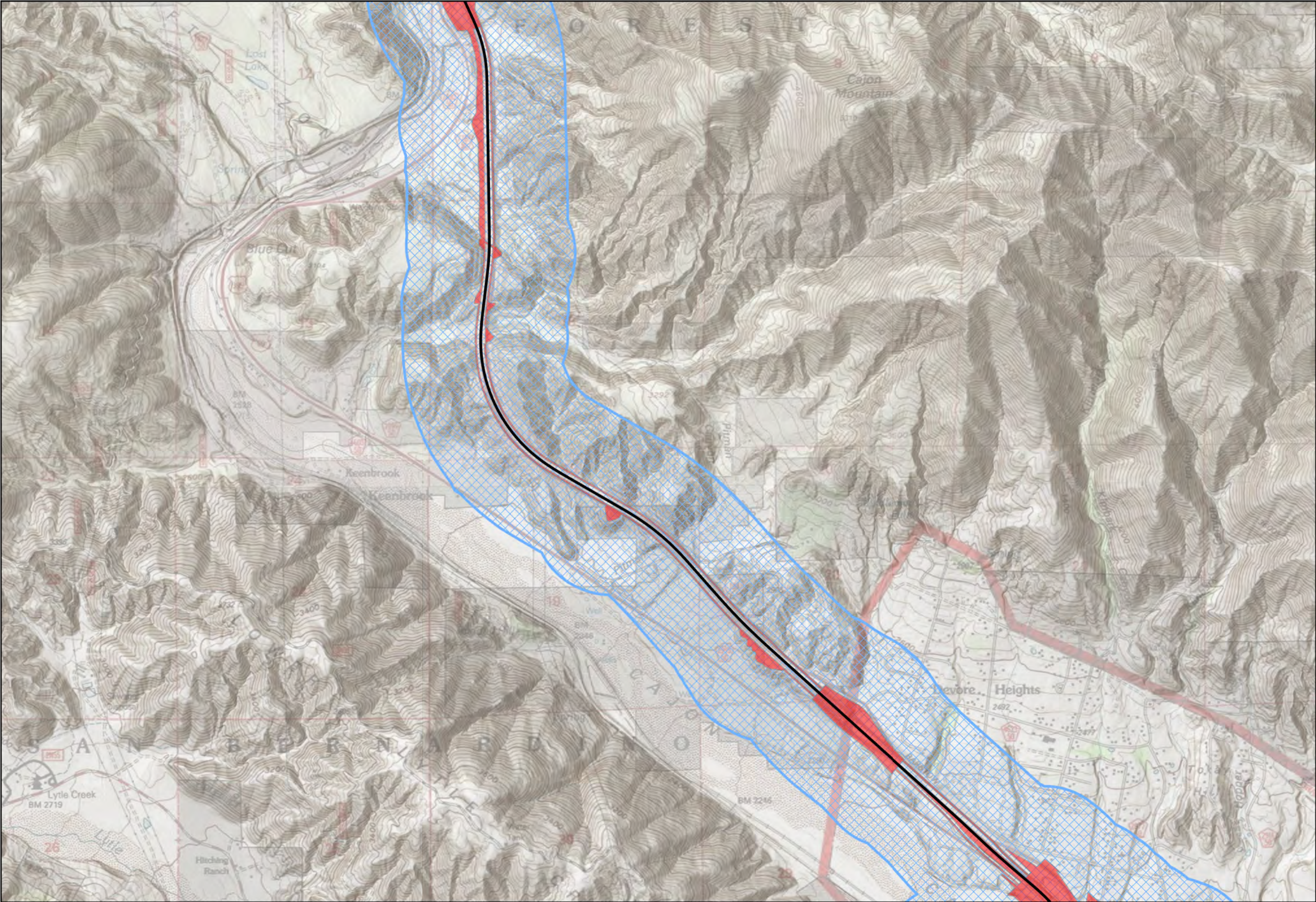
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-  Area of Potential Effect - Area of Direct Impact
-  Area of Potential Effect - Area of Indirect Impact





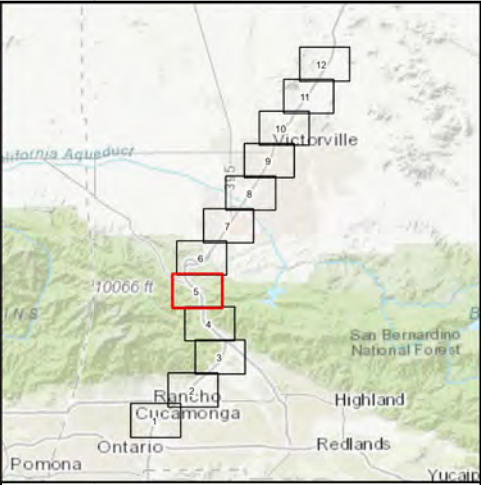
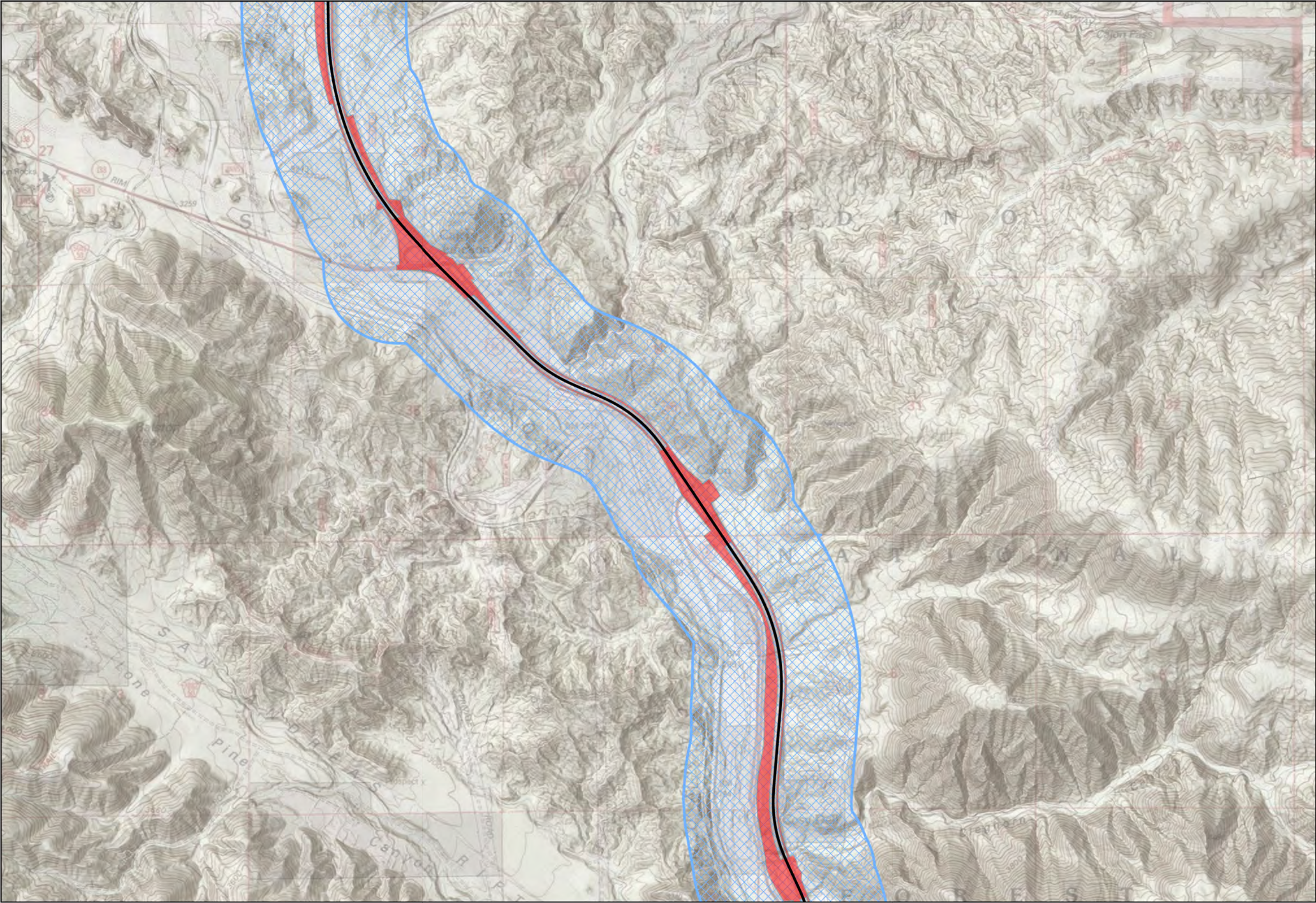
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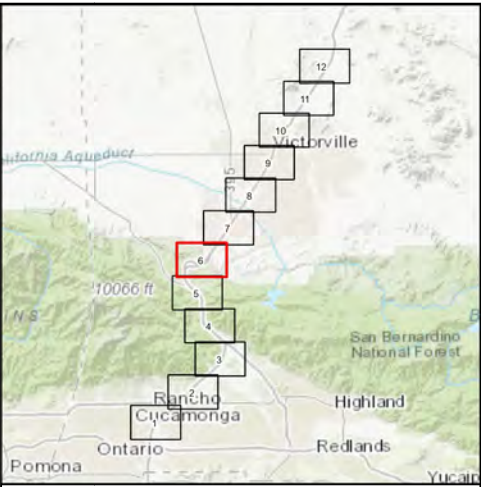
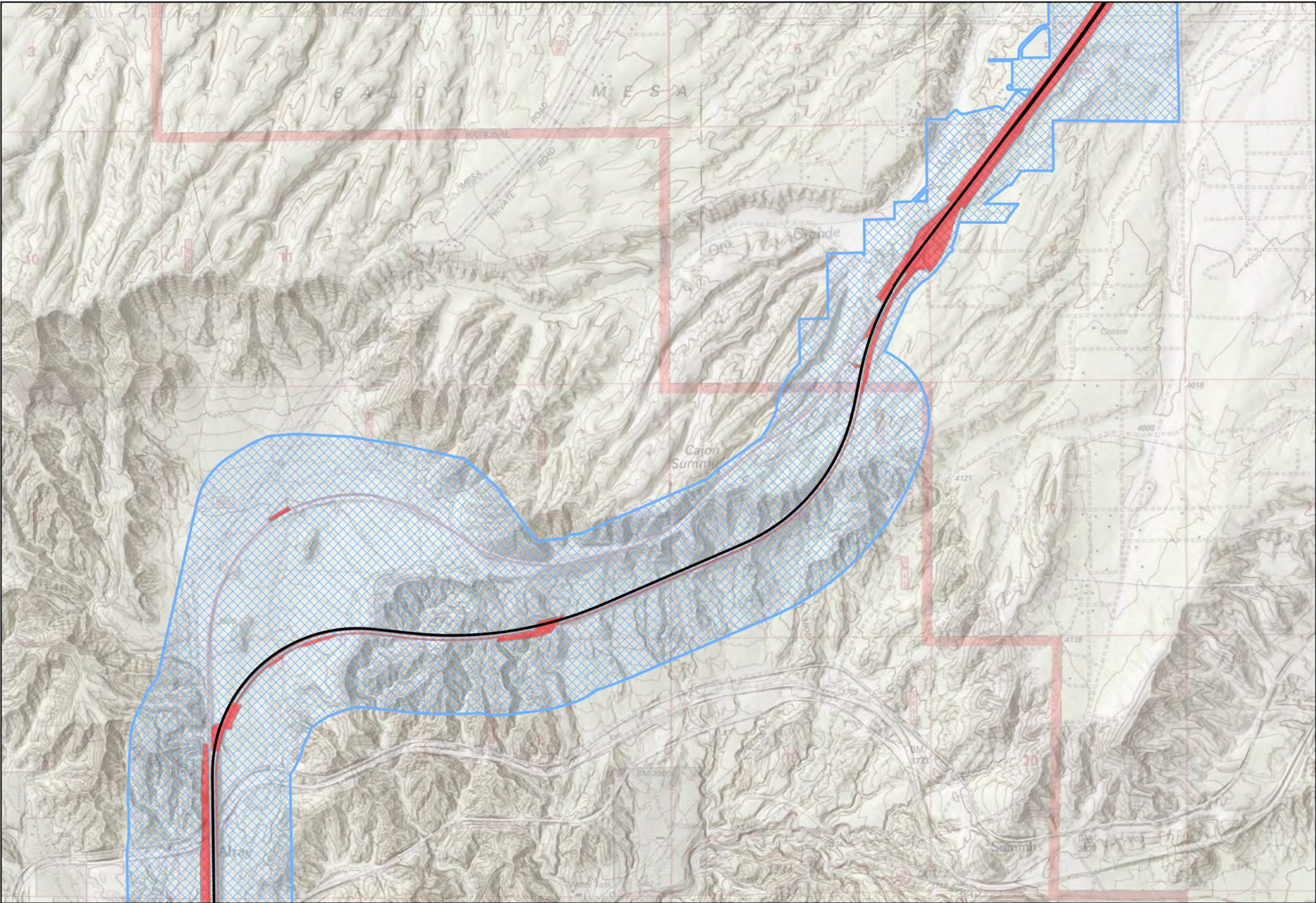
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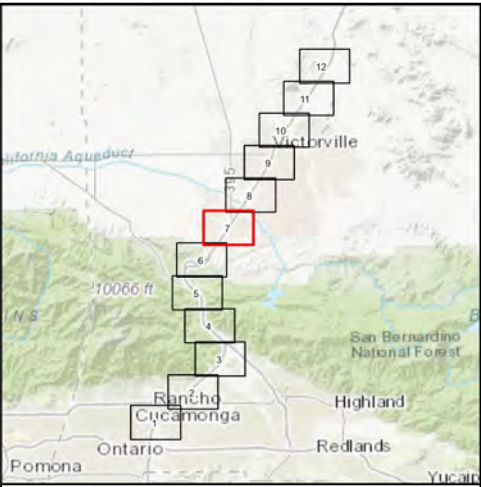
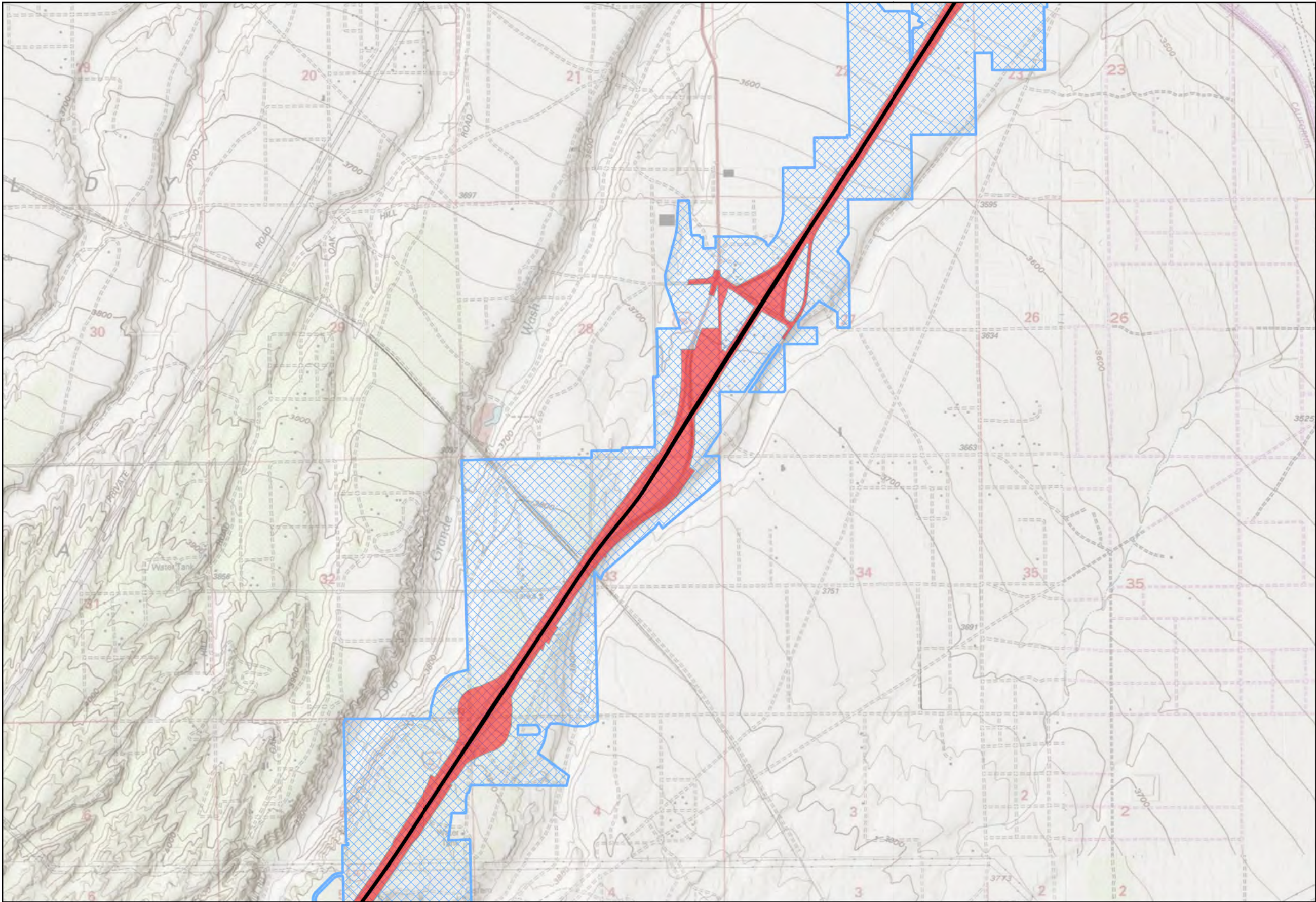
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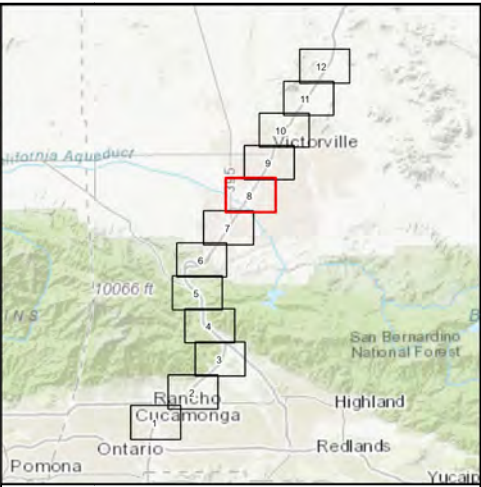
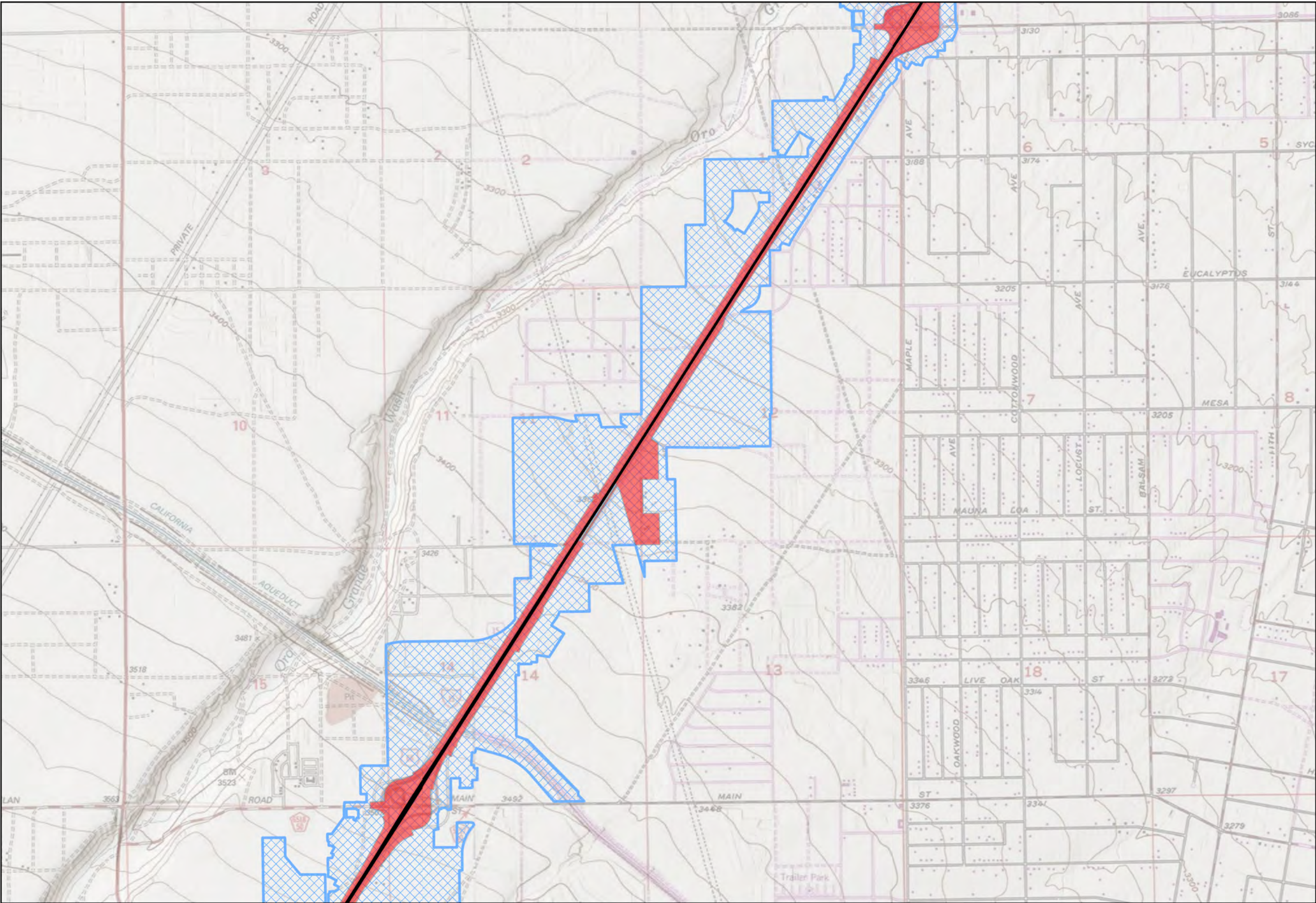
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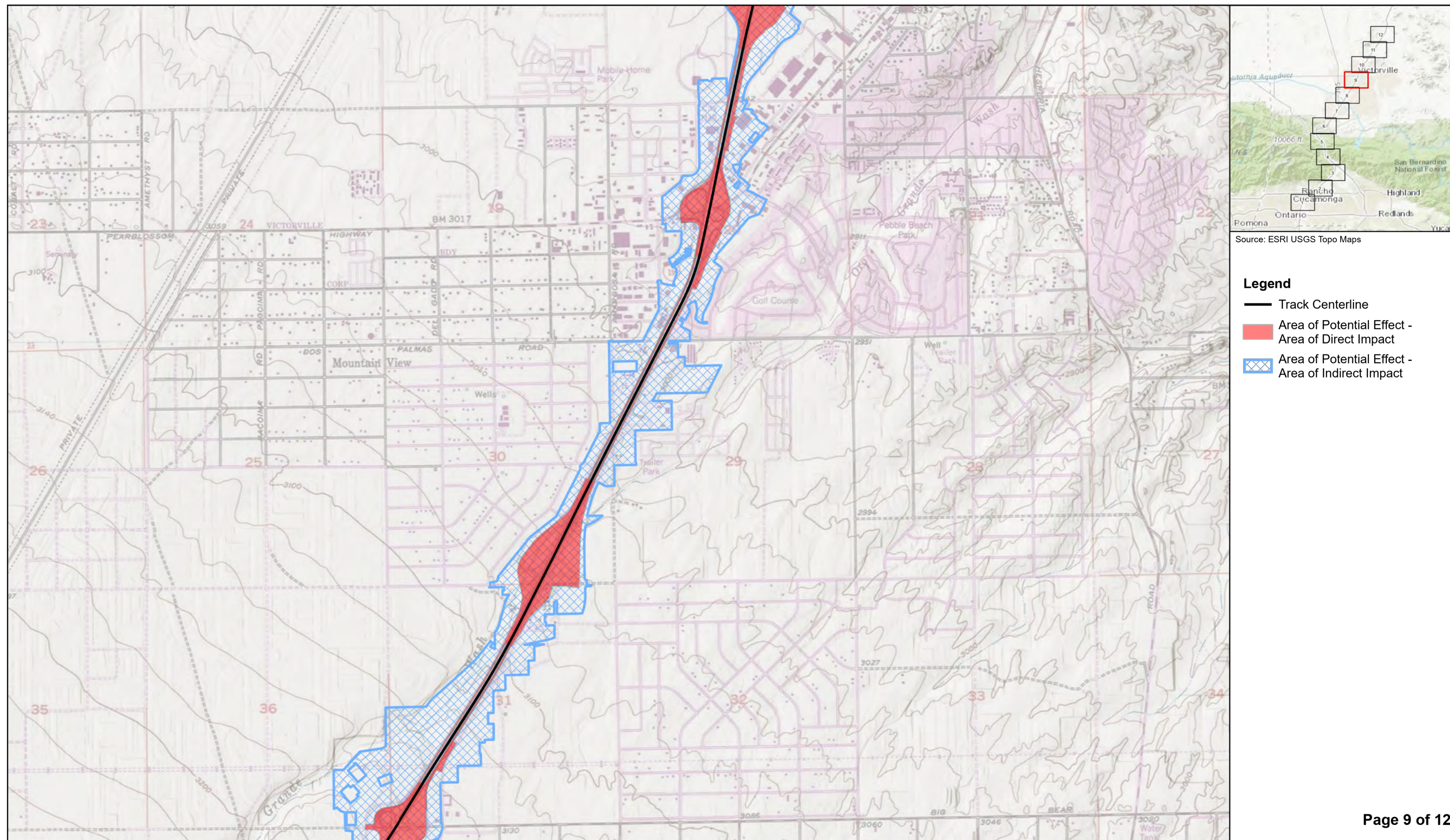
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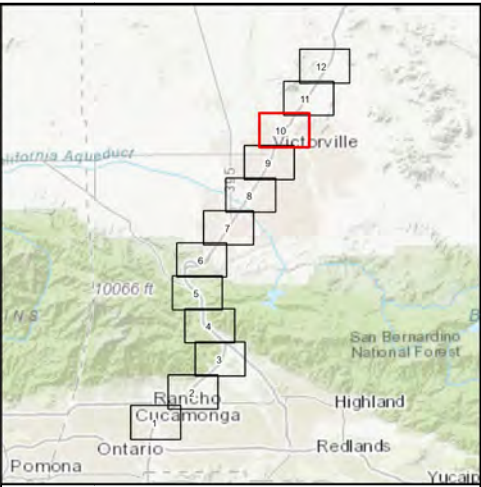
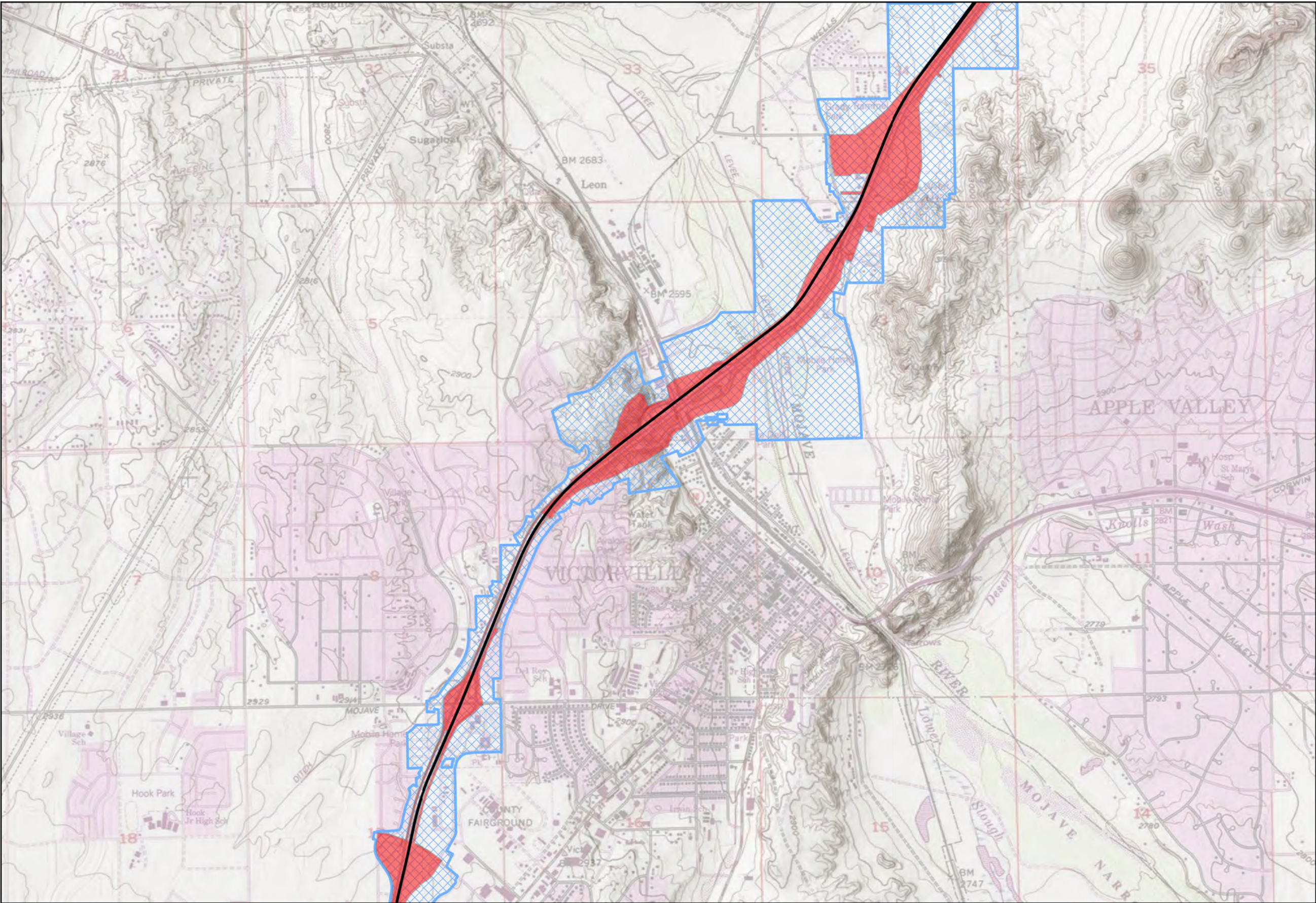
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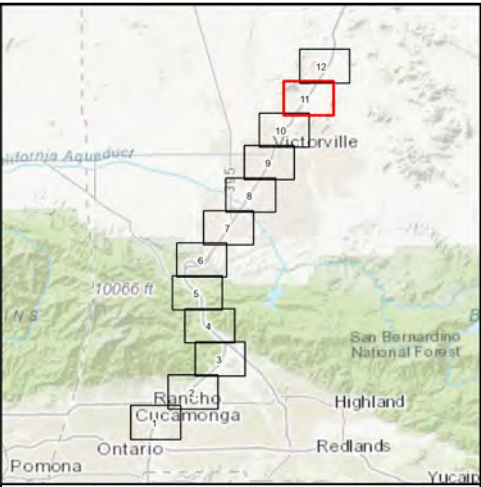
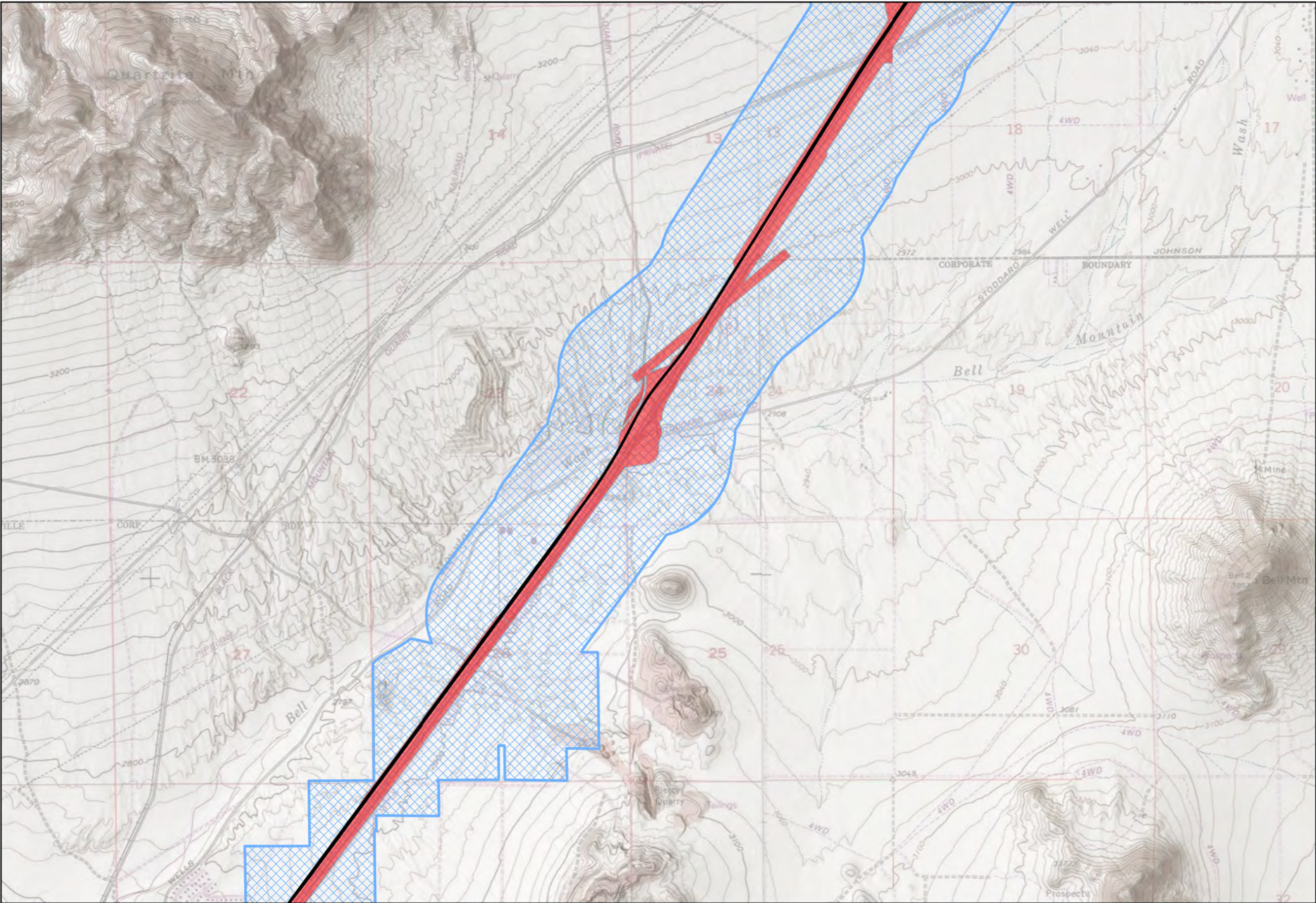


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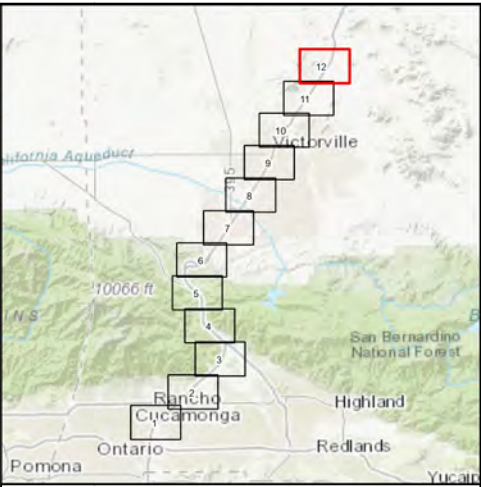
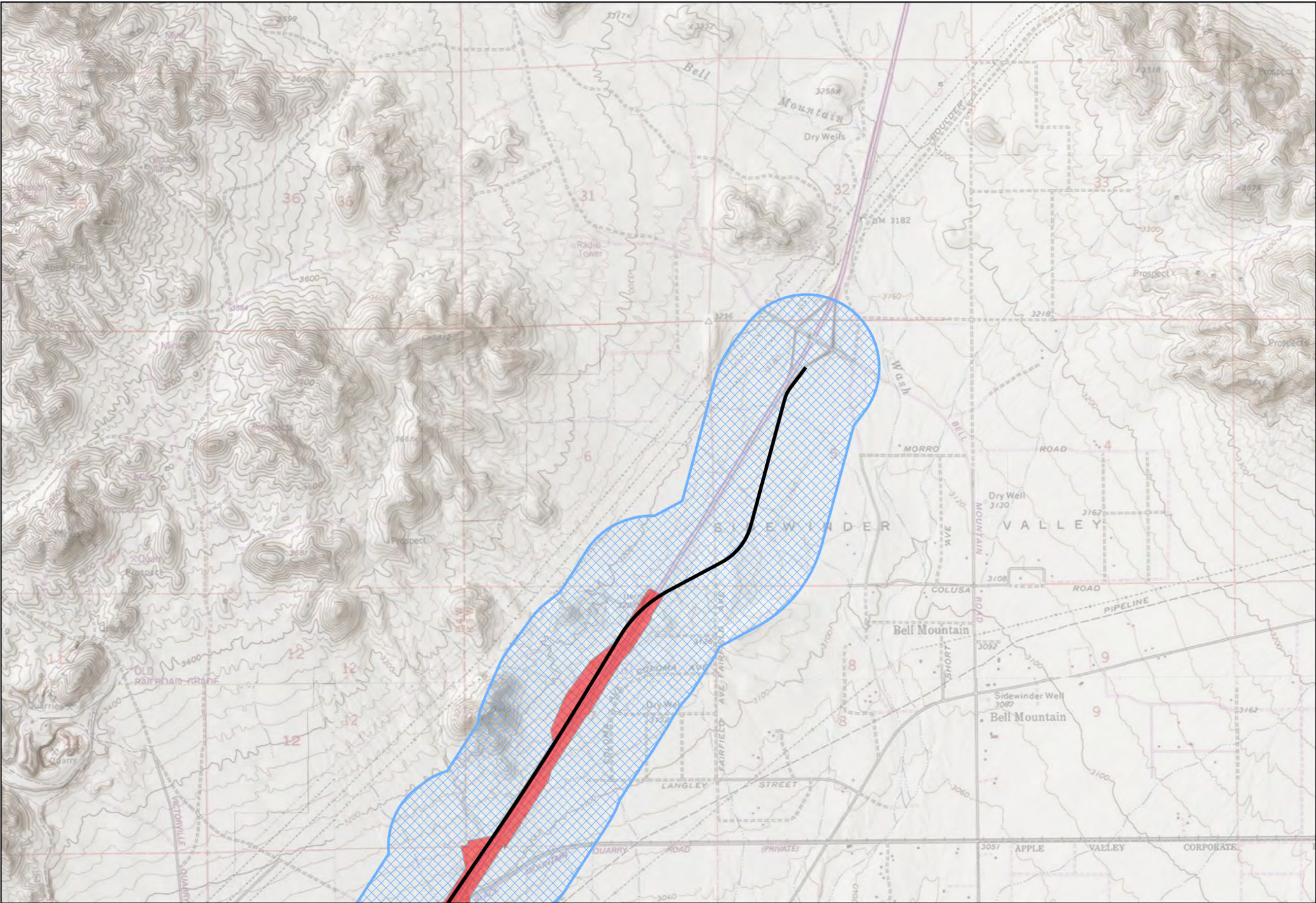
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