



U.S. Department
of Transportation

**Federal Railroad
Administration**

1120 Vermont Ave., N.W.
Washington, D.C. 20590

FEB 10 2003

Dr. Knox Mellon
State Historic Preservation Officer
Office of Historic Preservation
P.O. Box 942896
Sacramento, CA 94296-0001

Subject: APE for California High-Speed Train Program EIR/EIS

Dear Dr. Mellon:

As identified in the November 15, 2002 letter from the Federal Railroad Administration (FRA) and in discussions with your staff, the FRA and the California High-Speed Rail Authority are preparing a Programmatic Environmental Impact Report/Environmental Impact Statement (Program EIR/EIS) as part of the environmental review process for the California High-Speed Rail Program. Initial steps to identify historic properties will be taken as part of this process in order to help evaluate system alternatives and alternative high-speed train routes.

For this Program level EIR/EIS, the Area of Potential Effect (APE) will define the area for which records search information for archaeological sites will be collected, and the area that will be used to help evaluate the relative magnitude of potential effects to historic and cultural resources at this Tier-1 program phase of analysis. Any traditional cultural properties identified by the Native American Heritage Commission or Native Americans contacted about the project will be considered, whether or not they are in the APE used for the records searches at the Information Centers.

Several of the potential high-speed train routes that we are studying are located along existing railroad and freeway rights-of-way. In addition, we are evaluating a modal alternative that includes improvements to a number of existing airports and freeways. For the high-speed train alternative, we propose that the APE be defined as 500 feet on each side of the centerline of proposed high-speed train routes in non-urban areas and 100 feet from the centerline in urban areas. For the modal alternative, we propose that the APE for freeway routes and around airports be defined as 100 feet beyond the existing freeway right-of-way and 100 feet beyond the existing airport property boundary. The reason we propose using 100 feet for urban rail corridors is that very little additional right-of-way would be affected in these areas. Because freeway and airport capacity enhancements expand existing facilities, they too would require very little additional right-of-way. The use of 500 feet on each side of the high-speed train centerline in non-urban areas will provide information on wider corridors where additional right-of-way could be affected.

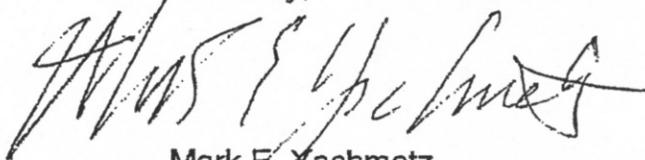
We have not yet identified locations of easements and construction-related facilities, such as equipment staging areas, borrow and disposal areas, access roads, and utilities. We expect to do so as part of the construction design program for the alternatives selected for

more detailed analysis in the next phase of the project. Thus, we will not consider these items in the program level Tier-1 analysis, but we would have this information for Tier-2 site-specific EIR/EIS's. The APE would be modified to include these items as part of the Tier-2 analysis.

We will likewise not be collecting information from the Historic Property Data File and other sources that provide addresses of individual historic structures at this program phase. The potential relative magnitude of effects on historic structures from the various alternatives will be evaluated based on the percentage of each alternative route that developed in various time periods (before 1900, 1900 to 1929, and 1930 to 1958). Potential impacts to specific resources would be assessed as part of a subsequent Tier-2 analysis.

We request your concurrence with the APE boundaries we have proposed for this program phase of the undertaking. We appreciate the cooperation we have received from your staff as we have consulted with them with respect to the appropriate APE definition and our approach to structuring the analyses to be conducted at the Tier-1 and Tier-2 phases of this important statewide project. Should you have any questions or concerns regarding this request, please contact Mr. David Valenstein at (202) 493-6368.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark E. Yachmetz", written in a cursive style.

Mark E. Yachmetz
Associate Administrator
For Railroad Development

CC: D. Valenstein, FRA
D. Leavitt, CAHSRA
K. Field, PB
M. Duffey, DC
R. Mason, CG

**OFFICE OF HISTORIC PRESERVATION
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November 20, 2002

REPLY TO: FRA021115A

Mark E. Yachmetz, Associate Administrator
Federal Railroad Administration
400 Seventh Street, S. W.
WASHINGTON DC 20590

Re: Program Environmental Impact Report/Environmental Impact Statement for the
Proposed California High Speed Rail Program.

Dear Mr. Yachmetz:

Thank you for submitting to our office your November 15, 2002 letter regarding initiation of consultation with our office regarding the development of the proposed California High Speed Rail Program. The Federal Railroad Administration (FRA) and the California High Speed Rail Authority (Authority) in partnership have begun preparation of a Program Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for a proposed High Speed Rail System connecting the major urban centers of California. The Authority is a state agency established by the state Legislature and authorized to plan, construct, and operate a high-speed rail system in California. The FRA is authorizing the Authority to initiate consultation with our office for this program in accordance with 36 CFR 800.2(c)(4). FRA will remain legally responsible for all Section 106 findings and determinations.

The phases of implementation of this environmental review would consist of the following steps:

- Evaluation of system alternatives and alternative high speed rail routes.
- Delineation of an appropriate Area of Potential Effects (APE) for the undertaking [36 CFR 800.4(a)(1)] that meets the definitions set forth in 36 CFR 800.16(d). The APE(s) will be delineated in relation to the proposed corridors and locations that typically follow existing railroad alignments and highway routes or are adjacent to existing airports.
- Conduct a phased identification and evaluation of historic properties relative to the aforementioned corridors and locations. This may include obtaining record search documentation from the appropriate Information Centers of the California Historical Resources Information system, consultation with local historic preservation interests regarding historic properties integral to project alternatives (i.e. LA Union Station), and consultation with the Native American Heritage Commission to search its Sacred land file and to provide lists of Native American contacts relative to the APE(s). Letters providing information on the project and requesting information about any traditional

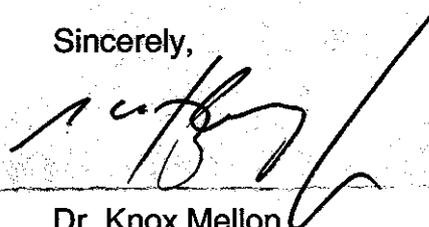
cultural properties will be sent to the appropriate Native American contacts on the lists.

- Division of the proposed statewide system into five regions and the development of consulting teams for each region who will prepare environmental impact assessments that will rank the sensitivity (high, medium, or low) of the alternatives being studied using the results of record searches, combined with knowledge of the prehistory and history of the region. The information will be provided in a technical report and summarized in the Program EIR/EIS.
- Involvement of the interested public through the EIR/EIS process in accordance with 36 CFR 800.2(d)(3) and 36 CFR 800.3(e).
- Performance of other identification steps, including field surveys, after the Program EIR/EIS has been completed and routes have been selected for further engineering detail and environmental evaluation. These later identification efforts would be part of project-specific environmental reviews for the specific routes and are not part of the current undertaking.

In accordance with 36 CFR 800, regulations implementing Section 106 of the National Historic Preservation Act, FRA is seeking our comments on its proposed implementation of the first steps of the consultation process for the proposed undertaking. On the basis of our review, we have no objections to the proposed process as described. We agree with FRA's recommendation that a Programmatic Agreement (PA) be developed at the end of the Program EIR/EIS process to guide second tier environmental studies.

Thank you again for seeking our comments on your project. If you have any questions, please contact staff historian Clarence Caesar at (916) 653-8902 or by e-mail at ccaes@ohp.parks.ca.gov.

Sincerely,



Dr. Knox Mellon
State Historic Preservation Officer

Roger, thank you for the clarification. Based on our understanding of that clarification, the APE FTA will propose for the Program level Tier 1 Analysis is reasonable.

Hans Kreutzberg
CASHPO

-----Original Message-----

From: RMASON@ChambersGroupInc.com
[mailto:RMASON@ChambersGroupInc.com]
Sent: Tuesday, January 07, 2003 10:39 AM
To: hkreu@ohp.parks.ca.gov
Cc: mduffey@tdc-sf.com; DLeavitt@hsr.ca.gov; David.Valenstein@fra.dot.gov
Subject: RE: California High Speed Rail project: APE

Hans:

None of the items you list have been identified yet. Locations for these will be identified as part of the construction design program for the alternatives selected for more detailed analysis in the next phase of the project. Thus, these items are not considered in the Program-level Tier 1 analysis, but we will have this information for the next Tier 2 Detailed EIR/EIS. The APE will be modified to include these items prior to initiating the Tier 2 analysis.

Any traditional cultural properties identified by the Native American Heritage Commission or Native Americans contacted about the project will be considered, whether or not they are in the APE used for the records searches at the Information Centers.

Roger Mason, Ph.D., RPA
Director of Cultural Resources
Chambers Group, Inc.
17671 Cowan Ave., Suite 100
Irvine, CA 92614

(949) 261-5414
(949) 261-8950 (FAX)

rmason@chambersgroupinc.com

> -----Original Message-----

> From: Hans Kreutzberg [SMTP:hkreu@ohp.parks.ca.gov]
> Sent: Monday, January 06, 2003 4:13 PM
> To: RMASON@ChambersGroupInc.com; hkreu@ohp.parks.ca.gov
> Cc: mduffey@tdc-sf.com; DLeavitt@hsr.ca.gov;

> David.Valenstein@fra.dot.gov
> Subject: RE: California High Speed Rail project: APE
>
> Roger, with the clear understanding that the APE delineation you have
> proposed does not apply to the built environment, herewith CASHPO comments
> on that delineation:
>
> By and large, the delineation appears reasonable. However, it isn't clear
> whether the delineation reflects the sorts of items listed below. If it
> doesn't, and any of these items are likely to be an aspect of the
> undertaking, then we strongly suggest that the APE delineation be suitably
> modified. Bear in mind that an undertaking can have more than one APE and
> that one can consider other APEs to be, as it were, satellites. This
> concept could be applied to some of the items that follow.
>
> * Are all construction easements included? Does that include slope and
> drainage easements?
> * Will there be any storm water detention basins?
> * Will there be any off-site biological mitigation sites where ground
> disturbance could occur?
> * What about borrow and disposal sites?
> * What about utility relocation outside the current APE boundary proposal?
> * What about access roads?
> * What about equipment storage areas?
> * Any prospect for conservation or scenic easements?
>
> In addition, how would APE delineation consider prospectively historic
> properties, particularly in non-urban areas, that could be classified as
> Traditional Cultural Properties important to Native Americans or to other
> groups? For example, rock art, high places, etc., where an effect that
> might otherwise be either non-existent or indirect, could turn out to be
> direct?
>
> Looking forward to hearing from you.
>
> Hans Kreutzberg, Supervisor
> Cultural Resources Program
> State Office of Historic Preservation
>
>
>
> -----Original Message-----
> From: RMASON@ChambersGroupInc.com
> [mailto:RMASON@ChambersGroupInc.com]
> Sent: Tuesday, December 17, 2002 3:23 PM
> To: hkreu@ohp.parks.ca.gov

> Cc: mduffey@tdc-sf.com; DLeavitt@hsr.ca.gov;
> David.Valenstein@fra.dot.gov
> Subject: California High Speed Rail project: APE
>
> Hans Kreutzberg:
>
> As discussed with you on the phone this morning, we are proposing the
> following APE boundaries for the archaeological records searches that will
> be used to rank the sensitivity of the various rail alternative routes and
> the modal highway and airport alternatives:
>
> We propose that the APE for this undertaking be defined as 500 feet on
> each
> side of the centerline of proposed rail routes in non-urban areas and 100
> feet from the centerline in urban areas. Where railroad station
> construction
> is planned, the APE will be 500 feet around the existing or proposed
> station
> property. We propose that the APE for freeway routes and around airports
> be
> defined as 100 feet beyond the existing freeway right-of-way and 100 feet
> beyond the existing airport property boundary. The reason for using 100
> feet
> for urban rail corridors, freeways, and airports is that very little
> additional right-of-way would be affected in these areas. The 500 feet on
> each side of the railroad center line in non-urban areas will provide
> information on wider corridors where additional right-of-way could be
> affected in these rural areas.
>
> We will not be collecting information from the Historic Property Data File
> and other sources that provide addresses of individual historic structures
> at this stage. The potential relative magnitude of effects on historic
> structures will be evaluated based on the percentage of each alternative
> route that developed in various time periods (before 1900, 1900 to 1929,
> and
> 1930 to 1958).
>
> Please let me know what you think about the proposed APE boundaries.
>
> Roger Mason, Ph.D., RPA
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> Chambers Group, Inc.
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> Irvine, CA 92614
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