

APPENDIX H

Programmatic Agreement under Section 106

PROGRAMMATIC AGREEMENT

AMONG

**THE U.S. DEPARTMENT OF TRANSPORTATION FEDERAL RAILROAD
ADMINISTRATION, THE FEDERAL HIGHWAY ADMINISTRATION,
THE SURFACE TRANSPORTATION BOARD,
THE U.S. DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT,
THE NATIONAL PARK SERVICE,
THE CALIFORNIA STATE HISTORIC PRESERVATION OFFICER,
THE NEVADA STATE HISTORIC PRESERVATION OFFICER,
AND DESERTXPRESS ENTERPRISES**

REGARDING

THE DESERTXPRESS HIGH-SPEED PASSENGER TRAIN PROJECT

WHEREAS, DesertXpress Enterprises, LLC (**DesertXpress Enterprises**) as the project applicant, proposes to construct and operate a fully grade-separated, dedicated double track passenger-only railroad along an approximately 200-mile corridor from Victorville, California to Las Vegas, Nevada (**Undertaking**); and

WHEREAS, the Federal Railroad Administration (**FRA**) has the authority to regulate the safety of railroads, including the proposed Undertaking, under 49 U.S.C. §20101 et seq., and would promulgate a rule of particular applicability or issue an appropriate waiver(s) that would set safety standards specifically for the project in order to achieve consistency with FRA safety requirements, and is the lead federal agency for compliance with Section 106 of the National Historic Preservation Act (**NHPA**) and its implementing regulations at 36 CFR §800 for this Undertaking; and

WHEREAS, FRA, in cooperation with the Surface Transportation Board (**STB**), Federal Highway Administration (**FHWA**), Bureau of Land Management (**BLM**), and National Park Service (**NPS**), is preparing an Environmental Impact Statement (**EIS**) in accordance with the requirements of the National Environmental Policy Act (**NEPA**) to address the potential impact of the Undertaking on a variety of human and natural resources; and

WHEREAS, FRA has determined that the Undertaking will have an effect on historic properties included on or eligible for inclusion on the National Register of Historic Places (**NRHP**), and is in consultation with the Advisory Council on Historic Preservation (**ACHP**), the California State Historic Preservation Officer (**CA SHPO**), and the Nevada State Historic Preservation Officer (**NV SHPO**) pursuant to Section 800.14(b) of the regulations (36 CFR Part 800) implementing Sections 106 and 110(f) of the National Historic Preservation Act (**NHPA**), 16 U.S.C. §§ 470–470w–6; and

WHEREAS, the BLM will issue right-of-ways for the Undertaking across BLM managed lands; and

WHEREAS, the FHWA has approval authority of activities such as joint and multiple use permits, changes in access control, and is charged with ensuring the safe operation of the interstate highway system; and

WHEREAS, the STB is an economic regulatory agency with jurisdiction over railroad activities including reviewing proposed railroad mergers, rail line construction, and rail line operation; and

WHEREAS, the NPS manages the National Parks System including the Mojave National Preserve; and

WHEREAS, the STB, the FHWA, BLM, and NPS are cooperating federal agencies; and

WHEREAS, the California Department of Transportation (**Caltrans**) and the Nevada Department of Transportation (**NDOT**) are participating in the preparation of the EIS; and

WHEREAS, pursuant to 36 CFR §800.6(a)(1)(i)(c), FRA has invited the ACHP to participate in the consultation and it has elected not to participate in this PA; and

WHEREAS, FRA released a Draft Environmental Impact Statement (**DEIS**) on March 18, 2009, and a Supplemental DEIS on September 3, 2010, which included the initial identification of architectural resources and historic properties based on a records search, field survey, and information requested from groups and individuals likely to have information on historic properties, and which evaluated properties within the Area of Potential Effect (**APE**); and

WHEREAS, because the alternatives under consideration consist of a lengthy corridor covering two states, FRA and the cooperating federal agencies (hereinafter “agencies”) have determined that a phased process for compliance with Section 106 of the NHPA, as described in 36 CFR §800.4(b)(2), is appropriate for the Undertaking; and

WHEREAS, FRA through its contractors will complete a Class III cultural resource inventory to identify and evaluate all cultural properties located within the APE; and

WHEREAS, FRA, FHWA, STB, BLM CA, BLM NV, NPS, CA SHPO, NV SHPO, and DesertXpress Enterprises have participated in consultations and been invited to sign this Agreement; and

WHEREAS, FRA has consulted with the San Manuel Band of Mission Indians, the Soboba Band of Luiseño Indians, the Chemehuevi Reservation, the Las Vegas Paiute Tribe, the Fort Mojave Indian Tribe, the Ti’At Society, the Colorado River Indian Tribes, the Morongo Band of Mission Indians, the Kern Valley Indian Council, the Timbisha Shoshone, the Serrano Band of Indians, the Moapa Band of Paiutes, and Twenty-Nine Palms Band of Mission Indians concerning properties of traditional religious and cultural significance, and has invited these Tribes to concur in this Agreement; and

NOW, THEREFORE, the signatories to this agreement agree that the proposed Undertaking shall be implemented in accordance with the following stipulations in order to consider the effect of the Undertaking on historic properties and to satisfy the agencies’ Section 106 NHPA responsibilities for all aspects of the Project.

STIPULATIONS

FRA shall ensure that the following measures are carried out:

I. PURPOSE AND SCOPE

The purpose of this PA is to meet the requirements outlined in the ACHP's regulations (36 CFR §800.4(b)(2)) for implementing a *phased identification and evaluation* approach for completion of agency responsibilities under Section 106 of the NHPA and related authorities for the DesertXpress High-Speed Passenger Train project. The PA shall be in place to define the roles and responsibilities in the Section 106 review process since the Undertaking involves lands managed by multiple agencies and the project is interstate in scope with sections located in both California and Nevada.

Acting as lead agency for compliance with the NEPA process, FRA released a Draft Environmental Impact Statement (DEIS) on March 18, 2009, and a Supplemental DEIS on September 3, 2010.

This PA outlines the procedures that the federal agencies will employ to meet their responsibilities under Section 106 of the NHPA, and the obligations of the project applicant. At reasonable intervals the consulting parties shall confer to determine whether additional individuals or organizations with a demonstrated interest in the undertaking should be invited to participate as additional consulting parties consistent with 800.2(c)(5).

II. AREA OF POTENTIAL EFFECT

A. Defining the Area of Potential Effect

1. FRA, in consultation with STB and the CA and NV SHPOs, has defined the Area of Potential Effect (APE) as all areas of ground that would be disturbed by construction or construction staging of the DesertXpress system. Consistent with the NEPA analysis and for purposes of the evaluation and work performed under this PA, the direct APE impacts would likely occur within 115 feet on either side of the DesertXpress alignment centerline, within 50 feet on either side of the utility corridor (electric multiple unit train option only), and within the footprint of project facilities. Indirect APE impacts, related to construction, would likely occur within 116 to 200 feet on either side of the DesertXpress alignment centerline and within 51 to 100 feet on either side of the utility corridor (EMU option only). The APE includes areas that were left undisturbed by Interstate construction within the I-15 right-of-way and within the I-15 median (e.g., medians of great width, right-of-ways that extends well beyond the shoulder or rest areas, etc.). The APE also includes the facility footprint for stations, overnight maintenance and storage facility, maintenance and storage facility, maintenance of way facility, and areas to be used for temporary construction staging. The APE also includes transformer and autotransformer sites as well as up to 100 feet on either side of the proposed electrical utility corridors for the electrically powered train option.
2. The APE includes all buildings, structures, and objects that would be altered or that could be affected by visual changes to their setting. Within the Las Vegas metropolitan area, the architectural APE for above ground resources is delineated by Clark County Assessors Office parcels. In addition, any bridges or culverts that could be potentially altered are also included within the APE. Per the ACHP notice of March 10, 2005 in the Federal Register, Interstate Highway System is exempt from Section 106 review except for elements of national and exceptional importance, and the section of I-15 between Victorville and Las Vegas contains no such elements. Therefore, there is no potential to affect buildings or structures that could be eligible for the NRHP in disturbed areas of I-15. Exceptions to this definition would be if

there are non-interstate bridges or other overcrossings that would have to be altered to accommodate the DesertXpress project. Those non-interstate bridges or other overcrossings are included in the APE.

3. The construction of the proposed DesertXpress project may require some of the following: storm water detention basins; utility realignments; access roads; storage areas; borrow sites; and disposal sites. The footprint and construction areas for these facilities will be added to the APE as project plans become available. Procedures for amending the APE are described below in Stipulation II.B.
4. Maps illustrating the DesertXpress project APE and the project alternatives are included in Attachment A.

B. Amending the APE

1. If FRA determines that unforeseen changes to the Undertaking may cause effects to historic properties in a geographic area or areas beyond the extent of the established APE, then FRA shall adjust the APE using the process set forth in Stipulation II.B.2.
2. Any consulting party to this PA may propose that the APE be modified. FRA shall notify all the Signatories of the proposal and consult with the SHPO/s for no more than 30 days to reach agreement on the proposal. If FRA and SHPO/s agree on the Proposal, then FRA will prepare a description and a map of the modification and provide them to all the consulting parties. Agreement to amend the APE will not require an amendment to the PA. If FRA and SHPO/s cannot agree to a proposal for the modification of the APE, then they will resolve the dispute in accordance with Stipulation IV.D below.

III. PROCEDURES AND RESPONSIBILITIES

This section clarifies the division of responsibilities and outlines strategies that the agencies will employ to meet their Section 106 requirements for the DesertXpress High-Speed Passenger Train project.

A. Tribal Consultation

1. As lead agency for Section 106 compliance, FRA is responsible for all Tribal consultation and will coordinate such consultation with BLM CA and BLM NV.
2. Based on consultation with the California Native American Heritage Commission for CA state and private lands and the list of federally recognized tribes for federal lands, and the BLM, FRA has contacted the San Manuel Band of Mission Indians, the Soboba Band of Luiseño Indians, the Chemehuevi Reservation, the Las Vegas Paiute Tribe, the Fort Mojave Indian Tribe, the Ti'At Society, the Colorado River Indian Tribes, the Morongo Band of Mission Indians, the Kern Valley Indian Council, the Timbisha Shoshone, the Serrano Band of Indians, the Moapa Band of Paiutes, and Twenty-Nine Palms Band of Mission Indians regarding the DesertXpress Project. The San Manuel Band of Mission Indians, Morongo Band of Mission Indians, Timbisha Shoshone, and Soboba Band of Luiseño Indians have responded requesting further participation in the project. The Serrano Band of Indians, Las Vegas Paiute Tribe, and the Moapa Band of Paiutes have requested to be kept informed about additional aspects of the project but have not requested formal participation. For the purposes of this PA, Consulting Tribes are the federally recognized tribes that have expressed an interest in this undertaking. However, the Consulting Tribes may vary over time and may change, depending on the specific location or issue consistent with federal tribal consultation obligations and Section 106.

3. FRA initiated government-to-government consultations by letter, dated March 8, 2007, which was sent to interested Tribes describing the proposed DesertXpress project and requesting information on properties of interest to the Native American community. Tribal representatives were also contacted by telephone between April 2 and 3, 2007. On March 23 and 24, 2009, copies of the DEIS prepared for the Undertaking were sent to the interested Tribes. Between April 3-7, 2009, phone calls were placed to the Tribes to follow up on the DEIS and to extend an invitation to meet as part of continued consultation. FRA sent a letter with a draft copy of the Programmatic Agreement to interested Tribes inviting comment and participation on October 14, 2009. Between November 2-9, 2009, phone calls were placed to the tribes to follow up on the PA and extend an invitation to participate in a telephone conference to answer any questions about the PA or the DEIS. On November 9, 2009 the San Manuel Band of Mission Indians participated in an informational call on the PA and DEIS. On December 17, 2009, letters were sent to all of the Tribes inviting them to participate in additional consultation and a field visit to several of the archaeological sites. FRA sent a letter and follow-up materials from the site visits to all the Tribes on January 26, 2010. FRA has continued to maintain contact with Tribal representatives through various mediums including telephone, letters and email.
4. In order to ensure successful tribal consultation, FRA has conducted face-to-face meetings with interested Tribal representatives. FRA met with the Timbisha Shoshone upon request on August 19, 2008. FRA also met with a representative of the Chemehuevi Reservation on April 27, 2009, and met with representatives from the Soboba Band of Luiseño Indians and the San Manuel Band of Mission Indians on April 30, 2009. On January 6, 2010, FRA staff and interested tribal representatives conducted field visits to four cultural sites. Tribes represented during the field visit included the San Manuel Band of Mission Indians, Soboba Band of Luiseño Indians, Timbisha Shoshone, Chemehuevi Reservation, and Twenty-Nine Palms Band of Mission Indians. In addition, between January 7 and 8, 2010, individual government-to-government consultation meetings were held with the San Manuel Band of Mission Indians, the Soboba Band of Luiseño Indians, and the Timbisha Shoshone.
5. On April 6, 2010, an informational meeting was conducted at the San Manuel Band of Mission Indians Reservation with FRA (represented by project archaeologist consultants), BLM, San Manuel Band of Mission Indians, Twenty-Nine Palms Band of Mission Indians, and Soboba Band of Luiseño Indians in attendance. The purpose was to review archaeological site information provided in a previous mailing. On September 9, 2010, an informational meeting was conducted at the BLM Barstow Field Office with FRA (represented by project archaeologist consultants), BLM, Twenty-Nine Palms Band of Mission Indians, San Manuel Band of Mission Indians, and Fort Mojave Indian Tribe in attendance.
6. On September 14, 2010, FRA conducted individual government-to-government consultation meetings at the BLM Barstow Field Office. Attendees included FRA, BLM and representatives from San Manuel Band of Mission Indians, Twenty-Nine Palms Band of Mission Indians, Soboba Band of Luiseño Indians, Chemehuevi Reservation, and the Fort Mojave Indian Tribe. On October 13, FRA conducted individual government-to-government consultation with Soboba Band of Luiseño Indians.
7. FRA will inform by letter all Consulting Tribes listed in III.A.1 which of the alternatives is selected and identified in the ROD. The letter will be provided as soon as possible, but no more than 10 days after the ROD has been released to the public. Once a preferred alternative has been selected in the ROD, the agencies can then evaluate the potential effect on cultural resources (see Section III.C.2 and III.D). FRA may inform the Tribes of any potential adverse effects to historic properties [as defined in 36 CFR §800.16(1)(1)] within 30 days of

completing the assessments. A treatment plan will be completed and may be forwarded to the Tribes for comment prior to initiation of treatment of affected historic properties. FRA will address questions and comments received from the Tribes, which may include face-to-face meetings if appropriate, before initiation of treatment of affected historic properties.

8. FRA will inform by letter all Consulting Tribes of schedules of testing and ground disturbance activities and provide progress reports on these activities.

B. Identification of Historic Properties

1. Prefield research and archaeological and built environment surveys have been completed for all alternatives of the proposed project. This work has resulted in the identification of 404 cultural resources, which includes 363 archaeological resources and 41 architectural resources. Of the 363 archaeological resources, 266 are historic, 80 are prehistoric, and 17 contain a mixed assemblage of prehistoric and historic artifacts. Final determinations of archaeological resource eligibility for the NRHP will occur as outlined in Stipulation III.C. Attachment B lists the archaeological resources in each segment or option of the Undertaking, the cultural period (historic or prehistoric), category, types, and preliminary determination of eligibility.
2. Architectural resources, consisting of buildings, structures and objects, identified within the APE that are eligible for the NRHP, or are likely to be eligible for the NRHP, pending future SHPO concurrence are presented in Attachment B. In California, no NRHP-eligible architectural resources were identified within the APE. Within the Nevada portion of the APE, there are 41 architectural resources previously identified as eligible for the NRHP, all in Segment 7 of the APE.
3. Required identification activities for the preferred alternative shall be completed on federal land. DesertXpress will attempt to gain access to private land and will conduct identification activities when and if granted access in writing by the land owner.
4. FRA, through its third party contractor, conducted a Class III pedestrian survey of the entire project APE on federal land and those private lands where permission has been granted, as mandated by 36 CFR §800.4(b), and shall ensure the preparation of a Class III Inventory report for each state as described in Attachment C, which meets the requirements of all jurisdictions within the APE. DesertXpress shall ensure that Native American monitors, designated in consultation with the Consulting Tribes, are present for all ground disturbing activities. If access is denied to any private property included in the project APE, a list of these properties, as well as efforts to gain permission to enter these properties will be documented in the inventory report.
5. All identification procedures used by the agencies shall conform to the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation, Standards for Identification (48 FR 44720–44723). Critical steps to be completed in the identification process include: literature review, field survey, and the initial Native American, SHPO, and ACHP consultation.
6. Site record forms for resources containing prehistoric components, within the applicant's preferred alternative, have been completed. However, site record forms for the remaining resources in the APE have not been completed and are not anticipated to be completed until after the ROD is published. Attachment C, Section 3.A.6 specifies which site forms will be used in various jurisdictions. It will not be possible to complete a final Historic Properties Inventory Report or Determinations of Eligibility (DOE) by the date of the publication of the Final EIS or by the date of the ROD. This topic is addressed in Section III.D below.

7. FRA will be responsible for submitting the inventory reports to the BLM, STB, FHWA, NPS, and DesertXpress Enterprises for review prior to submittal to the CA SHPO and NV SHPO. The agencies and applicant will have 30 days upon receipt to provide comments to FRA.
8. The SHPOs will have 30 days to provide comments on the inventory reports. FRA shall incorporate or respond to any comments provided by the SHPOs. If there is a failure to agree as to how such comments will be incorporated, the provision of Stipulation IV.D shall be followed. In the absence of comment from the SHPOs, FRA will assume that the identification effort is acceptable.

C. Evaluation of Historic Properties

1. FRA will use a phased process of evaluation of significance and effects to historic properties for the DesertXpress High-Speed Passenger Train project. The phased approach is an option pursuant to 36 CFR §800.4(b)(2) and is appropriate because the APE consists of a large, lengthy corridor covering several project alternatives.
2. In consultation with the other agencies and with the Tribes as described in Stipulation III.A FRA will evaluate all cultural resources and properties of traditional religious and cultural importance located within the preferred alternative APE for eligibility for listing in the NRHP. With the exception of the expedited procedures outlined below, the agencies will follow the provisions of 36 CFR §800.4(c). Evaluation methods and criteria shall be consistent with the Secretary of the Interior's Standards and Guidelines for Evaluation (48 Federal Register 44729-44738) (36 CFR Part 63).
3. For the portions of the Undertaking within California, the California Archaeological Resource Identification and Data Acquisition Program: Sparse Lithic Scatters (CARIDAP) (Jackson et al. 1988) will be used at qualifying sites and no further consultation will be required.
4. The BLM shall be responsible for determining whether or not cultural resources identified on public lands administered by the BLM are eligible for listing in the NRHP. FRA will make eligibility determinations for cultural resources on all other lands. Eligibility will be determined prior to the initiation of activities that may affect cultural resources.
5. To the extent practicable, eligibility determinations shall be based on inventory information. If the information gathered in the inventory is inadequate to determine eligibility, FRA, through its contractors and subcontractors, shall conduct limited subsurface testing or other evaluative techniques to determine eligibility.
6. As needed, FRA, in consultation with the signatories and other cooperating agencies will develop testing plans and consolidate all testing plans into one submission per state for SHPO concurrence. FRA will provide the Consulting Tribes reasonable opportunity to provide input on the test plans prior to submission for SHPO concurrence. FRA shall provide the signatory parties with the same review opportunity as afforded the SHPO. On BLM managed lands, any proposed testing shall be limited to disturbing no more than 25% of the surface area of the resource being evaluated.
7. DesertXpress will make all reasonable efforts to ensure that Native American monitor(s) designated by the Consulting Tribes are present during archaeological test excavation.
8. Once additional field data are obtained and sites are evaluated for eligibility, DOE reports will be prepared. FRA will be responsible for coordinating the DOEs from the agencies and submitting them to the appropriate SHPO for review.

9. FRA will submit the draft DOE report(s) to the BLM, STB, FHWA, NPS, and DesertXpress Enterprises for review. The agencies and applicant will have 30 days to provide comments. Then FRA shall prepare DOE report(s) to be submitted in final form to both SHPOs.
10. In the event that any of the signatories, Tribes, or interested parties disagrees regarding eligibility, FRA will notify all signatories of the dispute and seek resolution of the dispute through consultation with the SHPO. If the dispute cannot be resolved, FRA shall seek a formal DOE from the Keeper of the National Register of Historic Places (Keeper). The Keeper's determination will be considered final.

D. Assessments of Effect

1. The agencies propose to use a phased process in applying the criteria of adverse effect consistent with phased evaluation efforts conducted pursuant to 36 CFR §800.4(b)(2).
2. After a preferred alternative has been selected in the ROD, the BLM CA and BLM NV shall be responsible for assessing the effects that preferred alternative will have on historic properties located on public lands administered by the respective agency pursuant to 36 CFR §800.5. FRA will be responsible for assessing effects to historic properties located on all other lands where an identification of historic properties has occurred. FRA and the BLM shall consult with Consulting Tribes if eligible properties of religious or cultural significance will be affected by the Undertaking. As lead agency, FRA will be responsible for coordinating the Findings of Effect from the BLM CA and BLM NV and submitting them to the respective SHPOs for review.
3. FRA and the BLM shall consult with DesertXpress Enterprises and may consult with the Consulting Tribes to determine if there are means to avoid or minimize adverse effects that the preferred alternative will have on historic properties prior to preparing Finding of Effect documents.
4. FRA shall prepare Finding of Effect reports that assess the effects of the Undertaking on each historic property within the APE. FRA will submit the draft reports to the BLM, STB, FHWA, NPS, and DesertXpress Enterprises. If the report addresses potential effects to eligible properties of religious or cultural significance, FRA and BLM shall make reasonable efforts to consult with Consulting Tribes. The agencies and applicant will have 30 days to provide comments. FRA will then submit the final report to both SHPOs.
5. The SHPOs will have 30 days to provide comments on the Finding of Effect reports. FRA shall incorporate or respond to any comments provided by the SHPOs. If there is a failure to agree as to how such comments will be incorporated, the provisions of stipulation IV.D shall be followed. In the absence of comment from the SHPOs, the agencies' responsibilities under 36 CFR §800.5 are fulfilled.

E. Historic Properties Treatment Plan

1. If an action alternative is selected in the ROD and is likely to result in adverse effects, FRA, in consultation with BLM CA, BLM NV, STB, FHWA, NPS, and the Tribes shall develop one or more Historic Properties Treatment Plans (HPTP). In so doing, the agencies shall follow the procedures outlined in Attachment D. As lead agency, FRA will be responsible for coordinating agency review and submitting the HPTP to the appropriate SHPO for review.
2. FRA shall continue consultation with the SHPOs and other consulting parties regarding the agencies' proposed HPTP pursuant to 36 CFR §800.6. FRA will provide the SHPOs and other consulting parties with written documentation indicating whether and how the HPTP

- has been modified in response to any timely comments received within 30 days. Any disputes that may arise between FRA and SHPO, or FRA and another consulting party over the content of the HPTP shall be resolved in accordance with Stipulation IV.D below.
3. In the absence of comment from the SHPOs, concurrence with the agencies' HPTP will be assumed thirty (30) calendar days after receipt by the SHPOs of the documents.
 4. After FRA's third party contractor completes the measures outlined in the HPTP to mitigate any adverse effects from the preferred alternative identified in the ROD, they shall complete a final report that details mitigation efforts. As lead agency, FRA will be responsible for coordinating and submitting the reports to the appropriate SHPO for review and comment. Once FRA has received concurrence from the SHPOs that mitigation efforts met the terms of the HPTP, the BLM CA, BLM NV and NPS may issue rights-of-way to DesertXpress Enterprises following Stipulation III.H.
 5. The HPTP shall establish procedures to follow if there are discoveries of, or inadvertent effects to, previously unrecorded cultural resources. If Native American human remains are discovered, DesertXpress Enterprises shall follow the requirements established in the Native American Graves Protection and Repatriation Act (NAGPRA) (43 CFR §10) on federal lands or all applicable state laws on non federal lands. These procedures will be developed a NAGPRA Plan of Action (POA), as discussed in Stipulation III.G and Attachment E.
 6. No Federal agency shall permit access to lands or authorize construction of any individual segment of the DesertXpress High-Speed Passenger Train project until receipt of concurrence from the appropriate SHPO that the mitigation efforts have met the terms of the HPTP and the Section 106 responsibilities have been fulfilled for that segment.
 7. It may be possible to implement treatment measures outlined in the HPTP in portions of the project area prior to completion of treatment of all resources. The HPTP will address measures for avoidance and protection as stated in Attachment D Section II.N. The HPTP will include provisions for phased treatment so that construction of the project can begin in a portion of the project as soon as treatment is completed and the BLM and SHPOs have concurred with the adequacy of the treatment, as discussed in Stipulation III.H.
 8. If archaeological excavation is identified as an appropriate treatment measure, DesertXpress shall ensure that at least one Native American monitor designated in consultation with the Consulting Tribes will be present during all ground disturbing activities.
 9. In the absence of comment from the SHPOs, FRA will assume SHPO concurrence thirty (30) calendar days after receipt by the SHPOs of the documents. The SHPOs shall first be contacted by phone after the 30-day period before concurrence is assumed.
 10. In the event that a dispute arises between FRA and the SHPOs regarding the creation and implementation of the HPTP, the parties shall follow the dispute resolution measures outlined in Section IV.D of this document.

F. Curation

1. FRA shall ensure that curation of records and other cultural materials resulting from identification and data recovery efforts on federal lands is handled in accordance with 36 CFR Part 79. All archeological materials recovered from federal lands shall be curated in accordance with 36 CFR Part 79 in the repository/repositories indicated in the original permit.

2. FRA will encourage private landowners to curate cultural materials recovered from their lands in accordance with the HPTP. Materials from private lands to be returned to the private landowners shall be maintained in accordance with 36 CFR Part 79 until all necessary analysis has been completed. FRA shall document the return of materials to private land owners and submit copies of this documentation to the signatories to this PA.
3. FRA will ensure that all cultural materials discovered on state lands will be curated in accordance with the HPTP.

G. Human Remains

1. In consultation with the Consulting Tribes, a NAGPRA POA will be developed prior to construction. In so doing, the agencies shall follow the procedures outlined in Attachment E. As lead agency, FRA will be responsible for coordinating agency and tribal review.
2. If human remains are encountered on Federal lands, FRA shall notify the appropriate Federal land management agency and the county coroner, other consulting agencies if requested, appropriate SHPOs, and designated NAGPRA tribal contacts. Treatment and disposition of remains and associated grave goods will be consistent with measures outlined in the HPTP, and applicable Federal and state laws and health and safety codes. If human remains are encountered on state or private lands, FRA will notify and consult with appropriate SHPOs, and appropriate Tribal representatives. Treatment and disposition of remains and associated grave goods will be consistent with measures outlined in the POA, and applicable Federal, state, and local laws.
3. DesertXpress Enterprises shall ensure that every effort is taken to avoid disturbing known human burial sites.
4. If human remains are inadvertently discovered during construction activities, all construction will cease within 50 feet in all directions of human remains and FRA will immediately notify the appropriate parties in accordance with the POA. Human remains and grave goods will be treated in accordance with the appropriate state or federal laws.

H. Rights-of-Way

1. The BLM and NPS may issue Rights-of-Way to DesertXpress Enterprises for individual construction segments after compliance with the above outlined stipulations; and
2. FRA, in consultation with the signatories, has developed and implemented the final HPTP; and
3. The fieldwork phase of the treatment option has been completed; and
4. The signatories have accepted a summary description of the fieldwork performed and a reporting schedule for that work; and
5. DesertXpress Enterprises has posted a surety for post-fieldwork costs of the HPTP.

IV. ADMINISTRATIVE STIPULATIONS

A. Standards

1. Professional Qualifications. All activities prescribed in this PA shall be carried out by—or under the direct supervision of—a person or persons meeting, at a minimum, the Secretary of the Interior's *Professional Qualification Standards* (48 FR 44738-39) (PQS) in the appropriate disciplines. However, this stipulation may not be interpreted to preclude FRA or

BLM, or any agent or contractor thereof from using properly supervised personnel, including Native American monitors designated by the Consulting Tribes, who do not meet the Professional Qualification Standards.

2. Historic Preservation Standards. All activities prescribed in this PA shall reasonably conform to the BLM 8100 Manual System as well as to applicable standards and guidelines established by the *Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation* (48 FR 44716-44740) and SHPO.
3. Curation Standards. For federal lands, through the established permit process, an authorized curation facility/facilities will be named where the materials and records generated as a result of this project shall be curated in accordance with 36 CFR Part 79. For state lands, materials generated from private land owners belonging to the land owner and applicable state laws apply. Historic and/or archaeological materials (and associated records) collected on BLM lands shall be curated in a facility approved by the BLM and maintained in accordance with 36 CFR Part 79.
4. Training. DesertXpress shall ensure that all persons meeting the Secretary of the Interior's *Professional Qualifications Standards* who are supervising activities conducted as prescribed in this PA and all contracted field personnel, including construction workers, must meet with one or more Consulting Tribes for a briefing on traditional customs and culturally sensitive protocols and procedures before beginning field work. Safety training by DesertXpress Enterprises contractors in cooperation with FHWA or BLM shall also be required for all persons conducting work on public land or within the I-15 ROW.

B. Reporting

1. FRA shall require DesertXpress Enterprises to submit an annual report documenting the completion status of the stipulations outlined in this PA. This annual report will be submitted to FRA by March 1 each year following the execution of this PA until the stipulations of the PA are satisfied. As lead agency, FRA will be responsible for coordinating and submitting the report to the BLM Field Offices (Barstow, Needles, and Las Vegas), the BLM State Archaeologists (California and Nevada), STB, FHWA NPS, both SHPOs, and Tribal representatives. The Annual Report shall include, at a minimum:
 - a. A list of all studies, reports, actions, evaluations, or monitoring reviewed or generated under the Stipulations of this PA.
 - b. Efforts to identify and/or evaluate potential historic properties, monitoring efforts, archaeological management assessments or research designs, and treatment of historic properties.
 - c. Any recommendations to amend this PA or improve communications among the parties.
 - d. A discussion of any inadvertent effects to historic properties occurring during the course of the year.
2. FRA shall ensure that the annual report is made available to the public and that members of the public are invited to provide comments to FRA, as well as to the ACHP and SHPOs.
3. FRA shall require DesertXpress Enterprises to prepare quarterly progress reports on the status of project construction. As lead agency, FRA will be responsible for coordinating and submitting the report to Tribal representatives. The Quarterly report shall include, at a minimum, anticipated needs for Tribal representative monitors in the upcoming months.

C. Confidentiality

The parties to this PA acknowledge that historic properties covered by this document are subject to the provisions of Section 304 of the NHPA of 1966 as they relate to the disclosure of archaeological site information; and, having so acknowledged, will ensure that all actions and documentation prescribed by this PA are consistent with Section 304.

D. Resolving Objections

1. Should any signatory to this PA object at any time to the manner in which the terms of this PA are implemented, or to any action carried out or proposed with respect to implementation of the PA, or to any documentation prepared in accordance with and subject to the terms of this PA, they shall immediately inform the other parties to this PA in writing of the objection. In an effort to resolve the problem, the objecting party shall consult with the other parties to the PA for a period not to exceed thirty (30) days. As the lead Federal agency, FRA may propose a resolution of the objection for the consideration of the parties. If the objection is resolved through such consultation, the action in dispute may proceed in accordance with the terms of that resolution. If FRA determines that the objection cannot be resolved by the signatories to the PA, FRA shall then forward all documentation relevant to the objection to the ACHP, including FRA's proposed response to the objection, with the expectation that the ACHP will, within thirty (30) days after receipt of such documentation:
 - a. advise that the ACHP concurs with the proposed response to the objection, whereupon the objecting party will respond to the objection accordingly; or
 - b. provide recommendations, which the objecting party will take into account in reaching a final decision regarding its response to the objection; or
 - c. notify the objecting party that the objection will be referred for comment pursuant to 36 CFR §800.7(a)(4), and proceed to refer the objection and comment. The objecting party shall take the resulting comments into account in accordance with 36 CFR §800.7(c)(4) and Section 110(1) of the NHPA.
3. Should the ACHP not exercise one of the above options within 30 days after receipt of all pertinent documentation, the agencies may assume the ACHP's concurrence in the proposed response to the objection.
4. FRA shall take into account any ACHP recommendation or comment provided in accordance with this stipulation with reference only to the subject of the objection. The objecting party's responsibility to carry out all other actions under this PA that are not the subject of the objection will remain unchanged.
5. FRA shall provide all signatories to this PA, and the ACHP, when the ACHP has issued comments hereunder, with a copy of its final written decision regarding an objection addressed pursuant to this stipulation.
6. The agencies may authorize any action subject to objection under this stipulation to proceed after the objection has been resolved in accordance with the terms of this stipulation.
7. At any time during implementation of the measures stipulated in this PA, should an objection pertaining to such implementation be raised in writing by a Consulting Tribe the affected agency shall notify the parties to the PA in writing of the objection and take the objection into consideration. The affected agency shall consult with the objecting Tribal representative and, if the Tribal representative so requests, the CA SHPO and NV SHPO for no more than 15 days. Within ten (10) days following closure of this consultation period, the affected agency

shall render a decision regarding the objection and notify all consulting parties of its decision in writing. In reaching its decision, the affected agency will take into account any comments from the consulting parties regarding the objection, including the Tribal representative. Agency decisions regarding the resolution of the objection will be final. The agencies may authorize any action subject to objection under this paragraph to proceed after the objection has been resolved in accordance with the terms of this paragraph.

8. Should any member of the public raise a timely and substantive objection pertaining to the manner in which the terms of this Agreement are carried out, at any time during its implementation, the affected agency shall take the objection into account by consulting with the objector to resolve the objection.

E. Amendments

Signatories to this PA may propose in writing that this agreement be amended, whereupon the signatories will consult in accordance with 36 CFR §800.14 to consider the proposed amendment for no more than 30 days. The amendment process shall comply with 36 CFR §800.6(c)(1) and §800.6(c)(7). This PA may be amended only upon the written agreement of all the signatory parties.

F. Termination

Signatories may terminate their participation in this PA by providing 30 days written notice to the other signatories and explain the reasons for proposing termination; the signatories shall consult during the 30-day notice period prior to termination to seek agreement on amendments or other actions that would avoid termination. Such consultation shall not be required in the event that the Undertaking no longer meets the definition set forth in 36 CFR §800.16(y). Should such consultation result in an agreement on an alternative to termination, then the parties shall proceed in accordance with the terms of that agreement. If FRA, STB, or DesertXpress Enterprises individually terminate their participation in the PA, then the PA is terminated in its entirety. If a SHPO terminates its participation in the PA, that termination shall only apply to the state under their jurisdiction. If BLM CA, BLM NV, FHWA or NPS terminates its participation in the PA, that termination shall only apply to lands under their jurisdiction. The PA would remain in full effect in the event any other signatory terminates their participation. If this PA is terminated, and if FRA determines that the Undertaking will nonetheless proceed, then the agencies shall either consult in accordance with 36 CFR §800.3 through 800.6 or request the comments of the ACHP pursuant to 36 CFR §800.

G. Duration of the PA

1. Unless terminated pursuant to Stipulation IV.F., or unless it is superseded by an amended PA, this PA shall be in effect following execution by the signatory parties.
2. The terms of this PA shall be satisfactorily fulfilled within ten (10) years following the date of execution by CA SHPO and NV SHPO. If either agency determines that this requirement cannot be met, the parties to this PA shall consult to reconsider its terms. Reconsideration may include continuation of the PA as originally executed, amendment, or termination. In the event of termination, the agencies will comply with Stipulation IV.F if any agency determines that the Undertaking will proceed notwithstanding termination of this PA. The date of execution of the PA is the last date the PA is signed by all signatories.

3. If construction has not been initiated after seven (7) years following execution of this PA by CA SHPO and NV SHPO, this PA shall automatically terminate and have no further force or effect. In such event, FRA shall notify the other parties in writing and, if FRA chooses to continue with the Undertaking, shall reinitiate review of the Undertaking in accordance with 36 CFR Part 800. The date of execution of the PA is the last date the PA is signed by all signatories.

H. Failure to Carry out the Terms of Agreement

In the event that the terms of this PA are not carried out, FRA and all other signatories shall comply with 36 CFR 800 subpart B with regard to individual actions covered by this agreement.

I. Execution and Implementation

This PA shall take effect on the date that it has been signed by all the signatories. Execution of this PA by FRA, FHWA, STB, NPS, BLM CA, BLM NV, CA SHPO, NV SHPO, and DesertXpress Enterprises, and subsequent implementation of its terms, shall evidence, pursuant to 36 CFR §800.6(c), that this PA is an agreement with the ACHP for purposes of fulfilling NHPA Section 106 responsibilities for all individual actions on the DesertXpress High-Speed Passenger Train project, and shall further evidence that the agencies have afforded the ACHP an opportunity to comment on the Undertaking and its effect on historic properties, and the agencies have taken into account the effects of the Undertaking on historic properties.

SIGNATORY PARTIES

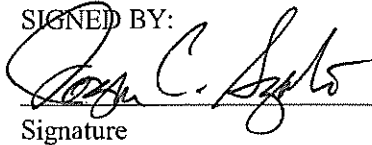
Federal Agencies

Federal Railroad Administration
Surface Transportation Board
Federal Highway Administration
Bureau of Land Management
National Park Service
California State Historic Preservation Officer
Nevada State Historic Preservation Officer

Applicant

DesertXpress Enterprises Inc.

SIGNED BY:

 2/15/11
Signature Date

Printed Name: Joseph C. Szabo

Title: Adminstrator

Organization: Federal Railroad Administration

INVITED CONCURRING PARTIES

Tribal Organizations

San Manuel Band of Mission Indians
Soboba Band of Luiseño Indians
Chemehuevi Reservation
Las Vegas Paiute Tribe
Fort Mojave Indian Tribe
Ti'At Society
Colorado River Indian Tribes
Morongo Band of Mission Indians
Kern Valley Indian Council
Timbisha Shoshone
Serrano Band of Indians
Moapa Band of Paiutes
Twenty-Nine Palms Band of Mission Indians

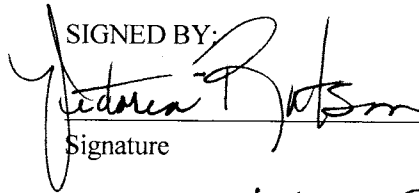
SIGNATORY PARTIES

Federal Agencies

Federal Railroad Administration
Surface Transportation Board
Federal Highway Administration
Bureau of Land Management
National Park Service
California State Historic Preservation Officer
Nevada State Historic Preservation Officer

Applicant

DesertXpress Enterprises Inc.

SIGNED BY:  1-31-11
Signature Date

Printed Name: Victoria Rutson
Title: Director, OEA
Organization: STB

INVITED CONCURRING PARTIES

Tribal Organizations

San Manuel Band of Mission Indians
Soboba Band of Luiseño Indians
Chemehuevi Reservation
Las Vegas Paiute Tribe
Fort Mojave Indian Tribe
Ti'At Society
Colorado River Indian Tribes
Morongo Band of Mission Indians
Kern Valley Indian Council
Timbisha Shoshone
Serrano Band of Indians
Moapa Band of Paiutes
Twenty-Nine Palms Band of Mission Indians

SIGNATORY PARTIES


Federal Agencies

Federal Railroad Administration
Surface Transportation Board
Federal Highway Administration
Bureau of Land Management
National Park Service
California State Historic Preservation Officer
Nevada State Historic Preservation Officer

Applicant

DesertXpress Enterprises Inc.

SIGNED BY:

 2/15/11
Signature Date

Printed Name: VINCENT MAMINANO
Title: CHIEF OPERATING OFFICER
Organization: FHWA-CALIFORNIA

INVITED CONCURRING PARTIES

Tribal Organizations

San Manuel Band of Mission Indians
Soboba Band of Luiseño Indians
Chemehuevi Reservation
Las Vegas Paiute Tribe
Fort Mojave Indian Tribe
Ti'At Society
Colorado River Indian Tribes
Morongo Band of Mission Indians
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Moapa Band of Paiutes
Twenty-Nine Palms Band of Mission Indians

SIGNATORY PARTIES

Federal Agencies

Federal Railroad Administration
Surface Transportation Board
Federal Highway Administration
Bureau of Land Management
National Park Service
California State Historic Preservation Officer
Nevada State Historic Preservation Officer

Applicant

DesertXpress Enterprises Inc.

SIGNED BY:

Susan Klekar 2/10/11
Signature Date

Printed Name: Susan Klekar
Title: Division Administrator
Organization: FHWA - Nevada

INVITED CONCURRING PARTIES

Tribal Organizations

San Manuel Band of Mission Indians
Soboba Band of Luiseño Indians
Chemehuevi Reservation
Las Vegas Paiute Tribe
Fort Mojave Indian Tribe
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Colorado River Indian Tribes
Morongo Band of Mission Indians
Kern Valley Indian Council
Timbisha Shoshone
Serrano Band of Indians
Moapa Band of Paiutes
Twenty-Nine Palms Band of Mission Indians

[Faint handwritten notes and signatures]

SIGNATORY PARTIES

Federal Agencies

Federal Railroad Administration
Surface Transportation Board
Federal Highway Administration
Bureau of Land Management
National Park Service
California State Historic Preservation Officer
Nevada State Historic Preservation Officer

Applicant

DesertXpress Enterprises Inc.

INVITED CONCURRING PARTIES

Tribal Organizations

San Manuel Band of Mission Indians
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Colorado River Indian Tribes
Morongo Band of Mission Indians
Kern Valley Indian Council
Timbisha Shoshone
Serrano Band of Indians
Moapa Band of Paiutes
Twenty-Nine Palms Band of Mission Indians

SIGNED BY:

James W. Abbott 2-4-11
Signature Date

Printed Name: James W Abbott
Title: Acting State Director
Organization: Bureau of Land Management

SIGNATORY PARTIES

Federal Agencies

Federal Railroad Administration
Surface Transportation Board
Federal Highway Administration
Bureau of Land Management
National Park Service
California State Historic Preservation Officer
Nevada State Historic Preservation Officer

Applicant

DesertXpress Enterprises Inc.

SIGNED BY:

 02/11/11
Signature Date

Printed Name: Amy L. Lueders
Title: Acting State Director
Organization: BLM Nevada

INVITED CONCURRING PARTIES

Tribal Organizations

San Manuel Band of Mission Indians
Soboba Band of Luiseño Indians
Chemehuevi Reservation
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Moapa Band of Paiutes
Twenty-Nine Palms Band of Mission Indians

SIGNATORY PARTIES

Federal Agencies

Federal Railroad Administration
Surface Transportation Board
Federal Highway Administration
Bureau of Land Management
National Park Service
California State Historic Preservation Officer
Nevada State Historic Preservation Officer

Applicant

DesertXpress Enterprises Inc.

SIGNED BY:

Lawrence J. Whelan 2/16/00
Signature Date

Printed Name: *Lawrence J. Whelan*
Title: *acting Superintendent*
Organization: *National Park Service*

INVITED CONCURRING PARTIES

Tribal Organizations

San Manuel Band of Mission Indians
Soboba Band of Luiseño Indians
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Ti'At Society
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Morongo Band of Mission Indians
Kern Valley Indian Council
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Serrano Band of Indians
Moapa Band of Paiutes
Twenty-Nine Palms Band of Mission Indians

SIGNATORY PARTIES

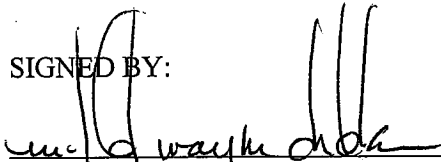
Federal Agencies

Federal Railroad Administration
Surface Transportation Board
Federal Highway Administration
Bureau of Land Management
National Park Service
California State Historic Preservation Officer
Nevada State Historic Preservation Officer

Applicant

DesertXpress Enterprises Inc.

SIGNED BY:


Signature
Date

JAN ^{MWD}

25 ~~FEB~~ 2011

Printed Name: Millford Wayne Donaldson
Title: State Historic Preservation Officer
Organization: Office of Historic Preservation

INVITED CONCURRING PARTIES

Tribal Organizations

San Manuel Band of Mission Indians
Soboba Band of Luiseño Indians
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Twenty-Nine Palms Band of Mission Indians

SIGNATORY PARTIES

Federal Agencies

Federal Railroad Administration
Surface Transportation Board
Federal Highway Administration
Bureau of Land Management
National Park Service
California State Historic Preservation Officer
Nevada State Historic Preservation Officer

Applicant

DesertXpress Enterprises Inc.

SIGNED BY:

Ronald James 1-27-11
Signature Date

Printed Name: Ronald James
Title: State Historic Preservation Officer
Organization: Nevada State Historic Preservation Office

INVITED CONCURRING PARTIES

Tribal Organizations

San Manuel Band of Mission Indians
Soboba Band of Luiseño Indians
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Federal Agencies

Federal Railroad Administration
Surface Transportation Board
Federal Highway Administration
Bureau of Land Management
National Park Service
California State Historic Preservation Officer
Nevada State Historic Preservation Officer

Applicant

DesertXpress Enterprises Inc.

SIGNED BY:



Signature Date

Printed Name: Anthony A. Marnell II, DX, LLC

Title: Managing Director of DesertXpress Enterprises, LLC

Organization: _____

INVITED CONCURRING PARTIES

Tribal Organizations

San Manuel Band of Mission Indians
Soboba Band of Luiseño Indians
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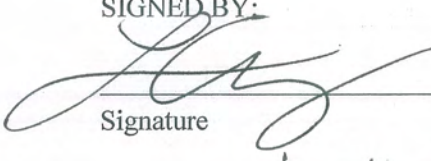
Federal Agencies

Federal Railroad Administration
Surface Transportation Board
Federal Highway Administration
Bureau of Land Management
National Park Service
California State Historic Preservation Officer
Nevada State Historic Preservation Officer

Applicant

DesertXpress Enterprises Inc.

SIGNED BY:


Signature _____ Date 1/31/11

Printed Name: Lucille Campa
Title: Tribal Chairman
Organization: Las Vegas Paiute Tribe

INVITED CONCURRING PARTIES

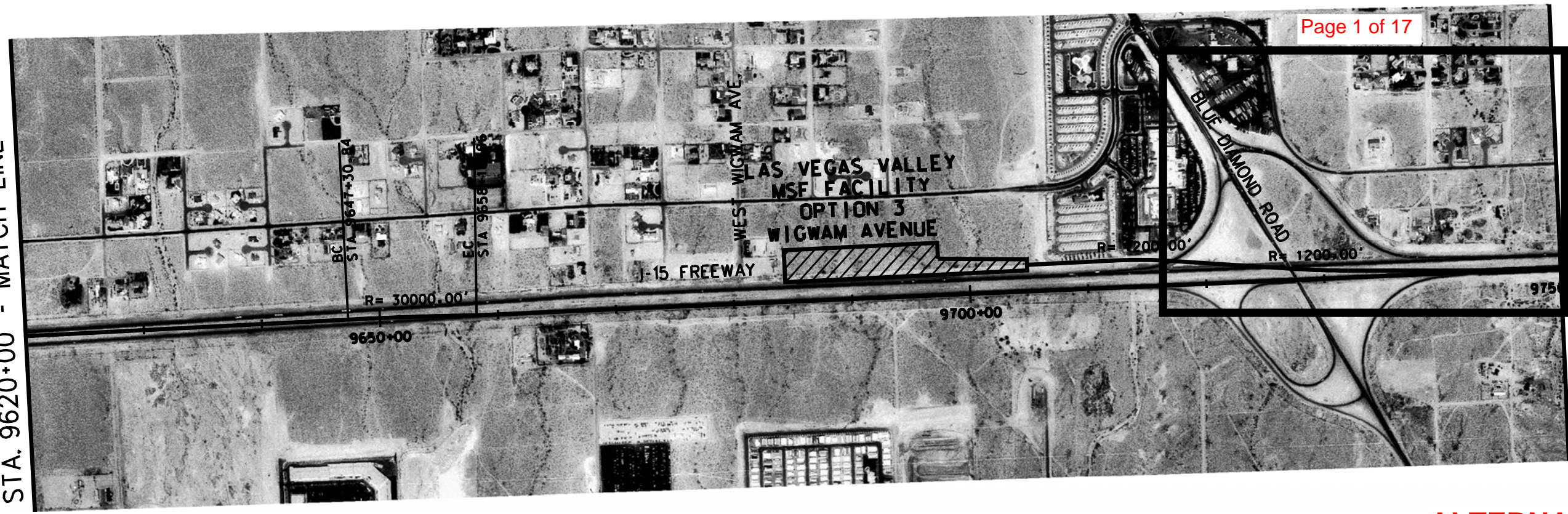
Tribal Organizations

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Fort Mojave Indian Tribe
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Moapa Band of Paiutes
Twenty-Nine Palms Band of Mission Indians

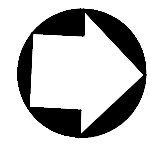
**Attachment A: Map Illustrating the DesertXpress APE
(Enclosed)**

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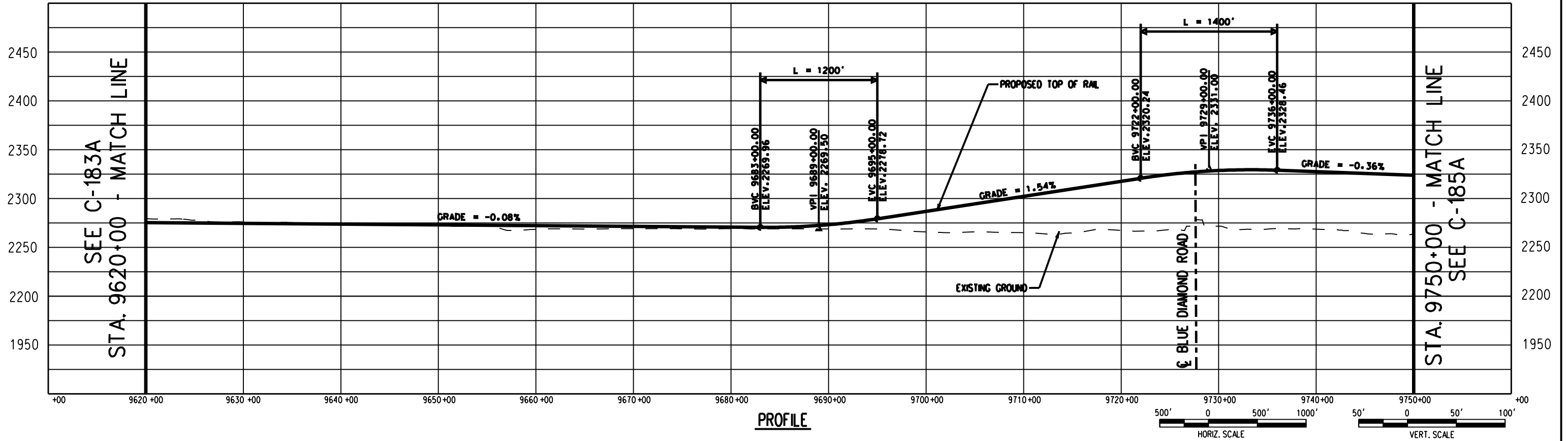


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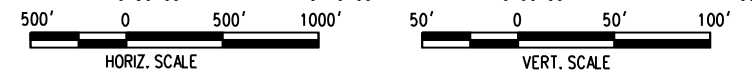


PLAN

ALTERNATIVE A



PROFILE



725 SOUTH FIGUEROA STREET, SUITE 2350
LOS ANGELES, CA 90017

CONFIDENTIAL

DESERTXPRESS

F-H-28

PRELIMINARY CONCEPTUAL ALIGNMENT
PLAN AND PROFILE
VICTORVILLE TO LAS VEGAS
STA 9620+00 TO STA 9750+00
SEGMENT 6, ALTERNATIVE A

205062G0

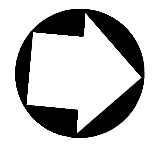
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DATE 03-05-08

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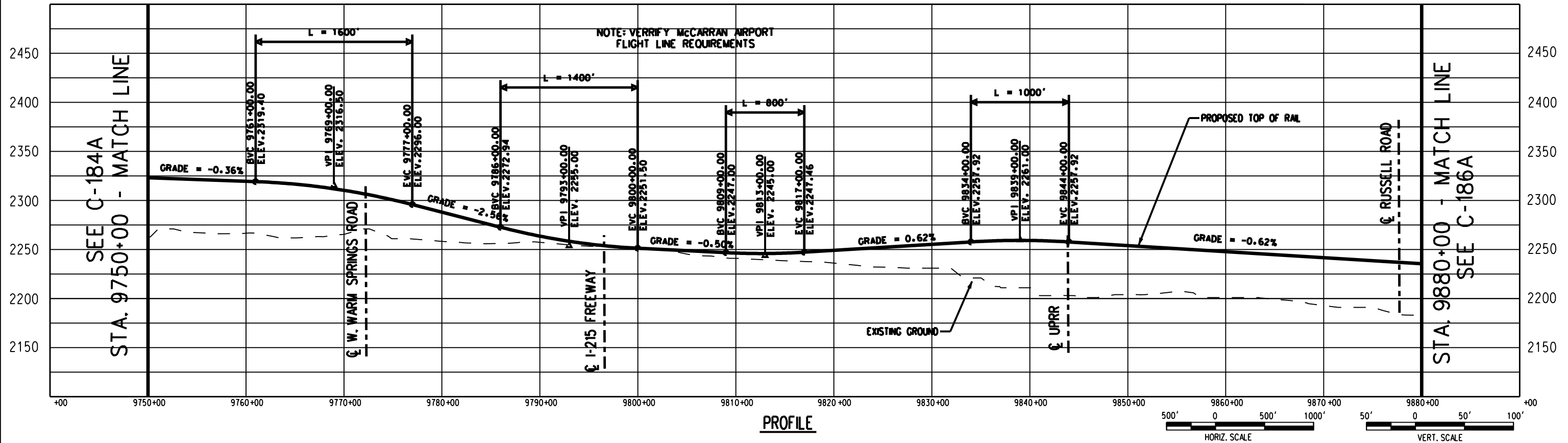


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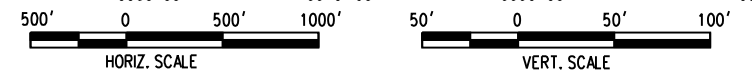


PLAN

ALTERNATIVE A



PROFILE



726 SOUTH FIGUEROA STREET, SUITE 2350
LOS ANGELES, CA 90017

CONFIDENTIAL

DESERTXPRESS

F-H-29

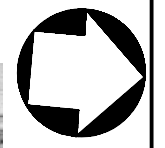
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VICTORVILLE TO LAS VEGAS
STA 9750+00 TO STA 9880+00
SEGMENT 6, ALTERNATIVE A

205062G0

DRAWING NO. C-185A

DATE 03-05-08

SEGMENT 6 SEGMENT 7



Page 5 of 17

Page 6 of 17

Page 7 of 17

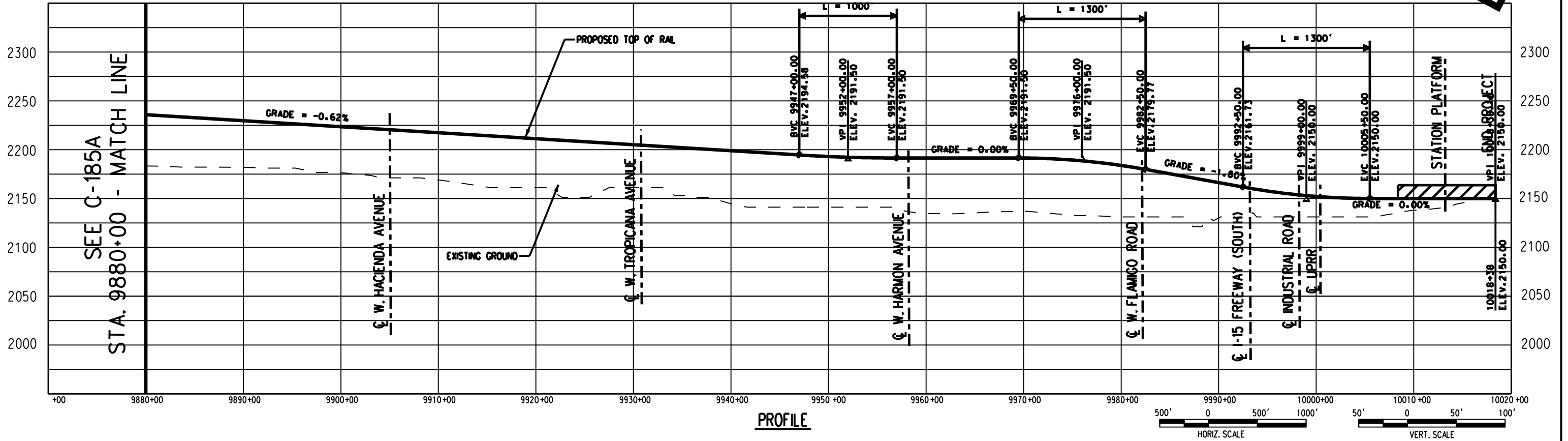
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SEE C-185A
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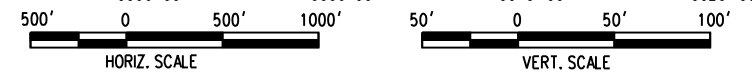


PLAN

ALTERNATIVE A



PROFILE



K Kolve
Engineering
725 SOUTH FIGUEROA STREET, SUITE 2350
LOS ANGELES, CA 90017

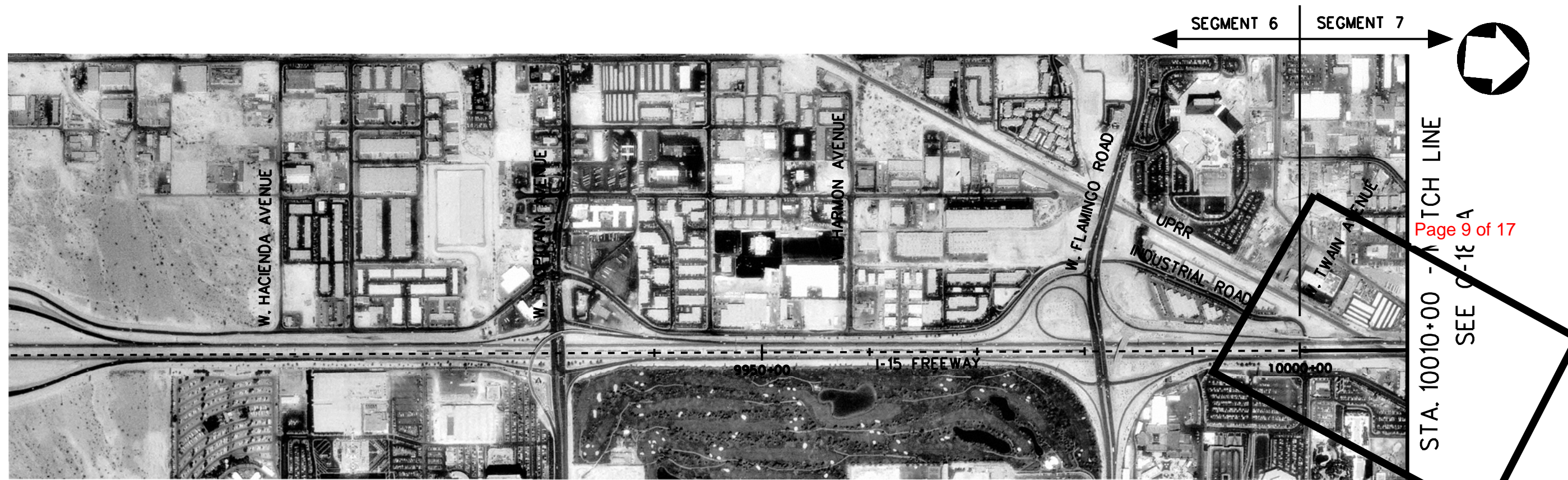
CONFIDENTIAL

DESERTXPRESS

F-H-30

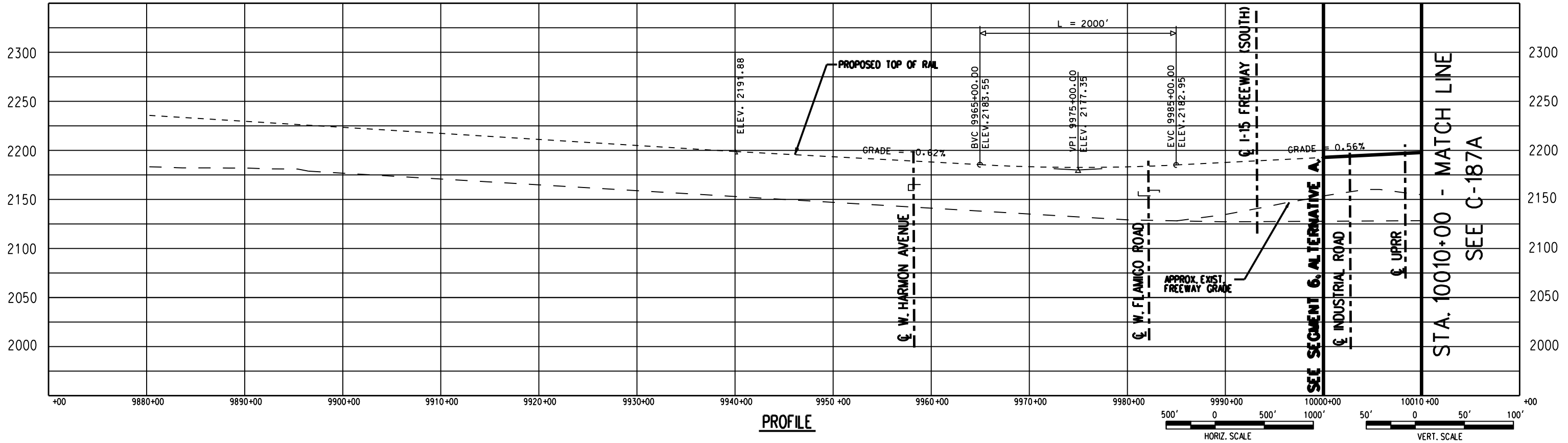
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VICTORVILLE TO LAS VEGAS
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SEGMENT 6, ALTERNATIVE A

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DATE 03-05-08

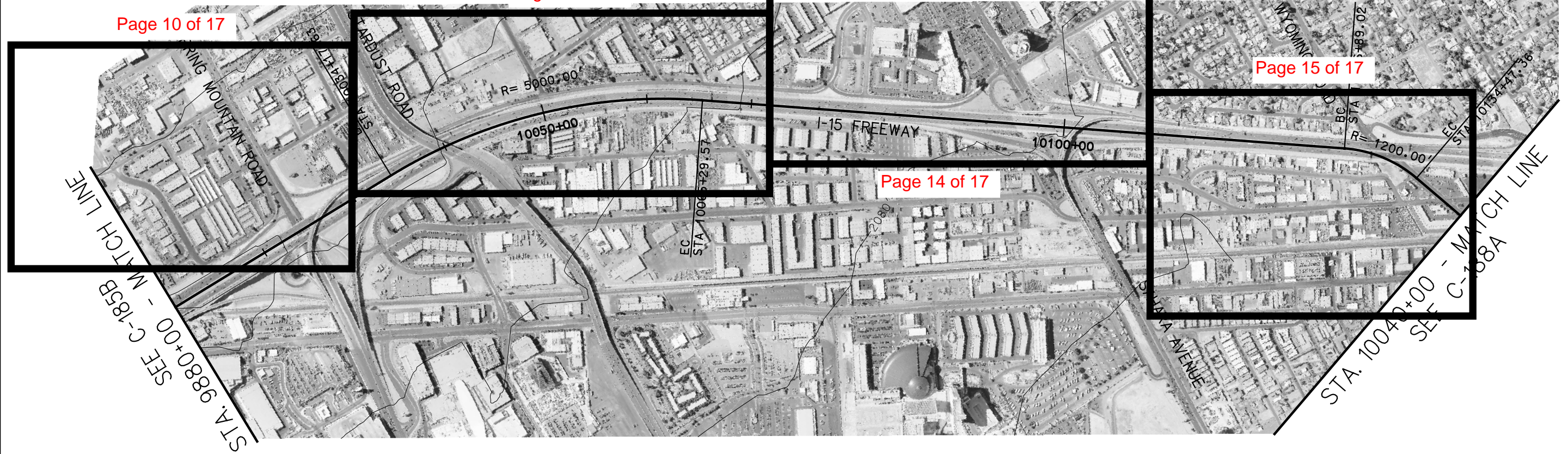


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ALTERNATIVE A

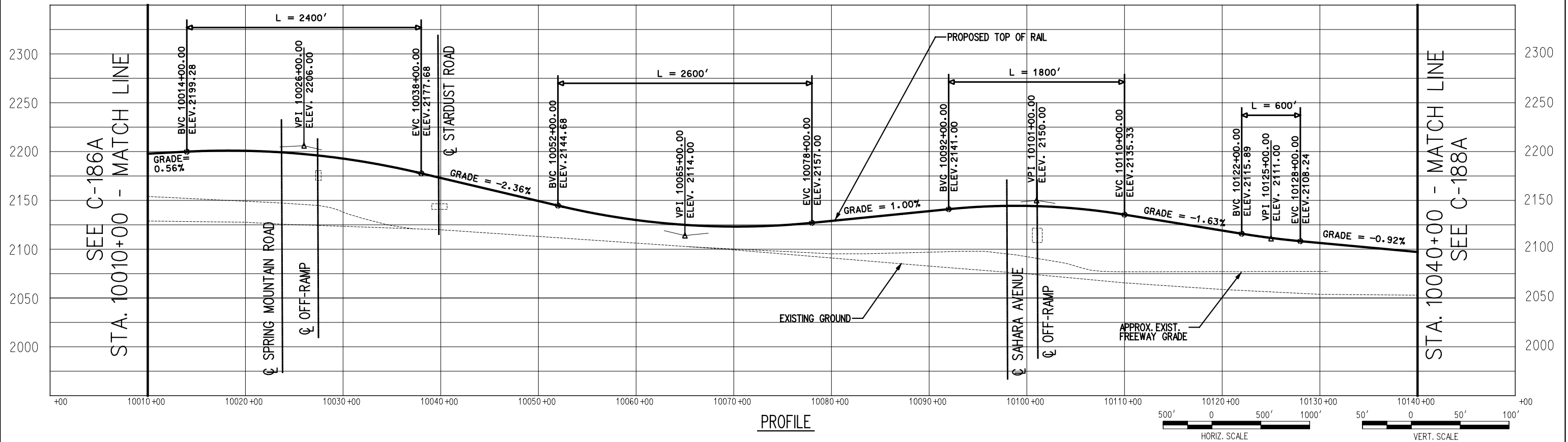


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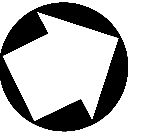


PLAN

ALTERNATIVE A



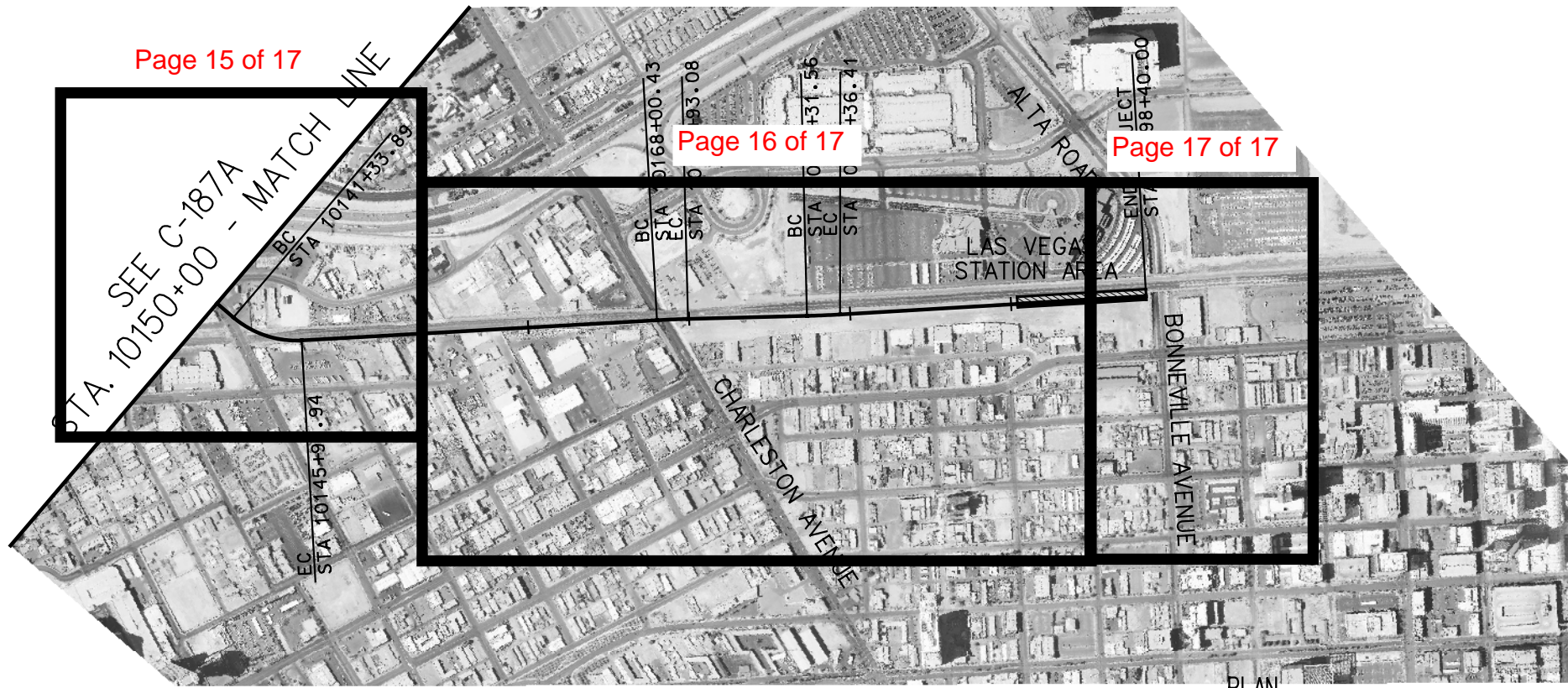
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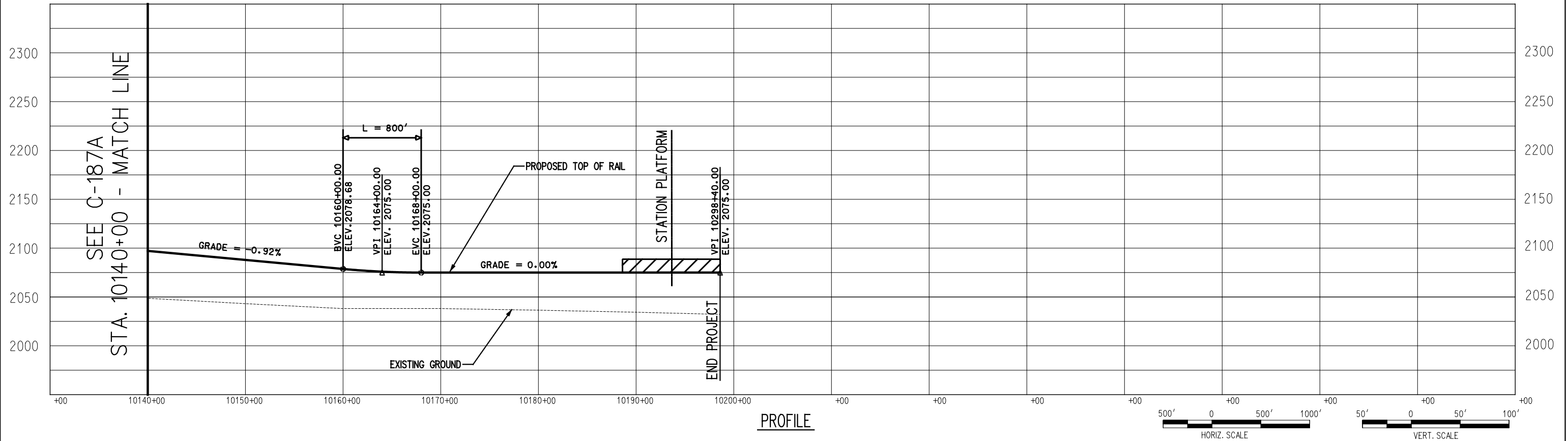
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Page 17 of 17



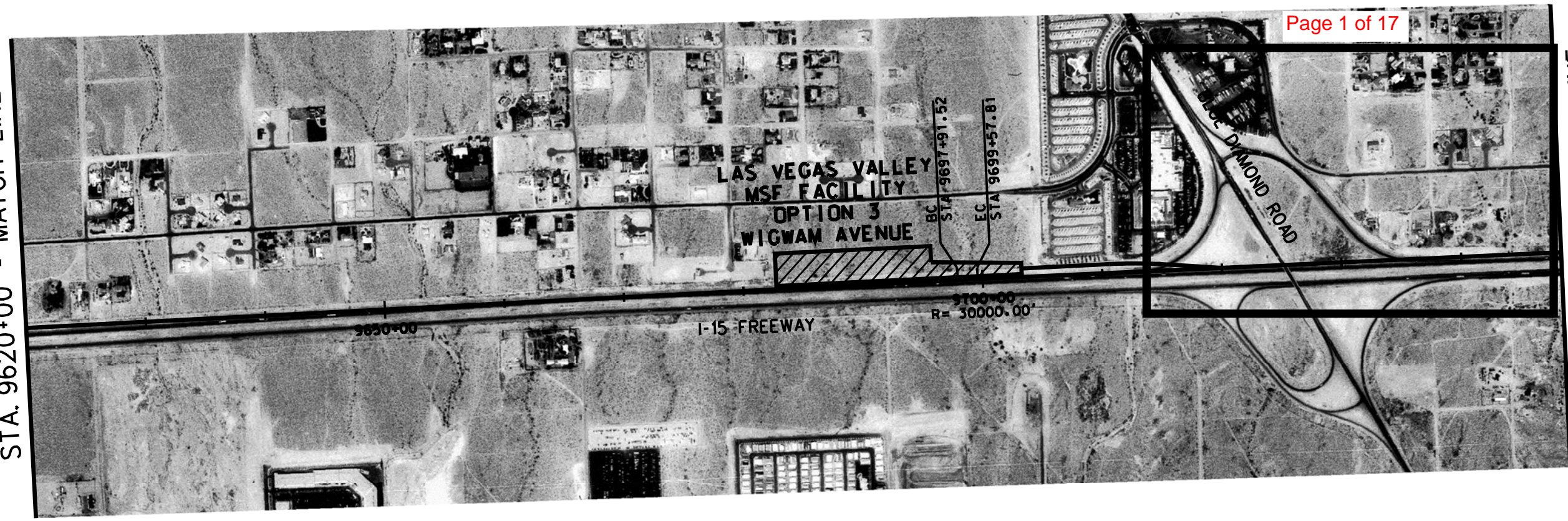
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ALTERNATIVE A

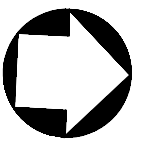


PROFILE

SEE C-183B
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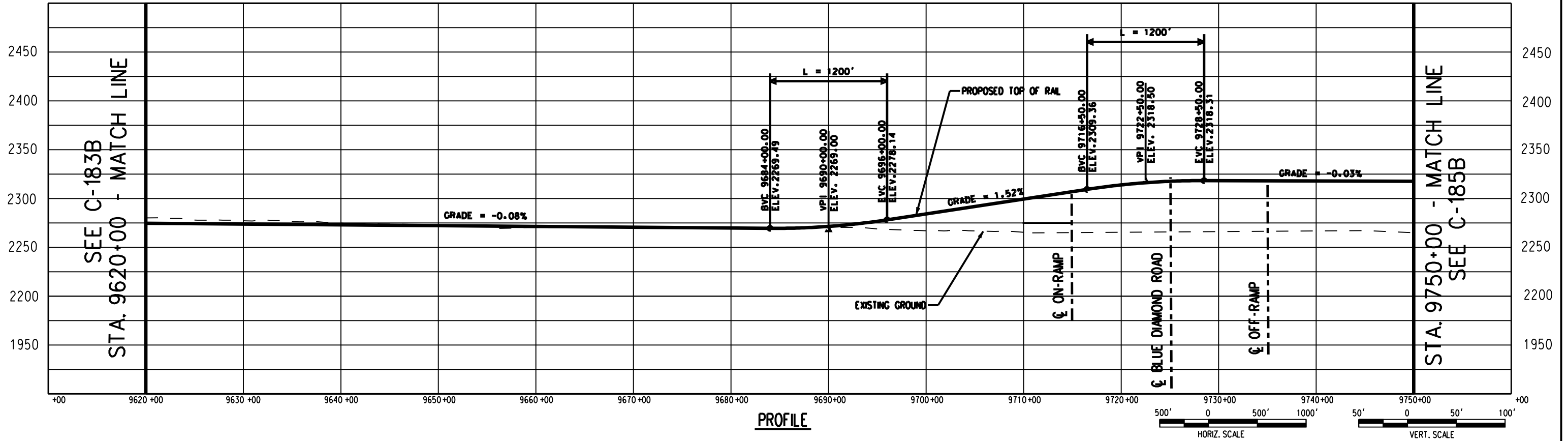


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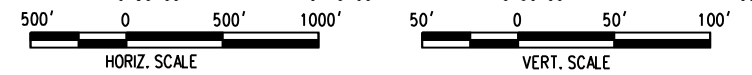


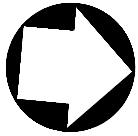
PLAN

ALTERNATIVE B



PROFILE





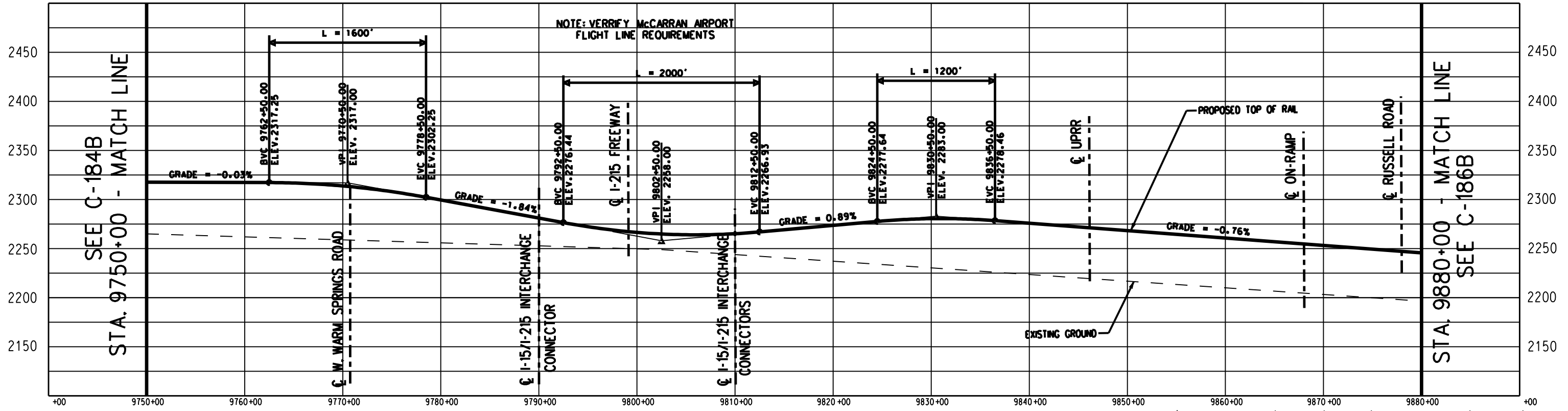
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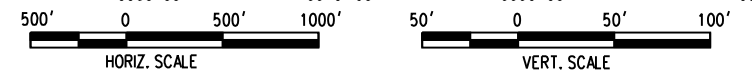
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SEE C-186B

PLAN

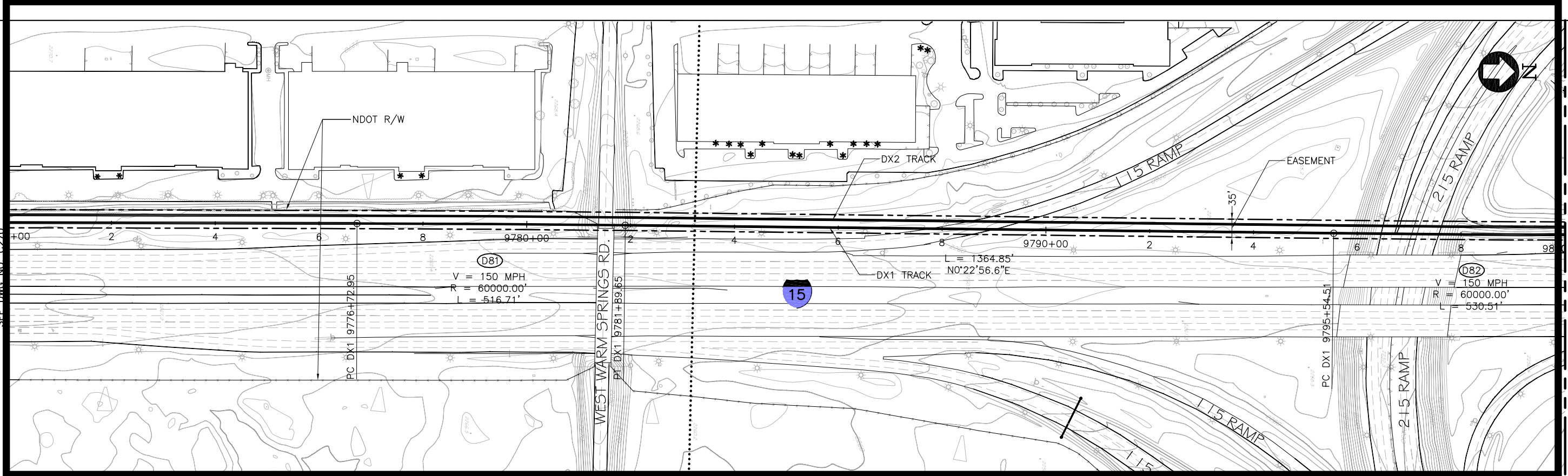
ALTERNATIVE B



PROFILE



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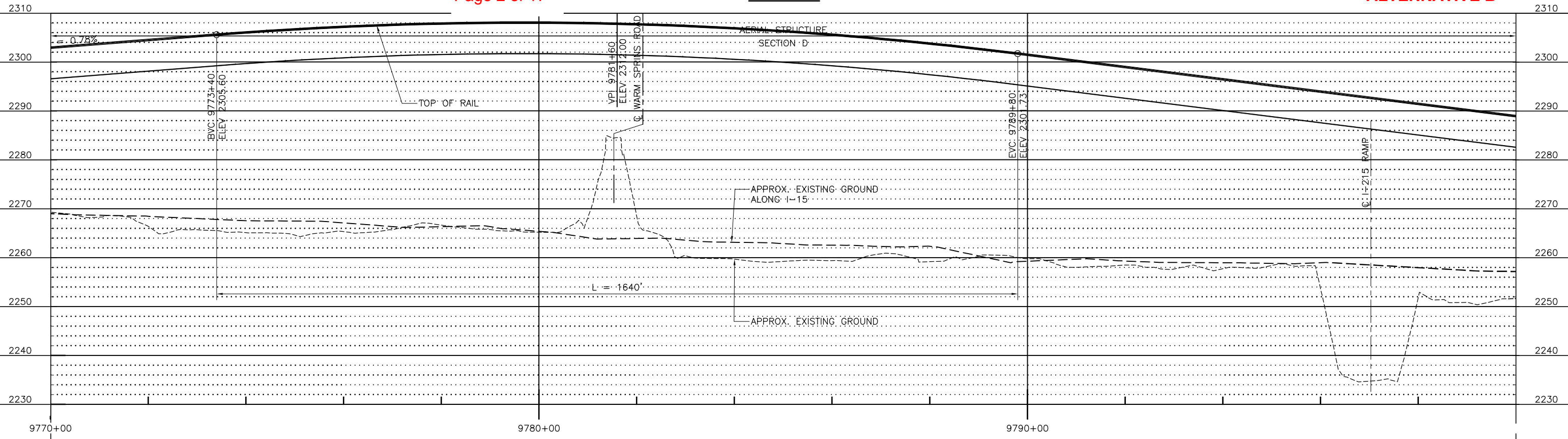


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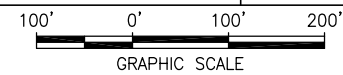
Page 2 of 17

PLAN

ALTERNATIVE B



PROFILE



Jun 21, 2009 10:22am L:\work\103156 - Desert Express\Drawings\DESIGN\CIVIL\C271.dwg

REV	DATE	BY	SUB	APP	DESCRIPTION

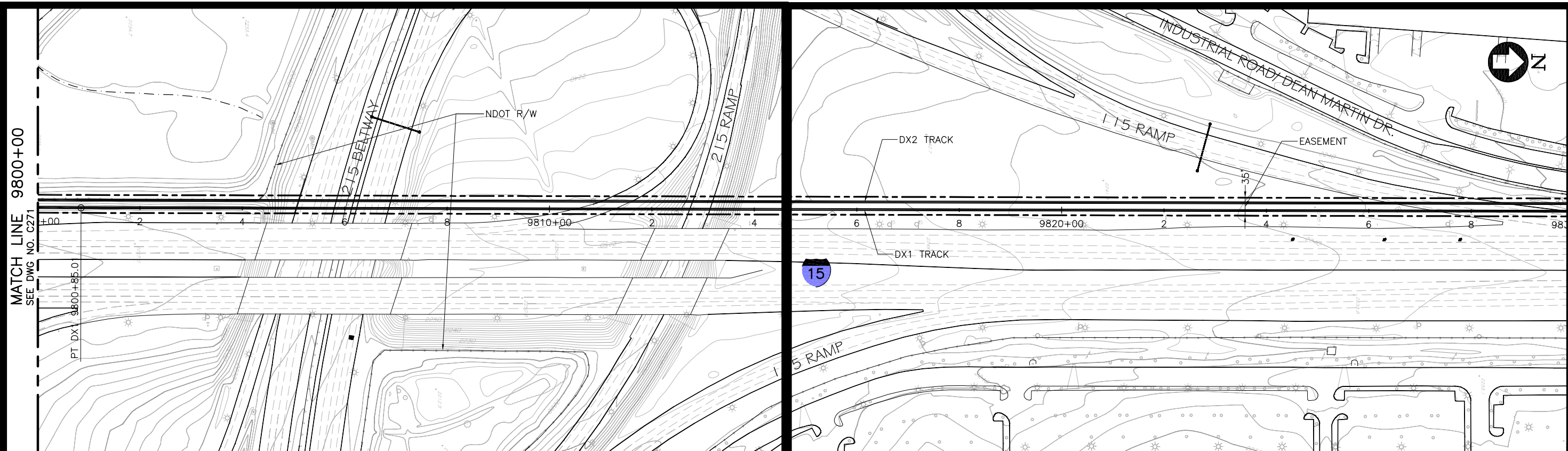
DESIGNED BY
T. LUNA
 DRAWN BY
T. LUNA
 CHECKED BY
J. MAHER
 IN CHARGE
C. BARBER
 DATE
03JUL08

EARTH TECH | AECOM

2101 Webster St., Suite 1000
 Oakland, CA 94612
 Phone: (510) 419-6000
 Fax: (510) 419-5355
F-H-36

DESERTXPRESS
 VICTORVILLE TO LAS VEGAS
 PLAN AND PROFILE
 SEGMENT 6, ALTERNATIVE B
 STA. DX1 9770+00 TO DX1 9800+00
 SHEET 171

CADD FILENAME C271.dwg		
SIZE D	SCALE 1"=100'H; 1"=10'V	
CONTRACT NO.		
REV. B	SHEET NO. C271	PAGE NO.



MATCH LINE 9800+00
SEE DWG NO. C271

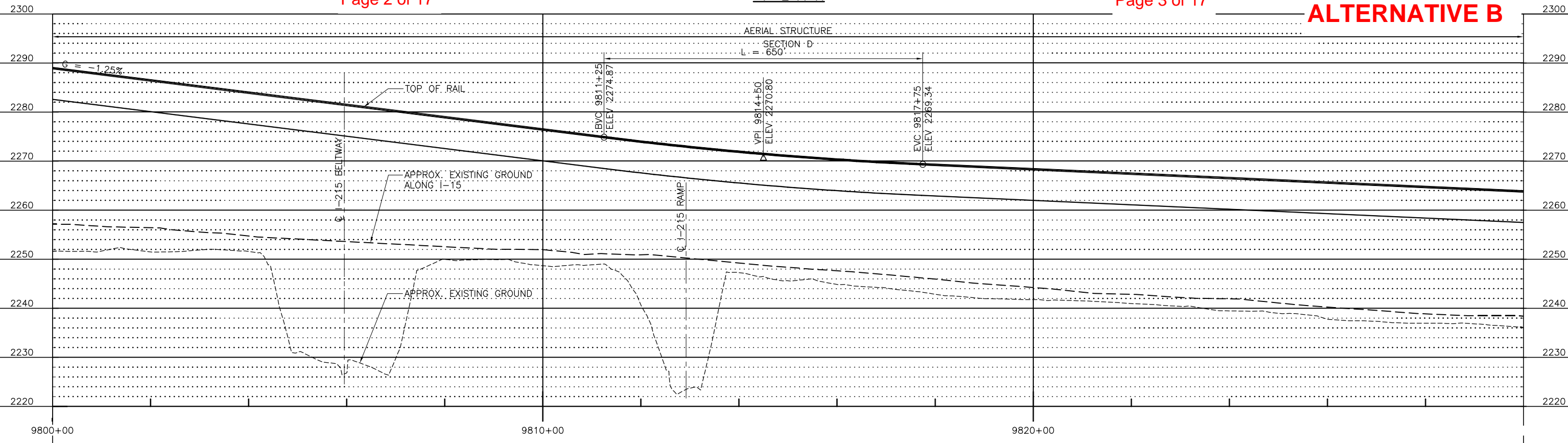
MATCH LINE 9830+00
SEE DWG NO. C273

Page 2 of 17

PLAN

Page 3 of 17

ALTERNATIVE B



PROFILE

Jun 21, 2009 10:12am L:\work\103156 - Desert Express\Drawings\DESIGN\CIVIL\C271.dwg
 Desert Express\Drawings\DESIGN\CIVIL\C271.dwg

REV	DATE	BY	SUB	APP	DESCRIPTION

DESIGNED BY
T. LUNA
 DRAWN BY
T. LUNA
 CHECKED BY
J. MAHER
 IN CHARGE
C. BARBER
 DATE
03JUL08

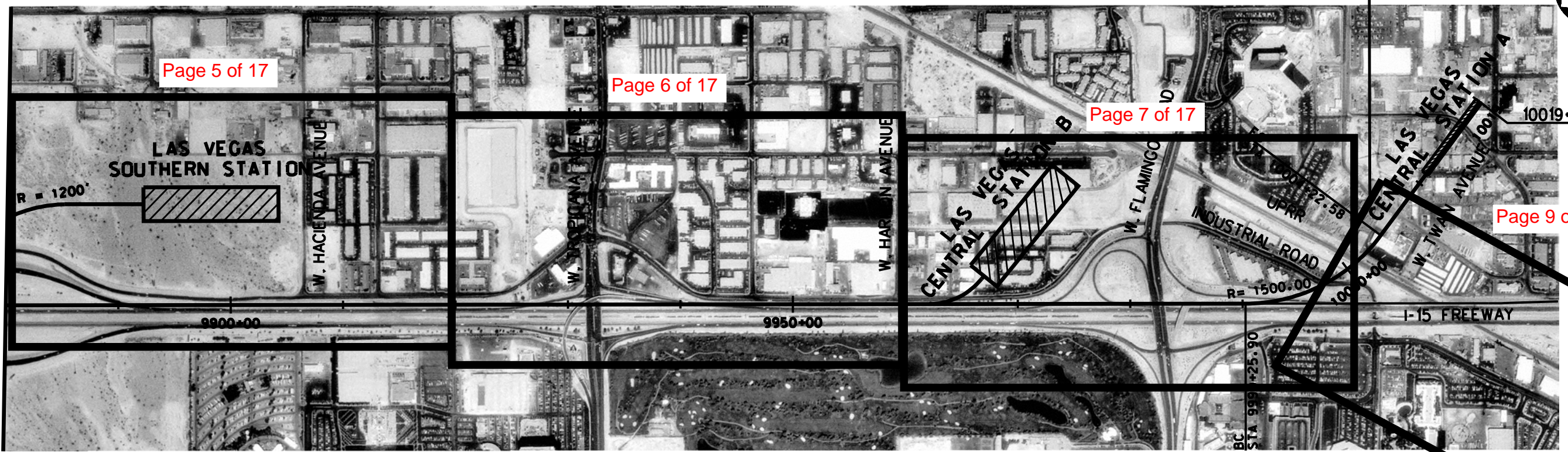
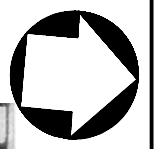
EARTH TECH | AECOM

2101 Webster St., Suite 1000
 Oakland, CA 94612
 Phone: (510) 419-6000
 Fax: (510) 419-5355
F-H-37

DESERTXPRESS
VICTORVILLE TO LAS VEGAS
 PLAN AND PROFILE
 SEGMENT 6, ALTERNATIVE B
 STA. DX1 9800+00 TO DX1 9830+00
SHEET 172

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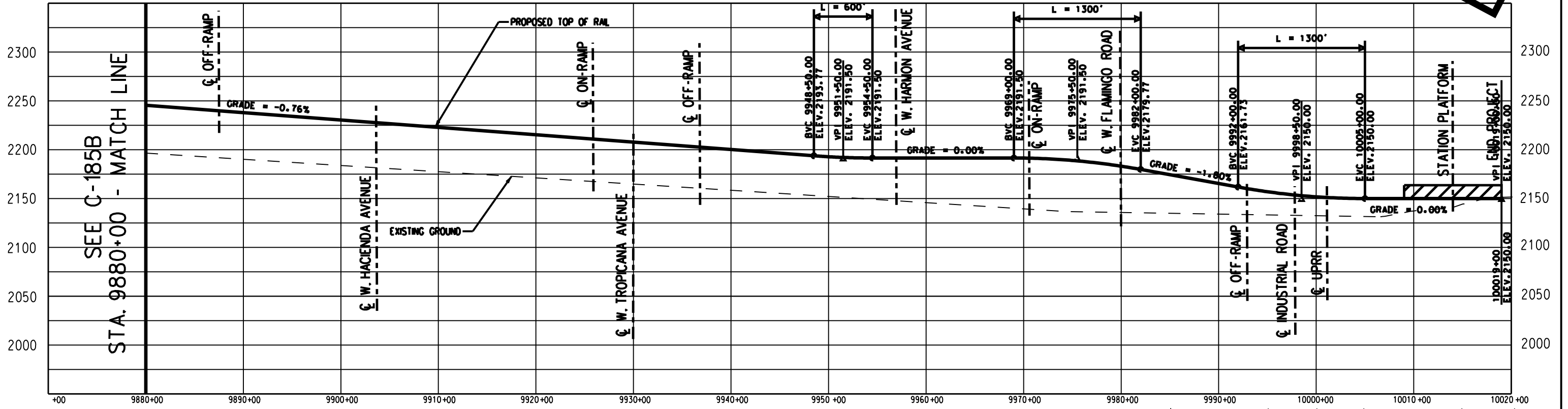
SEGMENT 6 SEGMENT 7



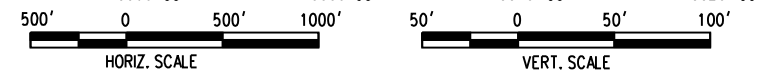
SEE C-185B
STA. 9880+00 - MATCH LINE

PLAN

ALTERNATIVE B



PROFILE



K Kolve Engineering
725 SOUTH FIGUEROA STREET, SUITE 2350
LOS ANGELES, CA 90017

CONFIDENTIAL

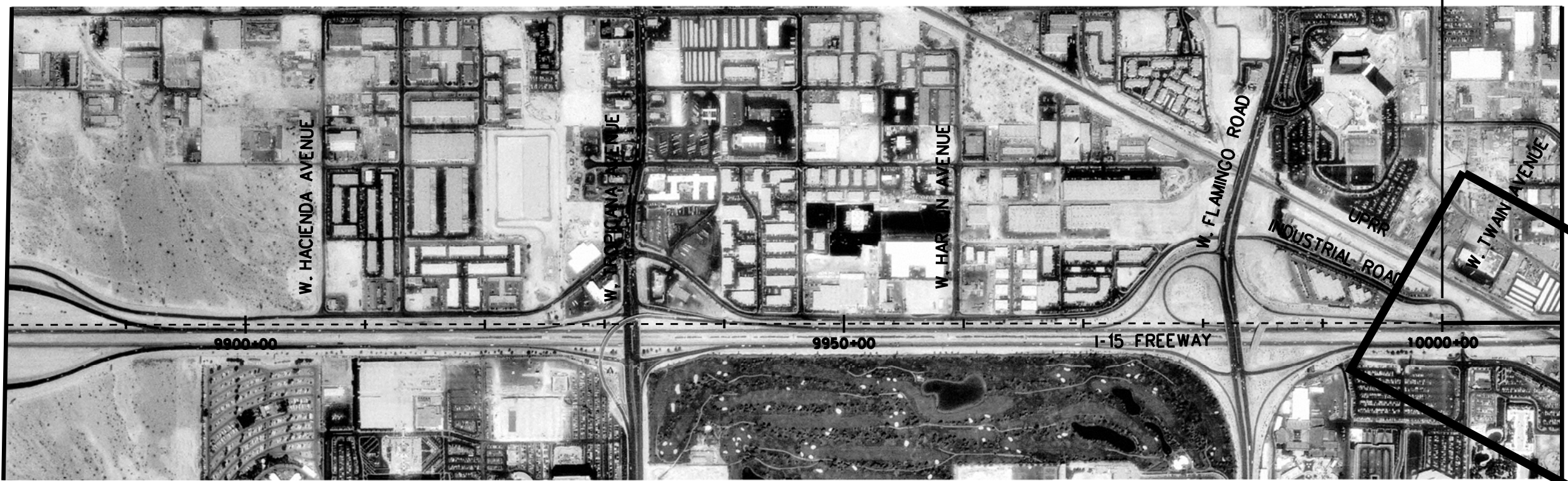
DESERTXPRESS

F-H-38

PRELIMINARY CONCEPTUAL ALIGNMENT
PLAN AND PROFILE
VICTORVILLE TO LAS VEGAS
STA 9880+00 TO STA 10019+00
SEGMENT 6, ALTERNATIVE B

205062G0
DRAWING NO. C-186B
DATE 03-05-08

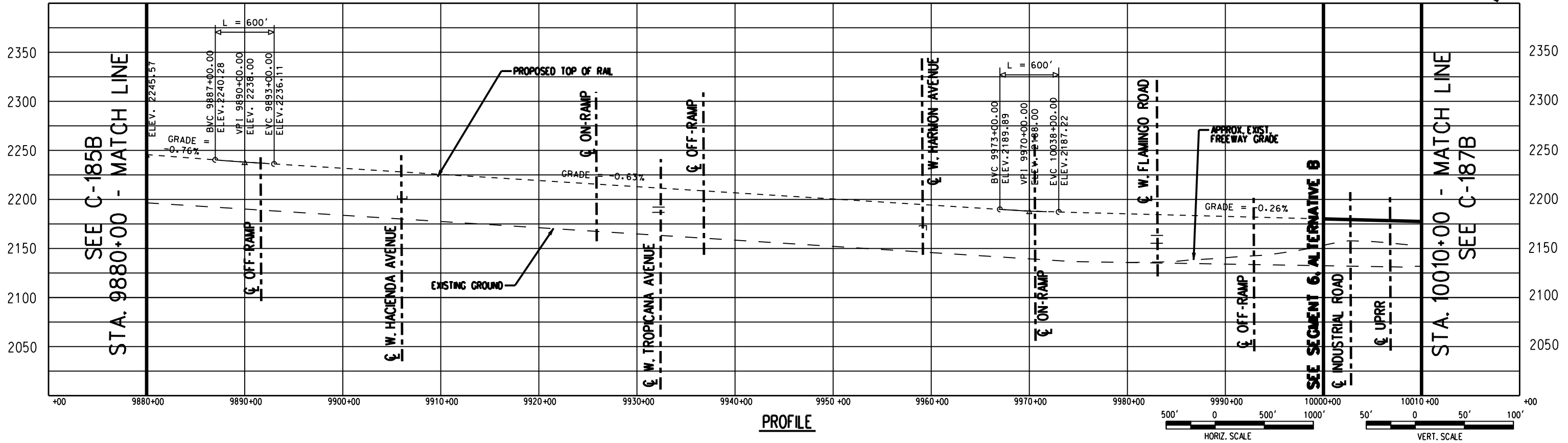
SEE C-185B
STA. 9880+00 - MATCH LINE



STA. 10010+00 - MATCH LINE
SEE C-177B

PLAN

ALTERNATIVE B



PROFILE



725 SOUTH FIGUEROA STREET, SUITE 2350
LOS ANGELES, CA 90017

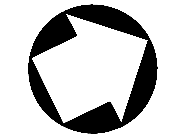
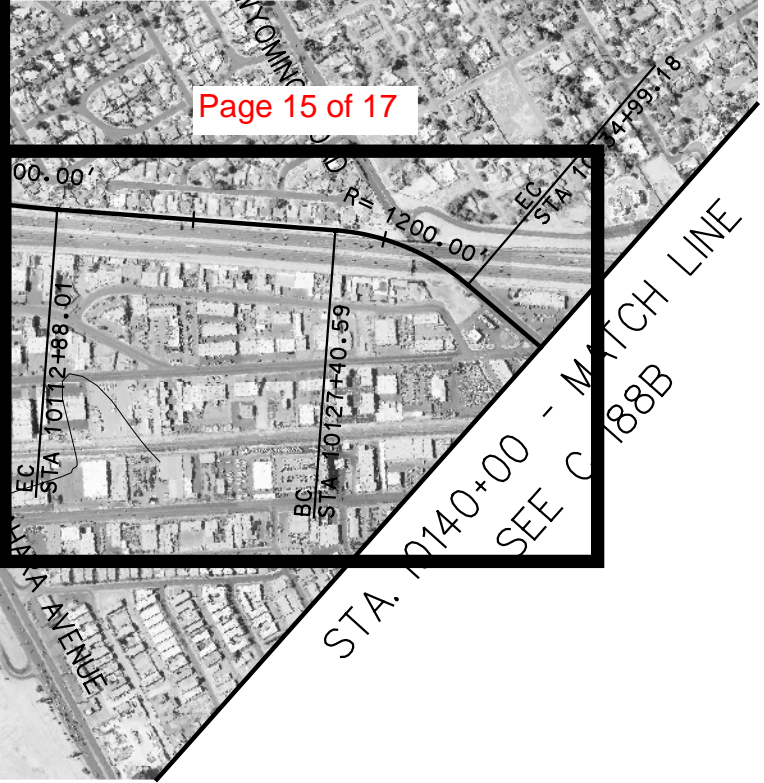
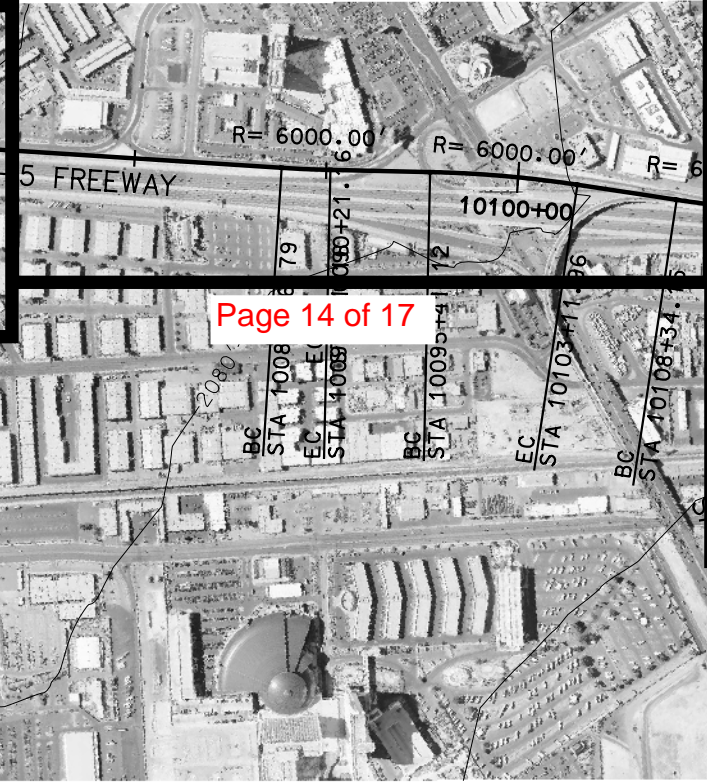
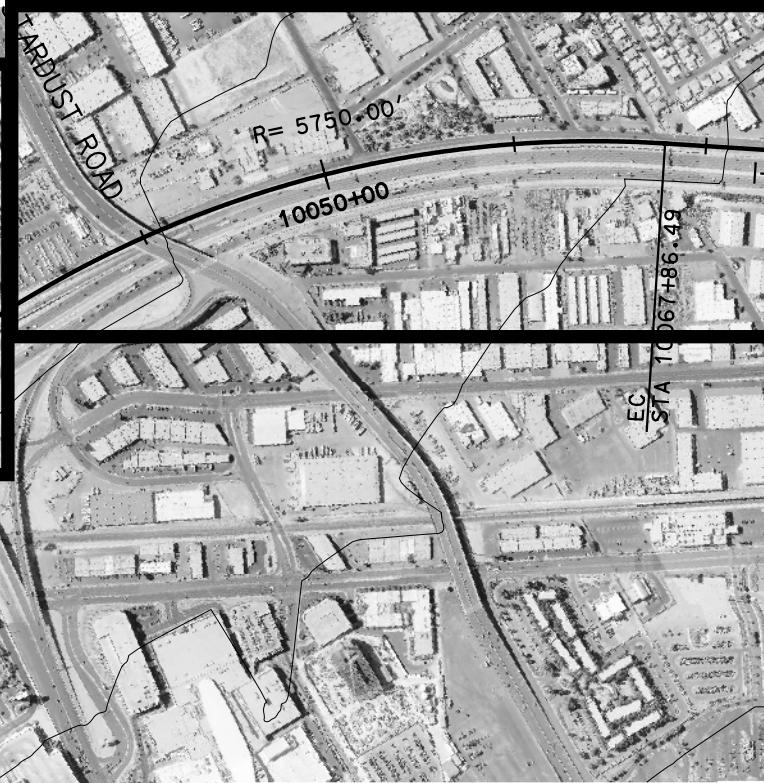
CONFIDENTIAL

DESERTXPRESS

F-H-39

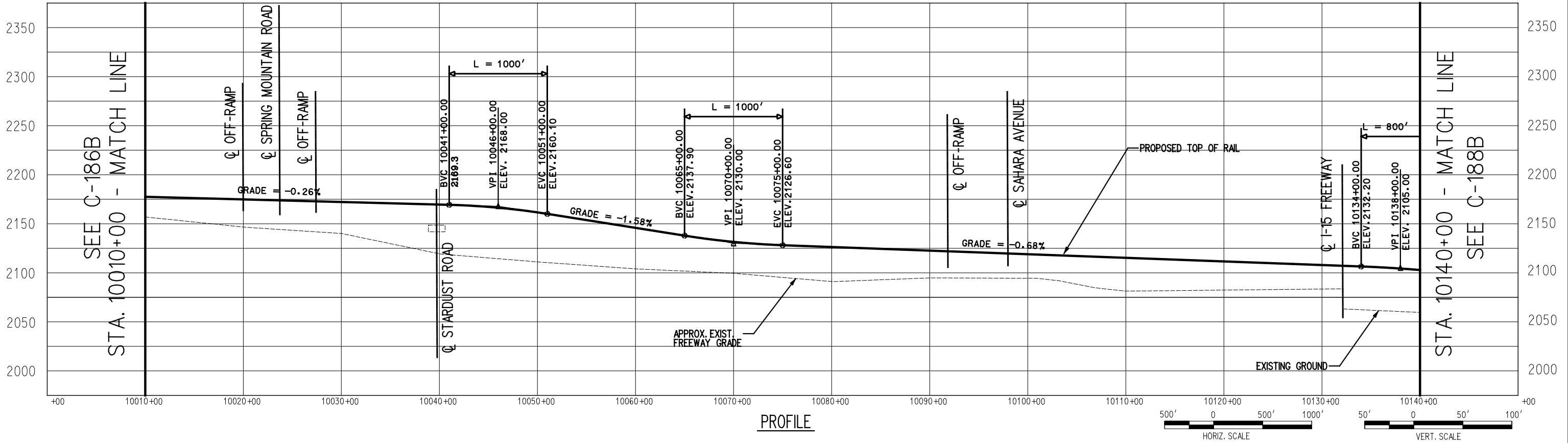
PRELIMINARY CONCEPTUAL ALIGNMENT
PLAN AND PROFILE
VICTORVILLE TO LAS VEGAS
STA 9880+00 TO STA 10010+00
SEGMENT 7, ALTERNATIVE B

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DRAWING NO	C-186B
DATE	03-21-08

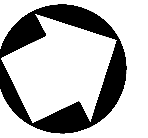


PLAN

ALTERNATIVE B



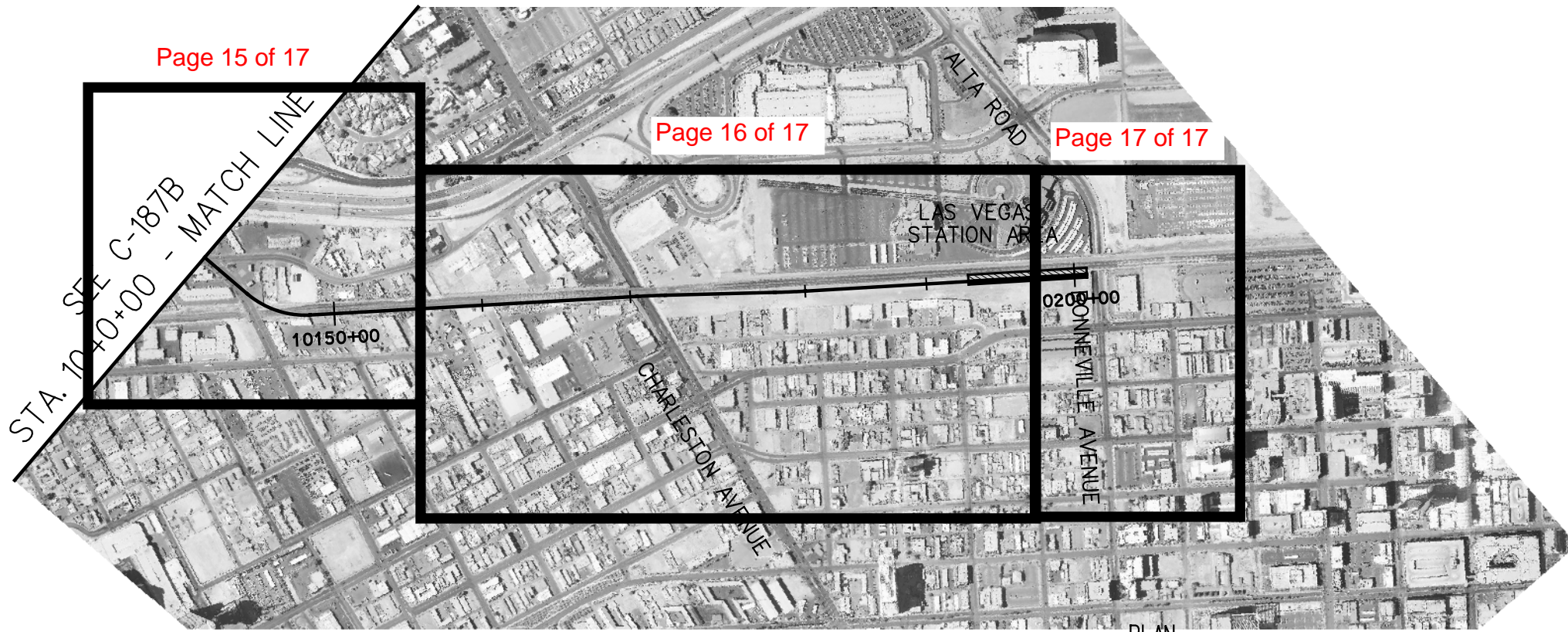
PROFILE



Page 15 of 17

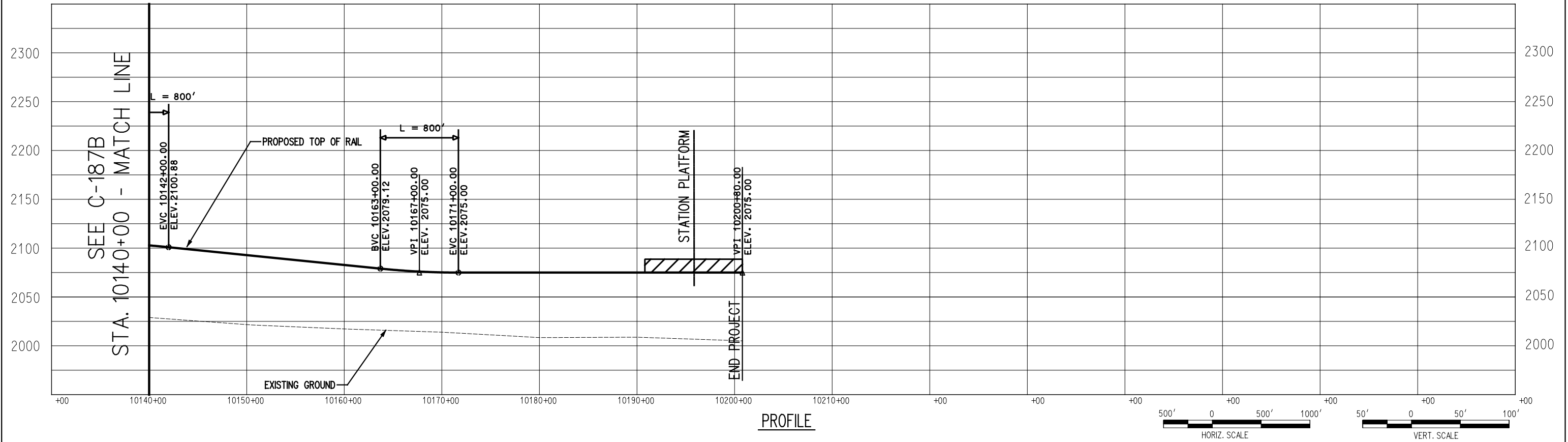
Page 16 of 17

Page 17 of 17



PLAN

ALTERNATIVE B

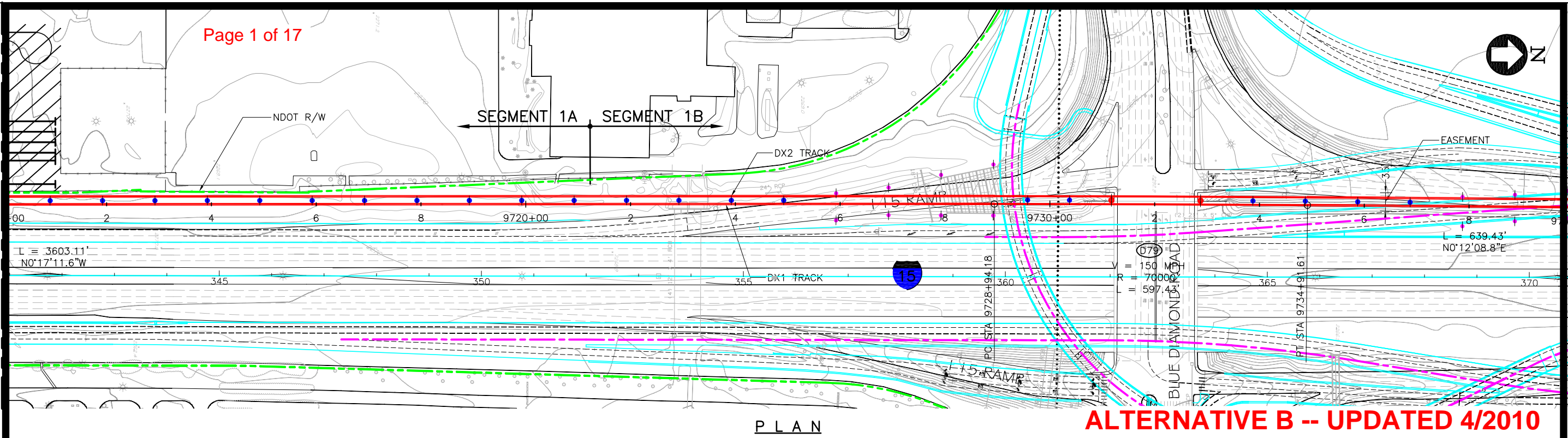


PROFILE



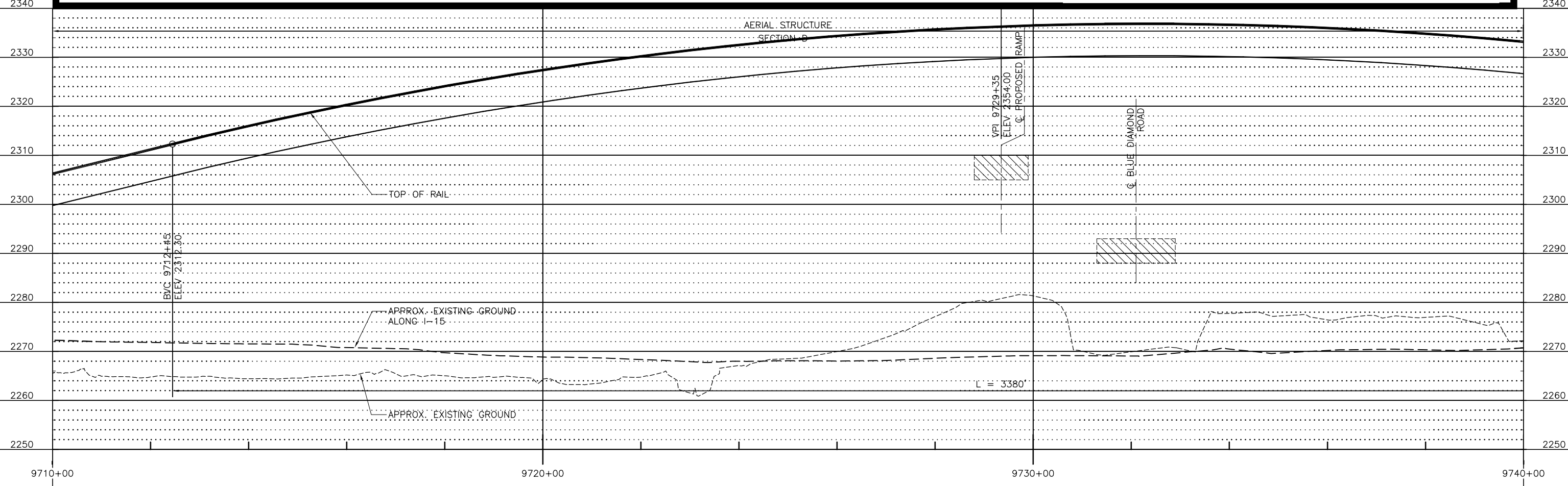
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SEE DWG NO. SK93

MATCH LINE 9740+00
SEE DWG NO. SK95

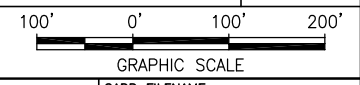


PLAN

ALTERNATIVE B -- UPDATED 4/2010



PROFILE



Apr 20, 2010 1:28pm L:\work\101156 - Desert Express Drawings\DESIGN\SHEET\SK92.dwg
 Jun14

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DESIGNED BY	
DRAWN BY	
CHECKED BY	
IN CHARGE	
DATE	09MAR10

EARTH TECH | AECOM

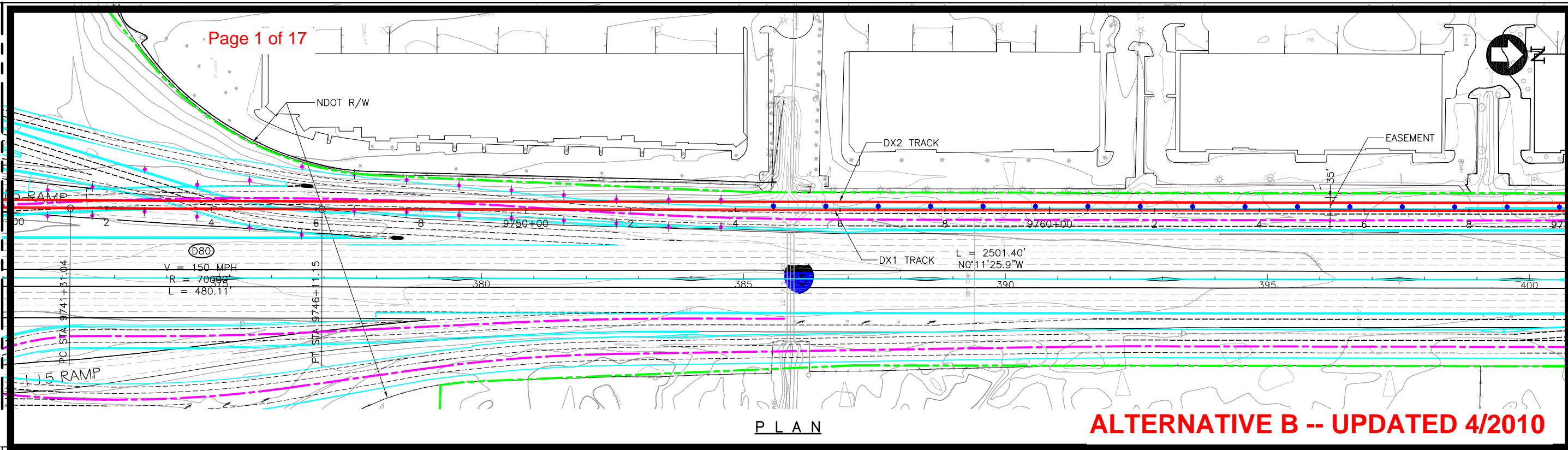
2101 Webster St., Suite 1000
Oakland, CA 94612
Phone: (510) 419-6000
Fax: (510) 419-5355
F-H-42

DESERTXPRESS
VICTORVILLE TO LAS VEGAS
PLAN AND PROFILE
SEGMENT 6, ALTERNATIVE B
STA. DX1 9710+00 TO DX1 9740+00

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SIZE D	SCALE 1"=100'H; 1"=10'V	CONTRACT NO.
REV. A	SHEET NO. SK94	PAGE NO.

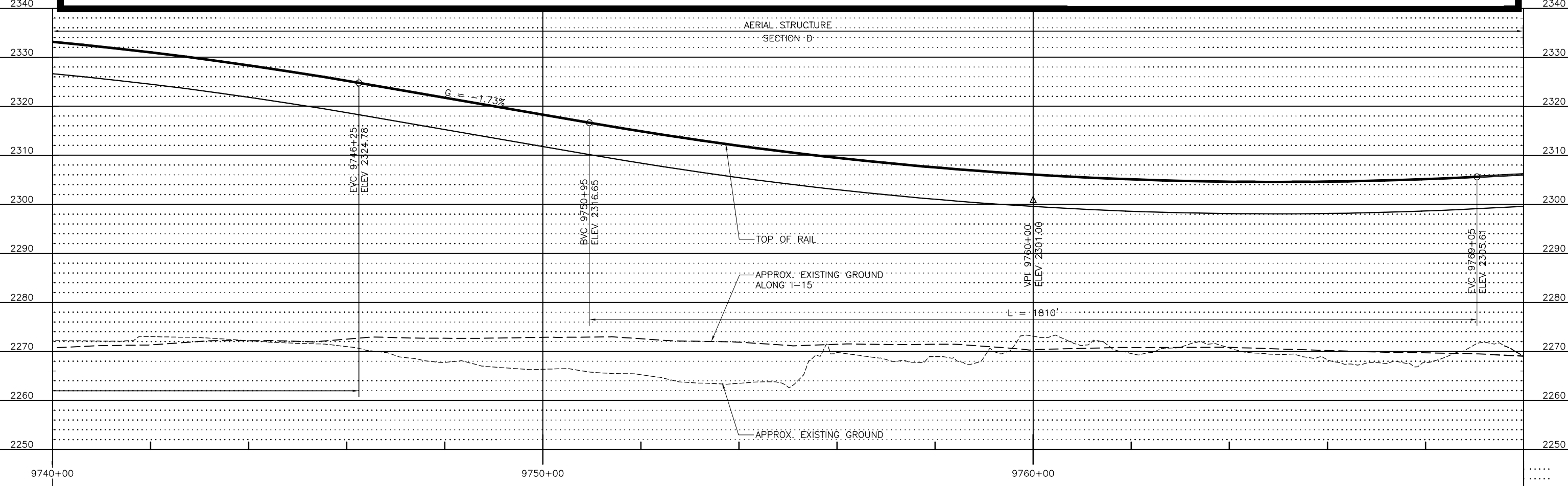
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SEE DWG NO. SK94

MATCH LINE 9770+00
SEE DWG NO. SK96

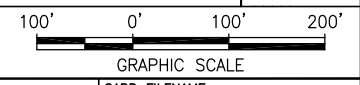


PLAN

ALTERNATIVE B -- UPDATED 4/2010



PROFILE



Apr 20, 2010 1:28pm L:\work\101156 - Desert Express Drawings\DESIGN\SHEET\SK92.dwg
 Jun12

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DESIGNED BY	
DRAWN BY	
CHECKED BY	
IN CHARGE	
DATE	09MAR10

EARTH TECH | AECOM

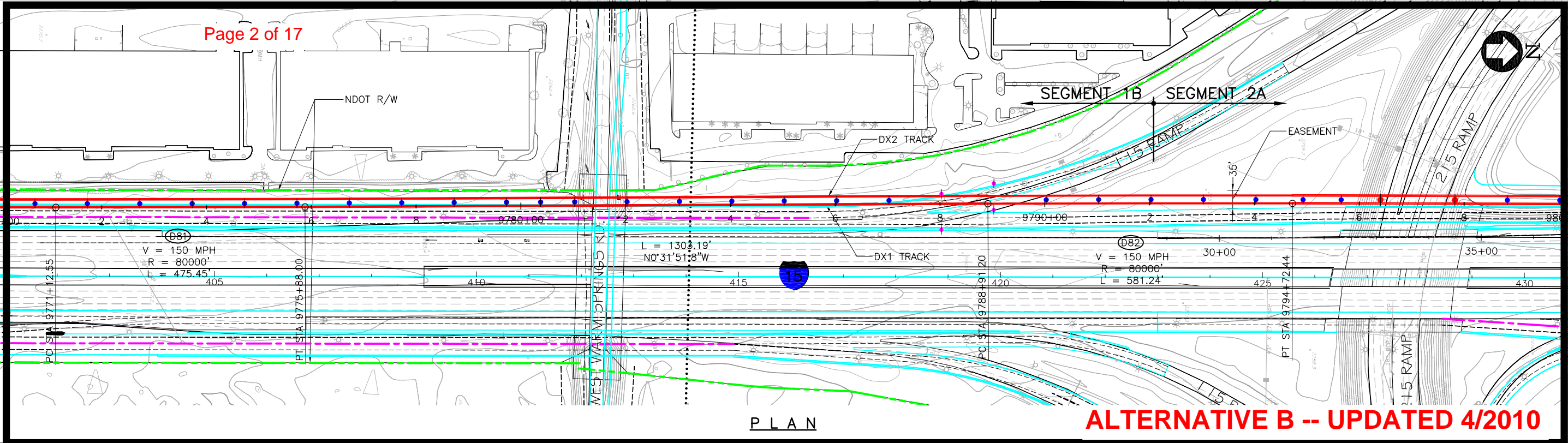
2101 Webster St., Suite 1000
Oakland, CA 94612
Phone: (510) 419-6000
Fax: (510) 419-5355
F-H-43

DESERTXPRESS
VICTORVILLE TO LAS VEGAS
PLAN AND PROFILE
SEGMENT 6, ALTERNATIVE B
STA. DX1 9740+00 TO DX1 9770+00

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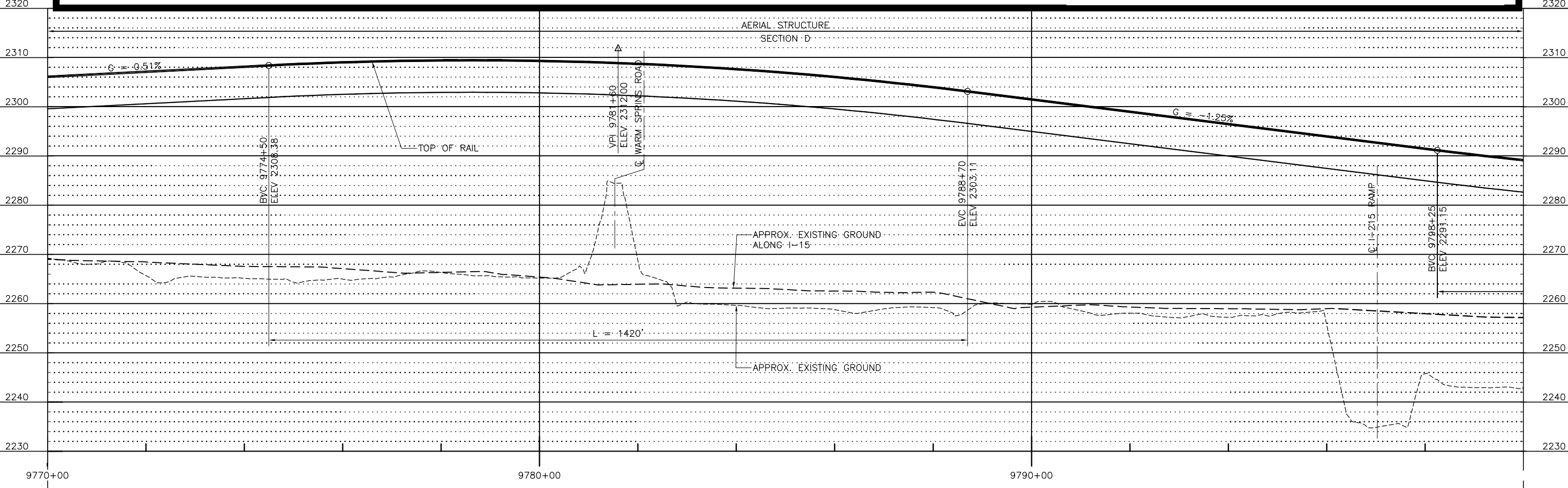
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SEE DWG NO. SK95

MATCH LINE 9800+00
SEE DWG NO. SK97

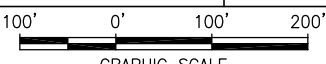


PLAN

ALTERNATIVE B -- UPDATED 4/2010



PROFILE



Apr 20, 2010 1:35pm L:\work\101156 - Desert Express Drawings\DESIGN\SHEET\SK96.dwg
 Jun12

DESIGNED BY	
DRAWN BY	
CHECKED BY	
IN CHARGE	
DATE	09MAR10

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F-H-44

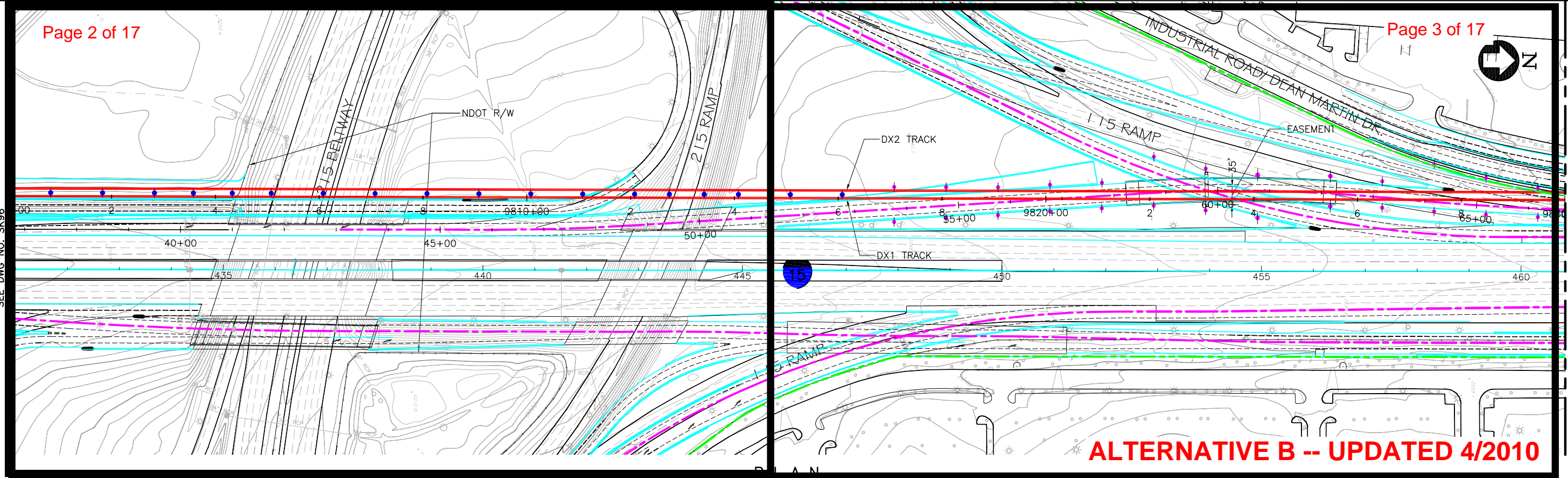
DESERTXPRESS
VICTORVILLE TO LAS VEGAS
PLAN AND PROFILE
SEGMENT 6, ALTERNATIVE B
STA. DX1 9770+00 TO DX1 9800+00

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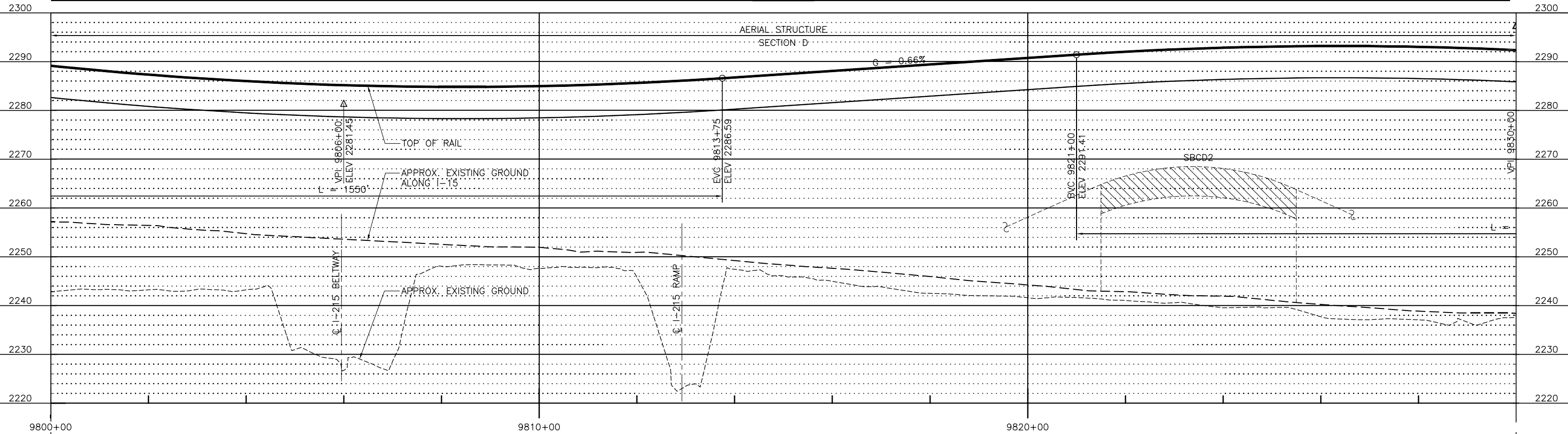
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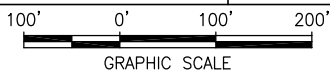
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ALTERNATIVE B -- UPDATED 4/2010



PROFILE



Apr 22, 2010 10:46am L:\work\103156 - Desert Express\Drawings\DESIGN\SKETCH\SK96.dwg

REV	DATE	BY	SUB	APP	DESCRIPTION

DESIGNED BY
DRAWN BY
CHECKED BY
IN CHARGE
DATE
09MAR10

EARTH TECH | AECOM

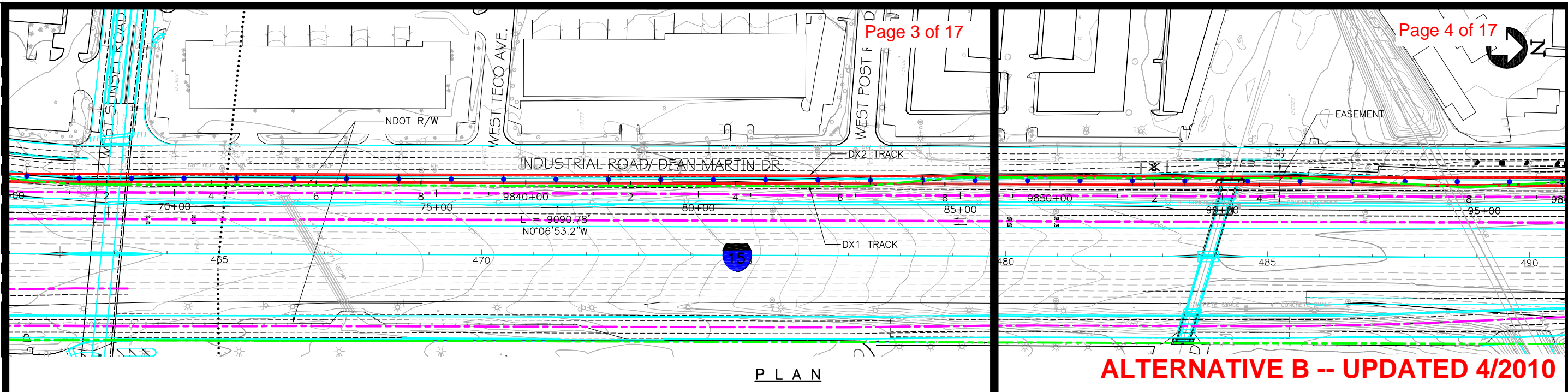
2101 Webster St., Suite 1000
Oakland, CA 94612
Phone: (510) 419-6000
Fax: (510) 419-5355
F-H-45

DESERTXPRESS
VICTORVILLE TO LAS VEGAS
PLAN AND PROFILE
SEGMENT 6, ALTERNATIVE B
STA. DX1 9800+00 TO DX1 9830+00

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CONTRACT NO.	
REV.	A
SHEET NO.	SK97
PAGE NO.	

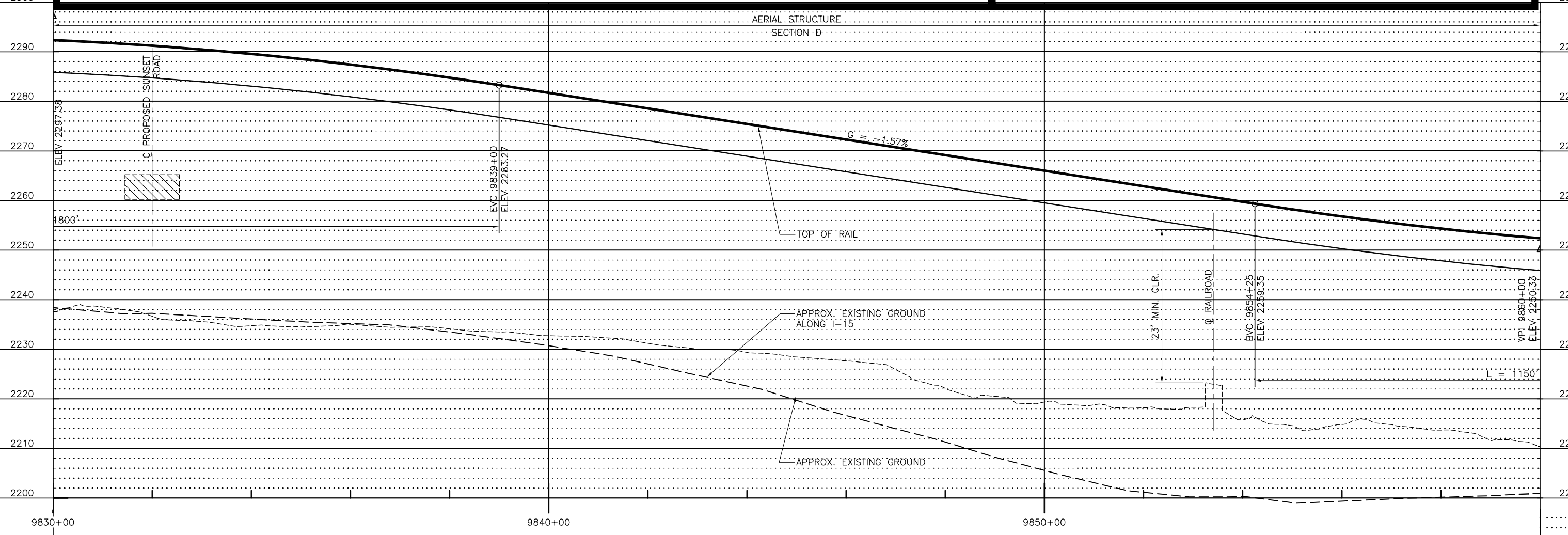
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SEE DWG NO. SK97

MATCH LINE 9860+00
SEE DWG NO. SK99

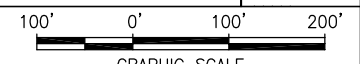


PLAN

ALTERNATIVE B -- UPDATED 4/2010



PROFILE



Apr 22, 2010 10:14am L:\work\103156 - Desert Express\Drawings\DESIGN\SKETCH\SK96.dwg

DESIGNED BY	
DRAWN BY	
CHECKED BY	
IN CHARGE	
DATE	09MAR10

EARTH TECH | AECOM

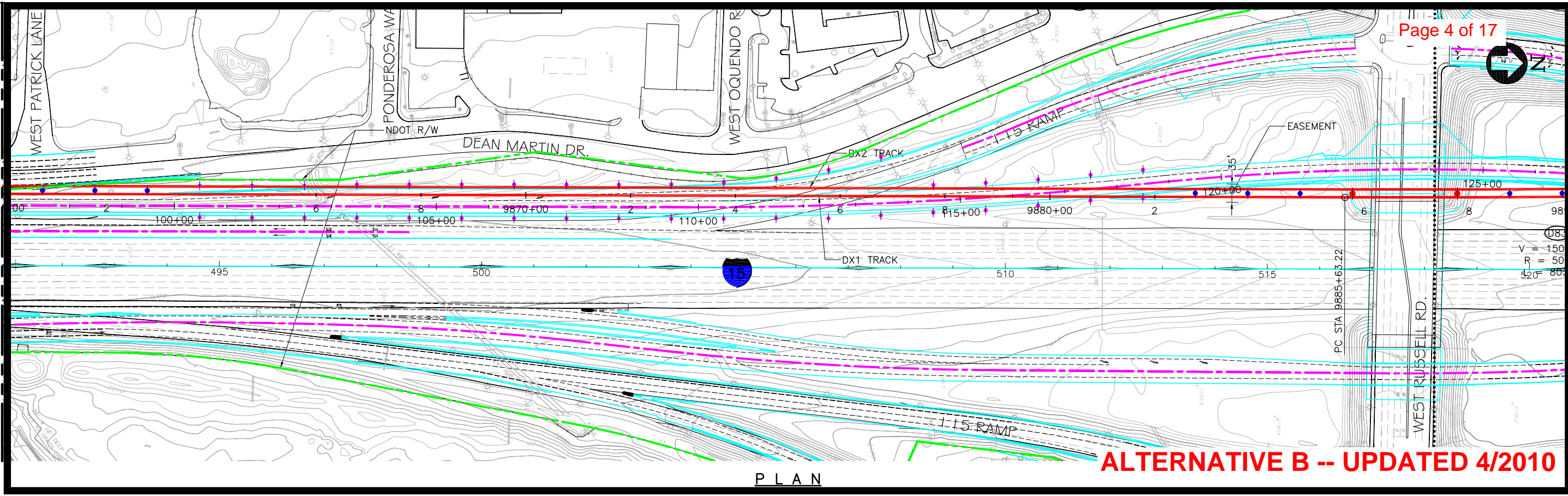
2101 Webster St., Suite 1000
Oakland, CA 94612
Phone: (510) 419-6000
Fax: (510) 419-5355
F-H-46

DESERTXPRESS
VICTORVILLE TO LAS VEGAS
PLAN AND PROFILE
SEGMENT 6, ALTERNATIVE B
STA. DX1 9830+00 TO DX1 9860+00

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PAGE NO.	

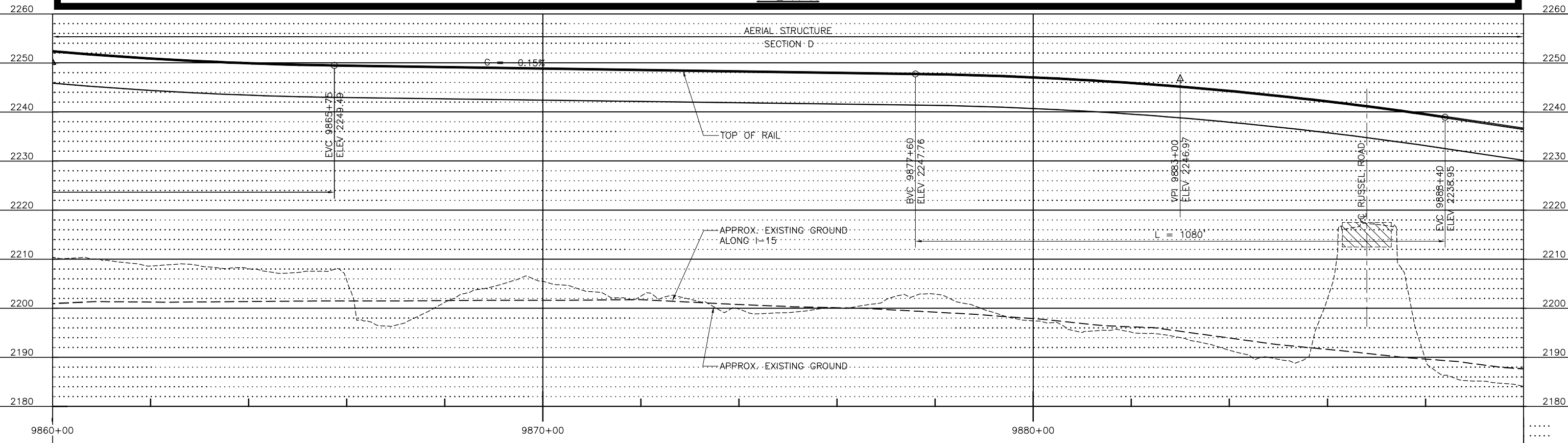
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SEE DWG NO. SK100

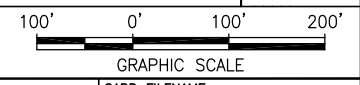


PLAN

ALTERNATIVE B -- UPDATED 4/2010



PROFILE



Apr 22, 2010 10:15am L:\work\103156 - Desert Express\Drawings\DESIGN\SKETCH\SK96.dwg
 jmad

REV	DATE	BY	SUB	APP	DESCRIPTION

DESIGNED BY	
DRAWN BY	
CHECKED BY	
IN CHARGE	
DATE	09MAR10

EARTH TECH | AECOM

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Oakland, CA 94612
Phone: (510) 419-6000
Fax: (510) 419-5355
F-H-47

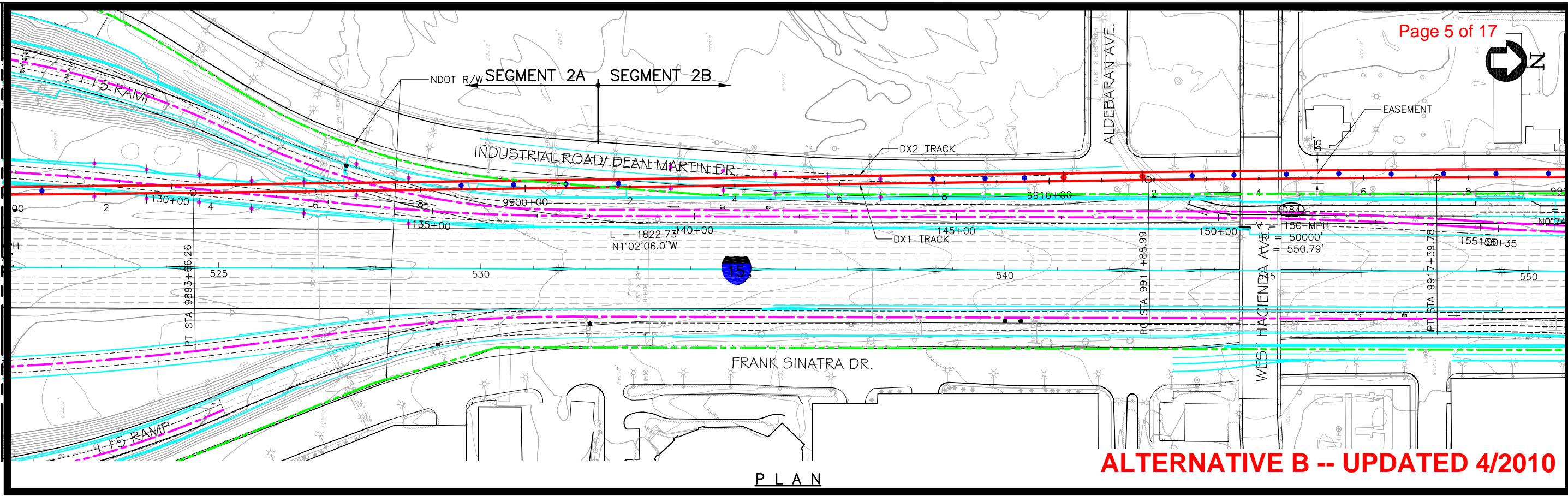
DESERT Xpress
VICTORVILLE TO LAS VEGAS
PLAN AND PROFILE
SEGMENT 6, ALTERNATIVE B
STA. DX1 9860+00 TO DX1 9890+00

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PAGE NO.	



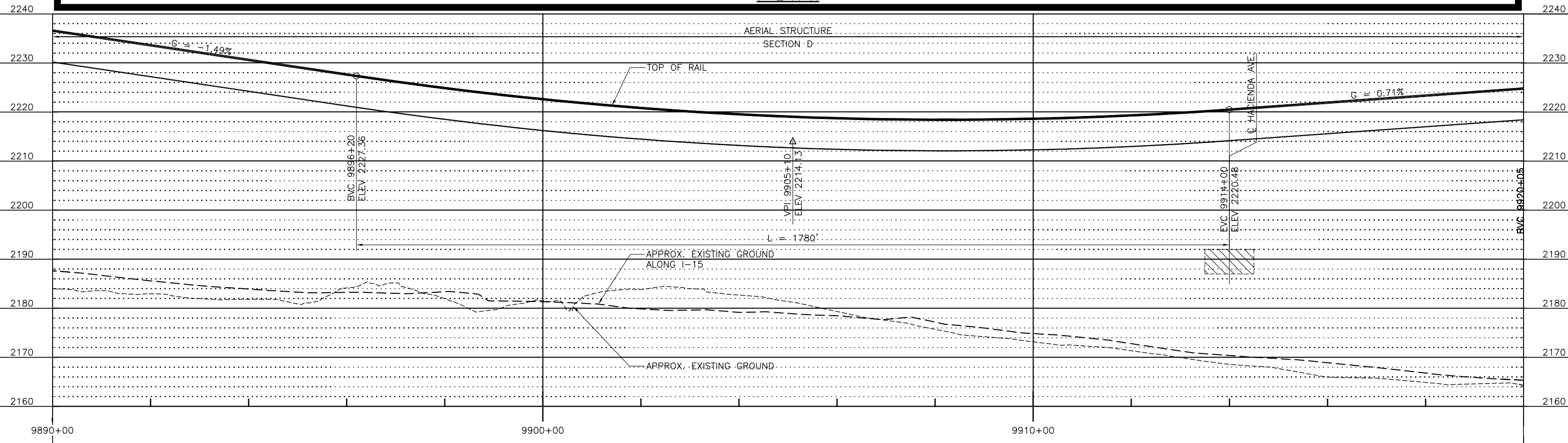
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SEE DWG NO. SK99

MATCH LINE 9920+00
SEE DWG NO. SK101

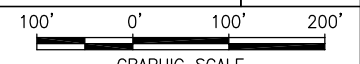


PLAN

ALTERNATIVE B -- UPDATED 4/2010



PROFILE



Apr 20, 2010 1:35pm L:\work\101156 - Desert Express Drawings\DESIGN\SHEET\SK96.dwg
 jmrk

REV	DATE	BY	SUB	APP	DESCRIPTION

DESIGNED BY	
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CHECKED BY	
IN CHARGE	
DATE	09MAR10

EARTH TECH | AECOM

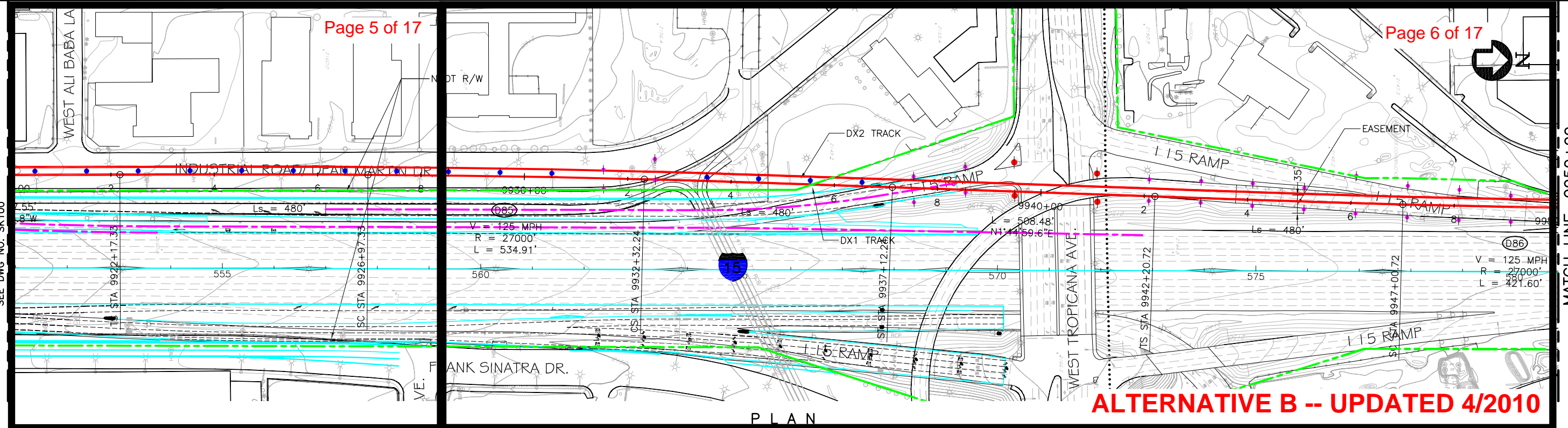
2101 Webster St., Suite 1000
Oakland, CA 94612
Phone: (510) 419-6000
Fax: (510) 419-5355
F-H-48

DESERTXPRESS
VICTORVILLE TO LAS VEGAS
PLAN AND PROFILE
SEGMENT 6, ALTERNATIVE B
STA. DX1 9890+00 TO DX1 9920+00

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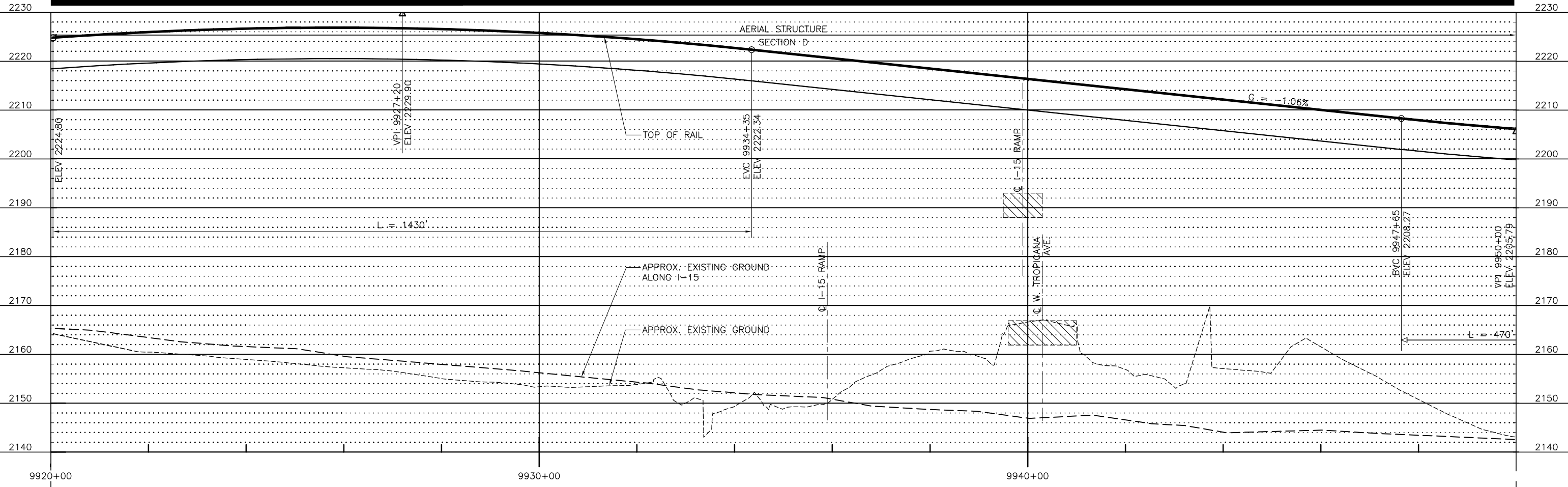
MATCH LINE 9920+00
SEE DWG NO. SK100

MATCH LINE 9950+00
SEE DWG NO. SK102



PLAN

ALTERNATIVE B -- UPDATED 4/2010



PROFILE



Apr 20, 2010 1:35pm L:\work\101156 - Desert Express Drawings\DESIGN\SHEETCH\SK96.dwg

REV	DATE	BY	SUB	APP	DESCRIPTION

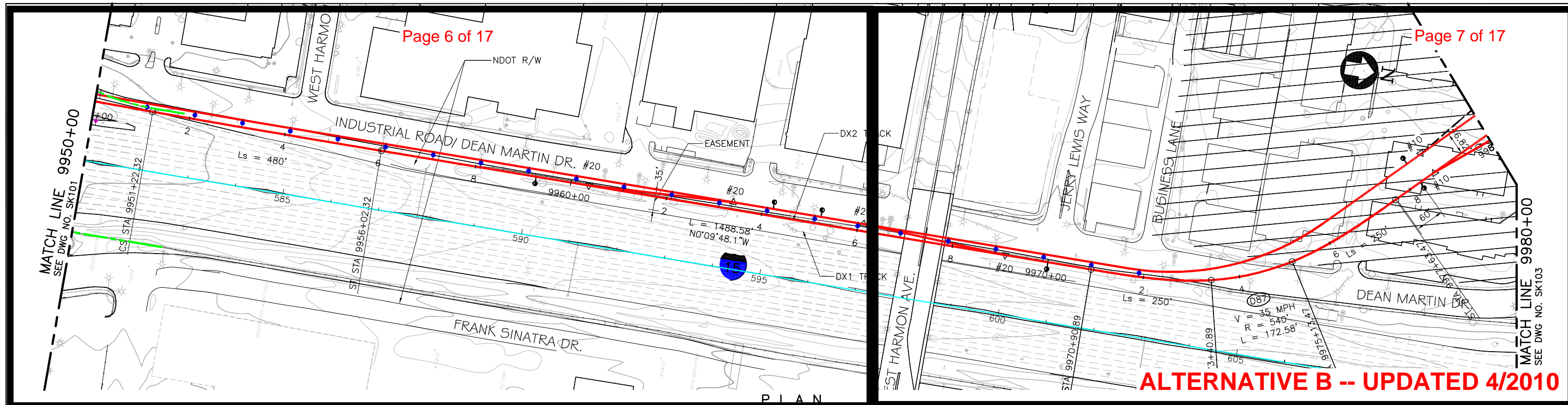
DESIGNED BY
DRAWN BY
CHECKED BY
IN CHARGE
DATE
09MAR10

EARTH TECH | AECOM

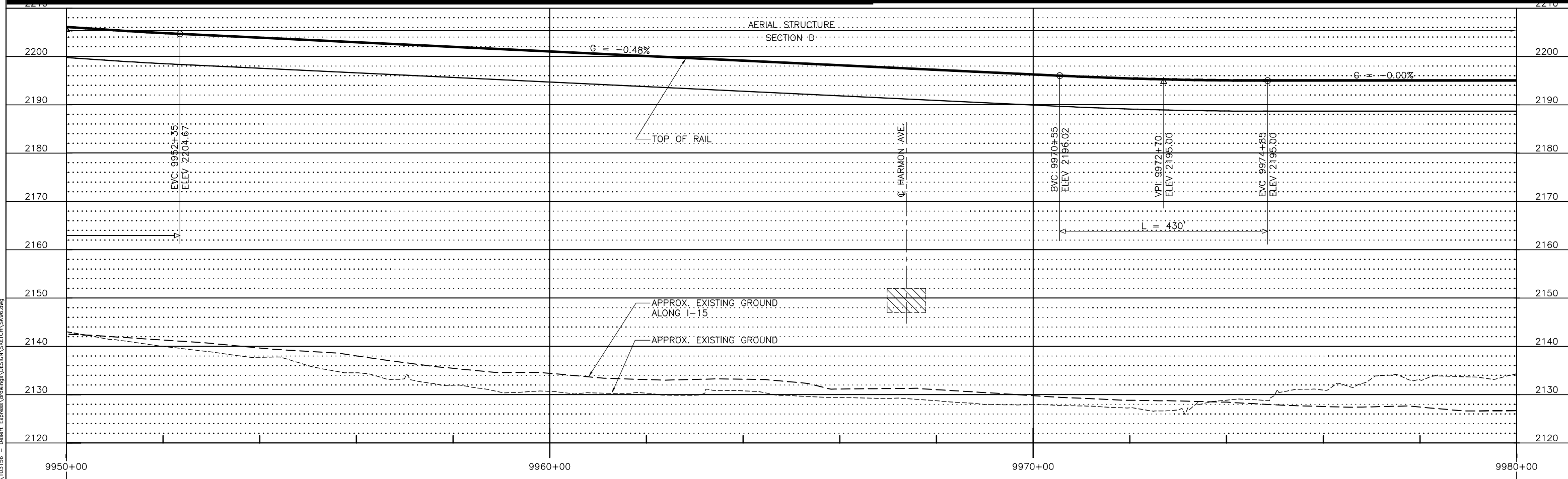
2101 Webster St., Suite 1000
Oakland, CA 94612
Phone: (510) 419-6000
Fax: (510) 419-5355
F-H-49

DESERTXPRESS
VICTORVILLE TO LAS VEGAS
PLAN AND PROFILE
SEGMENT 6, ALTERNATIVE B
STA. DX1 9920+00 TO DX1 9950+00

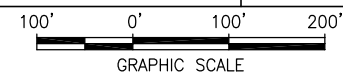
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SCALE	1"=100'H; 1"=10'V
CONTRACT NO.	
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SHEET NO.	SK101
PAGE NO.	



ALTERNATIVE B -- UPDATED 4/2010



PROFILE



REV	DATE	BY	SUB	APP	DESCRIPTION

DESIGNED BY	
DRAWN BY	
CHECKED BY	
IN CHARGE	
DATE	09MAR10

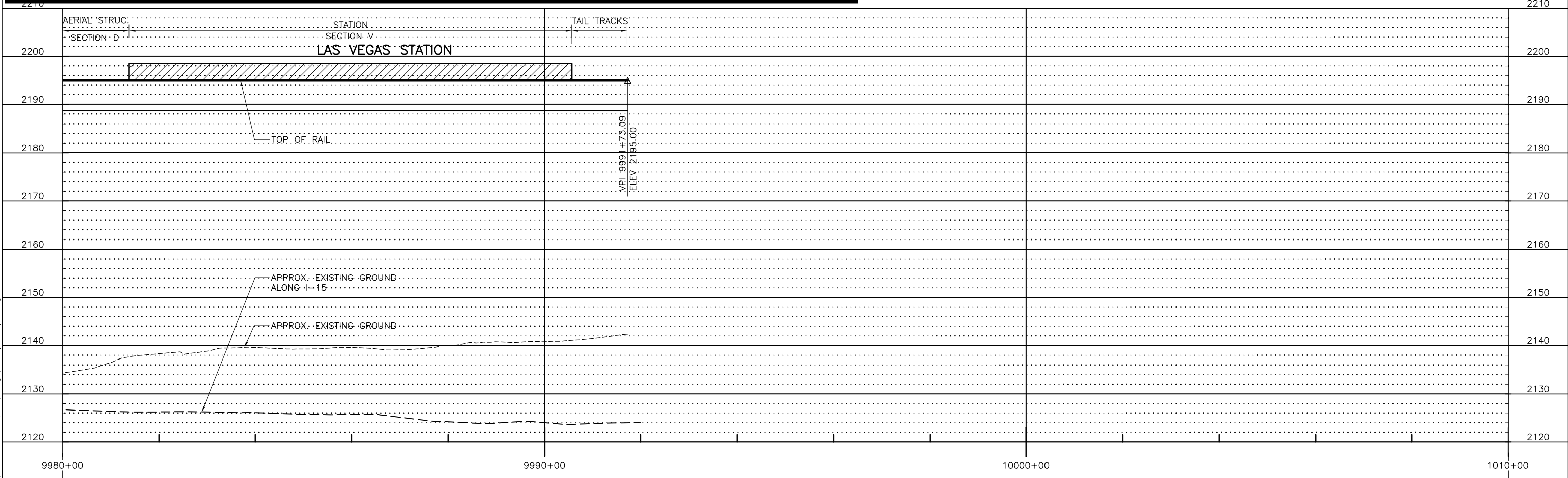
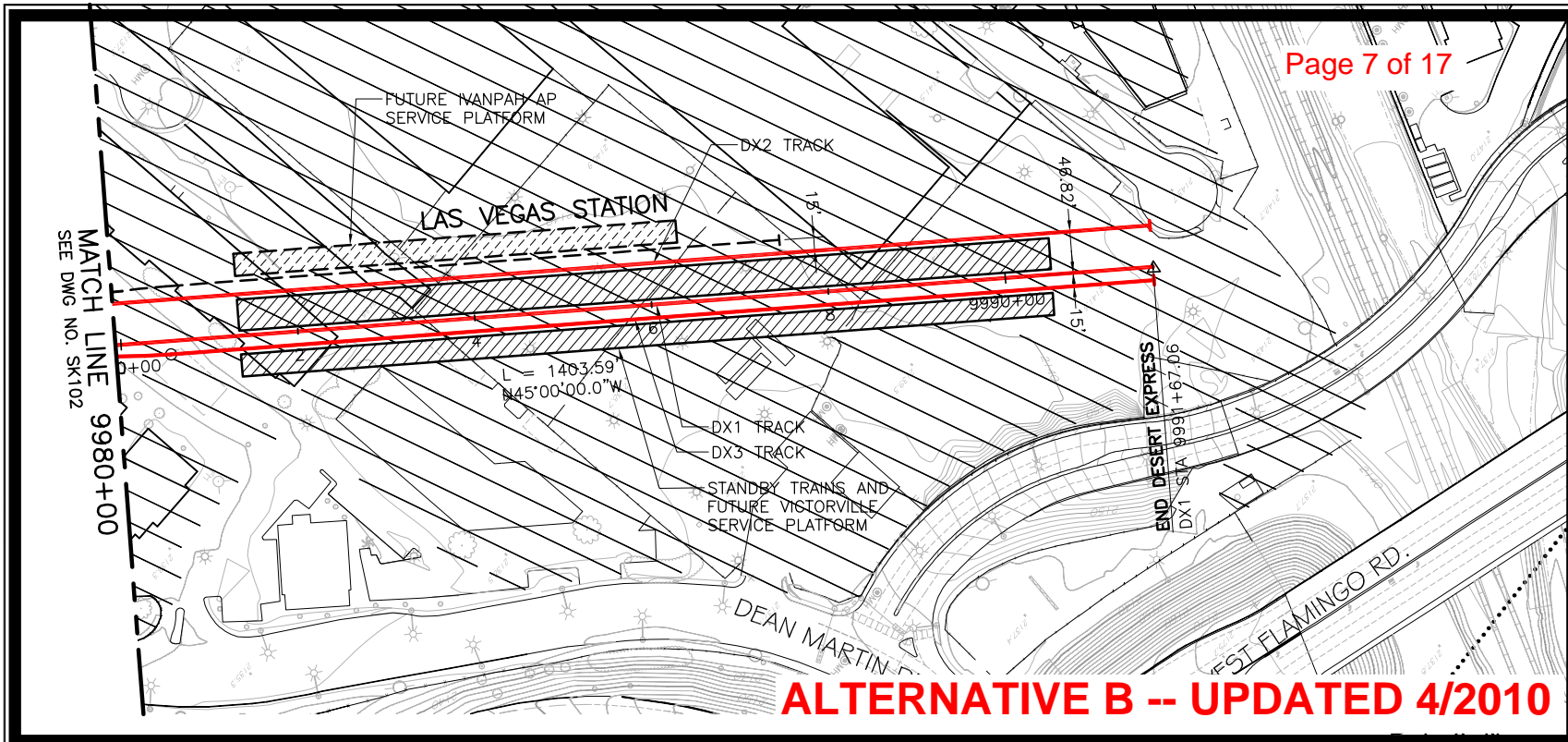
EARTH TECH | AECOM

2101 Webster St., Suite 1000
Oakland, CA 94612
Phone: (510) 419-6000
Fax: (510) 419-5355
F-H-50

DESERTXPRESS
VICTORVILLE TO LAS VEGAS
PLAN AND PROFILE
SEGMENT 6, ALTERNATIVE B
STA. DX1 9950+00 TO DX1 9980+00

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SIZE D	SCALE 1"=100'H; 1"=10'V	
CONTRACT NO.		
REV. A	SHEET NO. SK102	PAGE NO.

Apr 20, 2010 1:55pm L:\work\103156 - Desert Express Drawings\DESIGN\SKETCH\SK96.dwg
 Jun10



Apr 20, 2010 1:55pm L:\work\101156 - Desert Express Drawings\DESIGN\SHEET\SK96.dwg
 Jun14

REV	DATE	BY	SUB	APP	DESCRIPTION

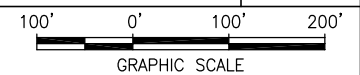
DESIGNED BY	
DRAWN BY	
CHECKED BY	
IN CHARGE	
DATE	09MAR10

EARTH TECH | AECOM

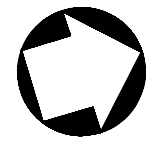
2101 Webster St., Suite 1000
 Oakland, CA 94612
 Phone: (510) 419-6000
 Fax: (510) 419-5355
F-H-51

DESERT Xpress
 VICTORVILLE TO LAS VEGAS
 PLAN AND PROFILE
 SEGMENT 6, ALTERNATIVE B
 STA. DX1 9980+00 TO DX1 9991+26

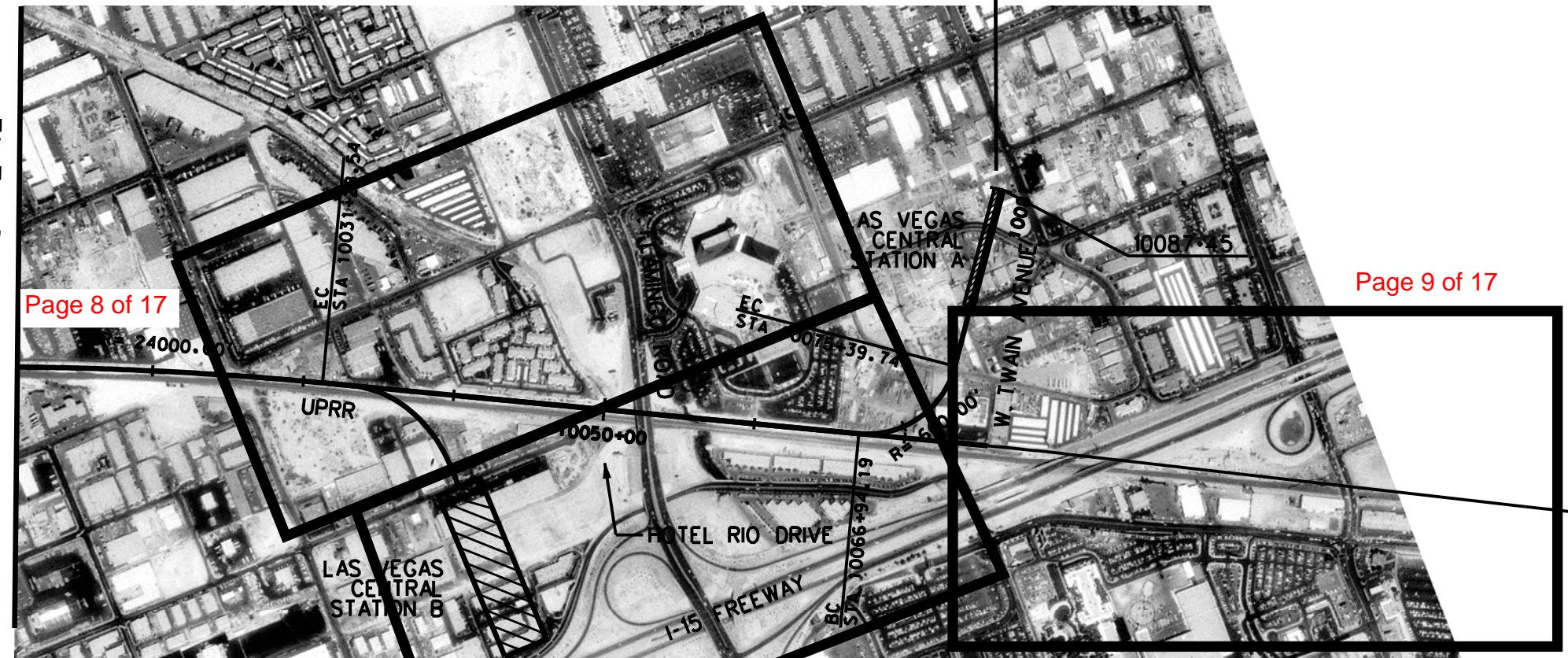
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SIZE D	SCALE 1"=100'H; 1"=10'V	
CONTRACT NO.		
REV. A	SHEET NO. SK103	PAGE NO.



SEGMENT 6 | SEGMENT 7



SEE C-186C
STA. 10010+00 - MATCH LINE



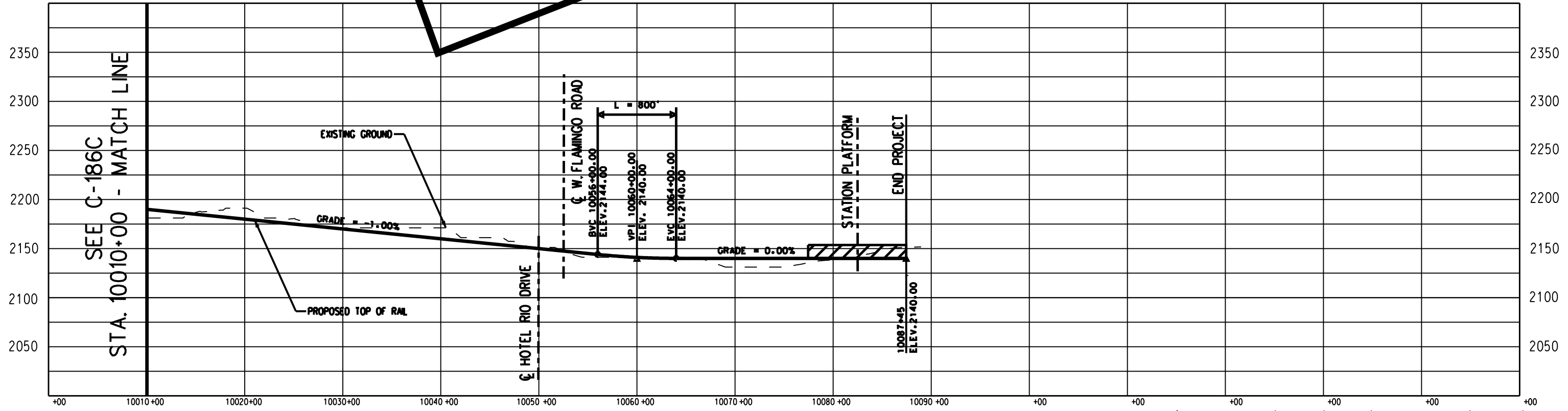
Page 8 of 17

Page 9 of 17

Page 7 of 17

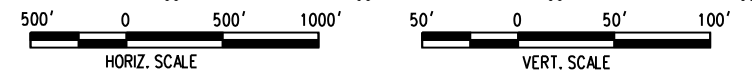
PLAN

ALTERNATIVE C



SEE C-186C
STA. 10010+00 - MATCH LINE

PROFILE



725 SOUTH FIGUEROA STREET, SUITE 2350
LOS ANGELES, CA 90017

CONFIDENTIAL

DESERTXPRESS

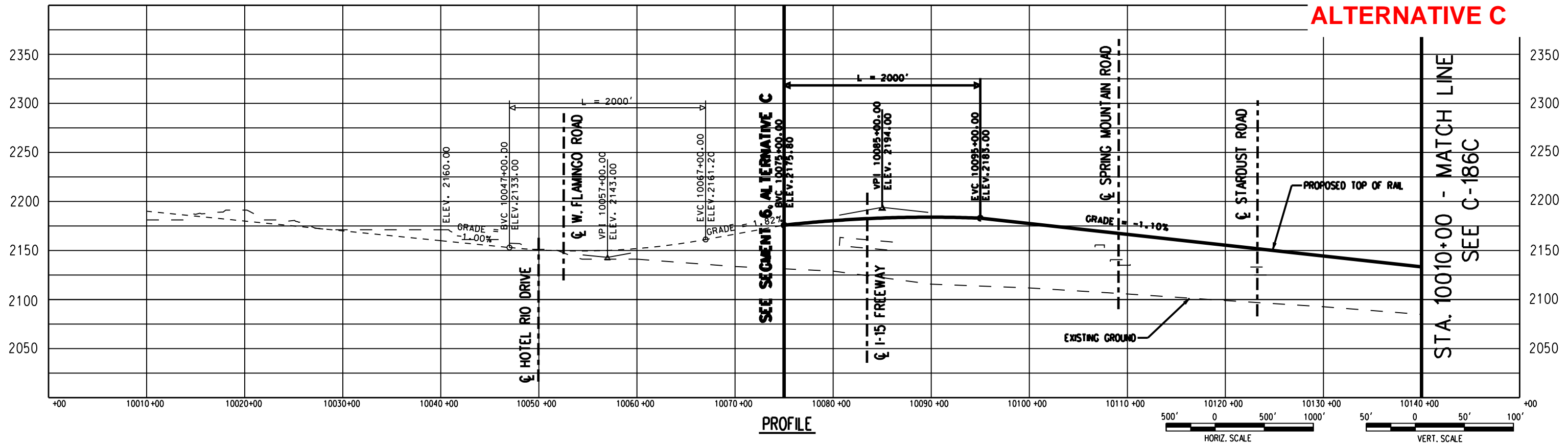
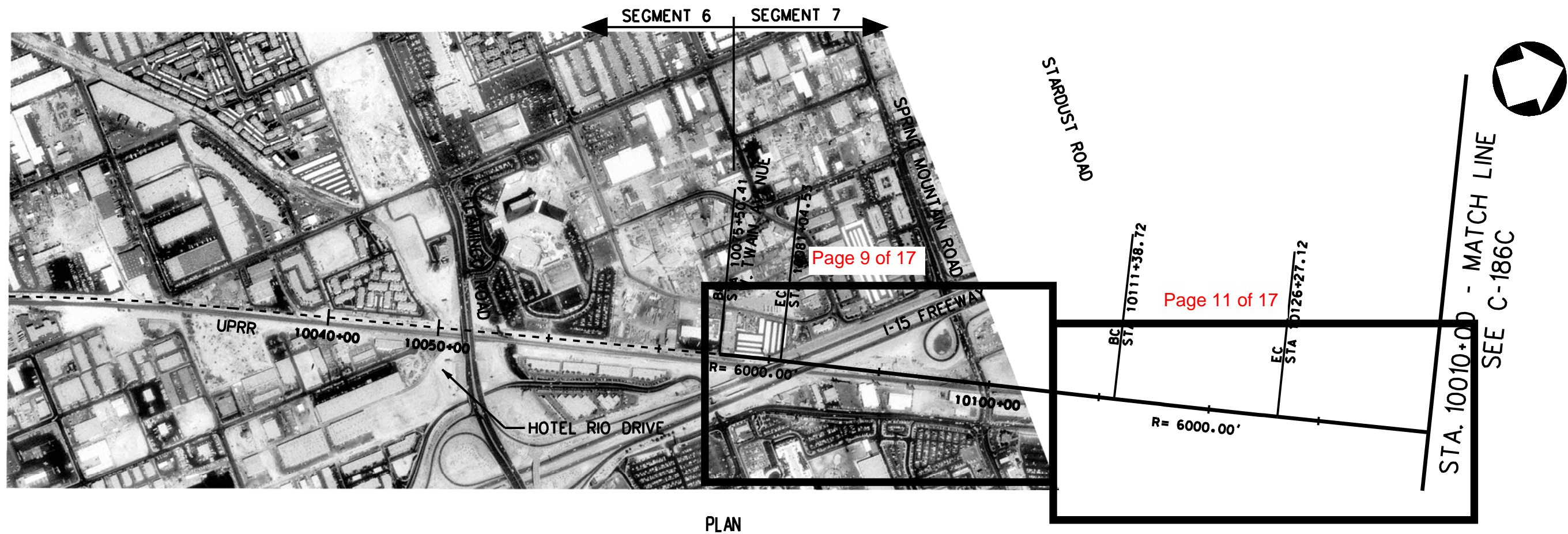
F-H-52

PRELIMINARY CONCEPTUAL ALIGNMENT
PLAN AND PROFILE
VICTORVILLE TO LAS VEGAS
STA 10010+00 TO 10087+45
SEGMENT 6, ALTERNATIVE C

205062G0

DRAWING NO
C-187C

DATE
03-05-08



726 SOUTH FIGUEROA STREET, SUITE 2350
LOS ANGELES, CA 90017

CONFIDENTIAL

DESERTXPRESS

F-H-53

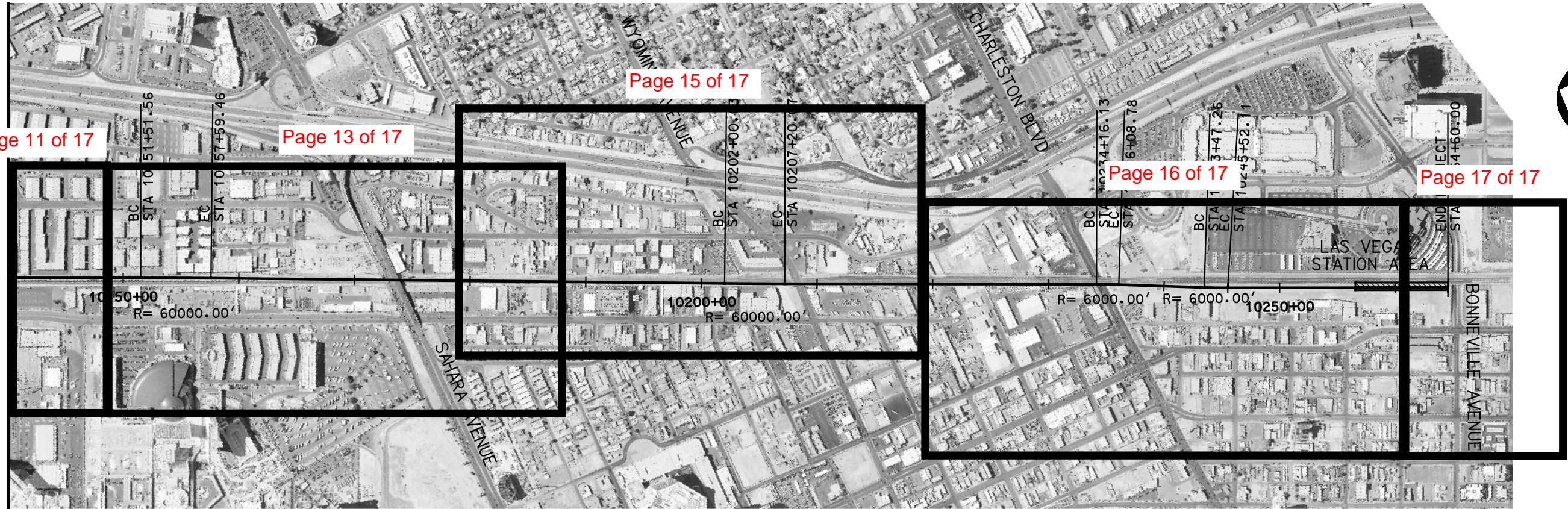
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VICTORVILLE TO LAS VEGAS
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SEGMENT 7, ALTERNATIVE C

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DRAWING NO. C-187C

DATE 03-21-08

SEE C-187C
STA. 10140+00 - MATCH LINE



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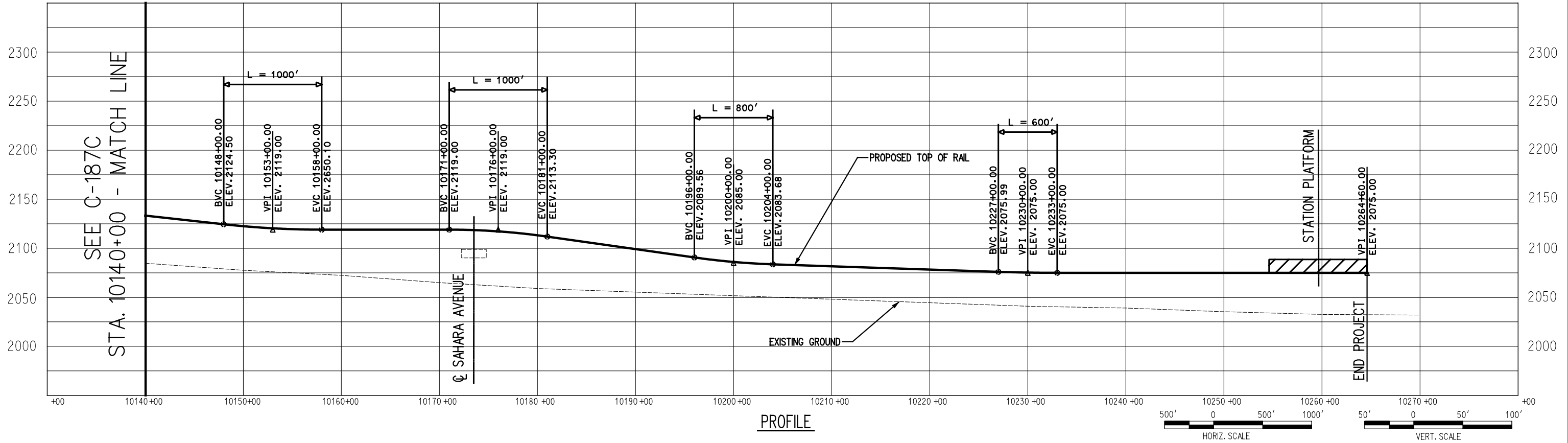
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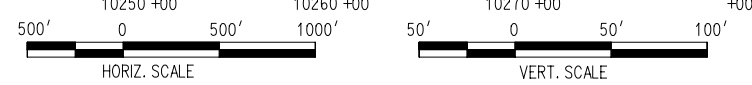
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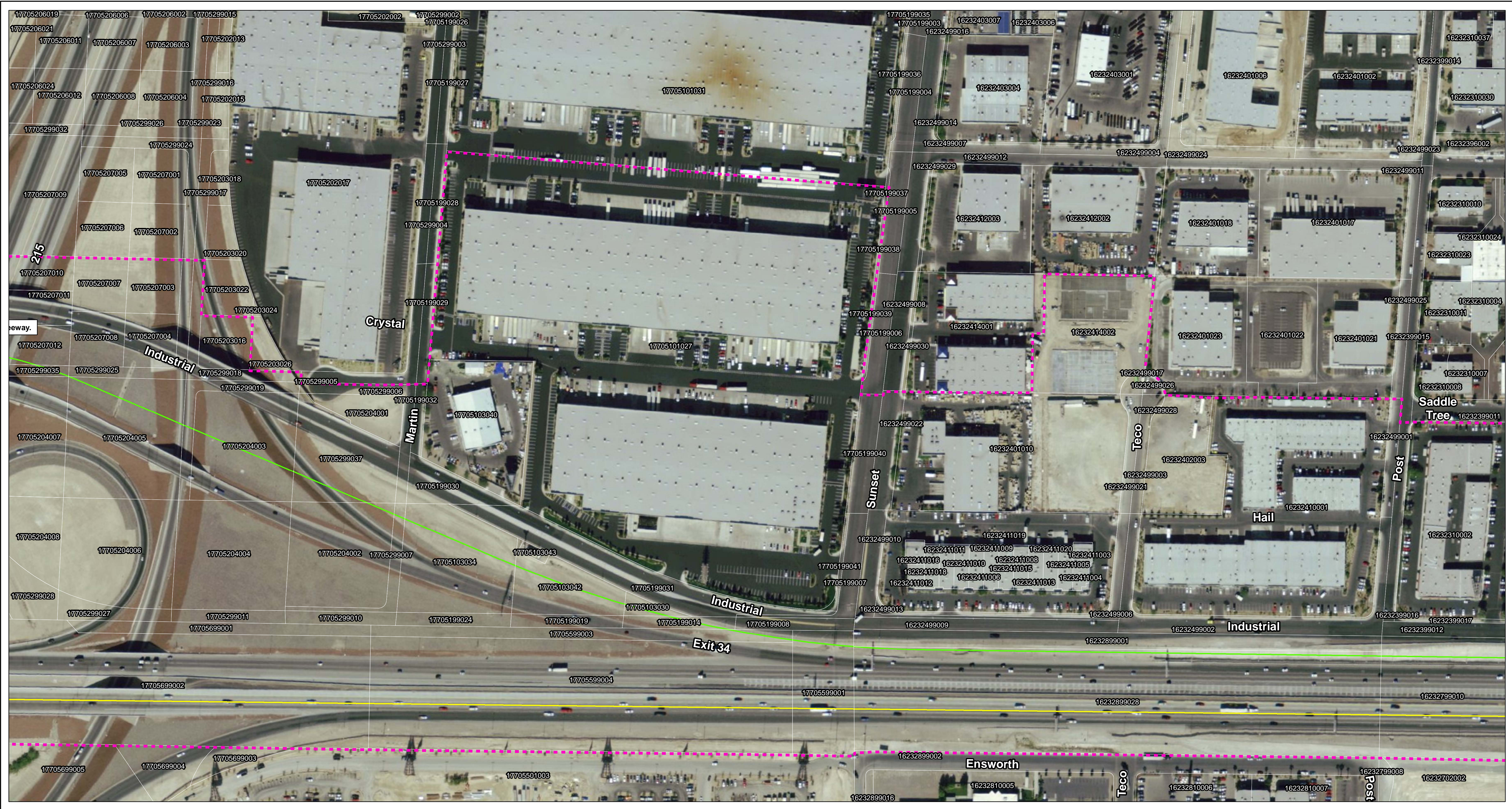
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PROFILE

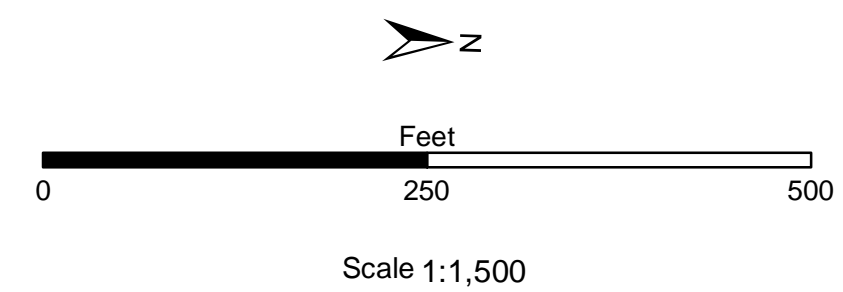




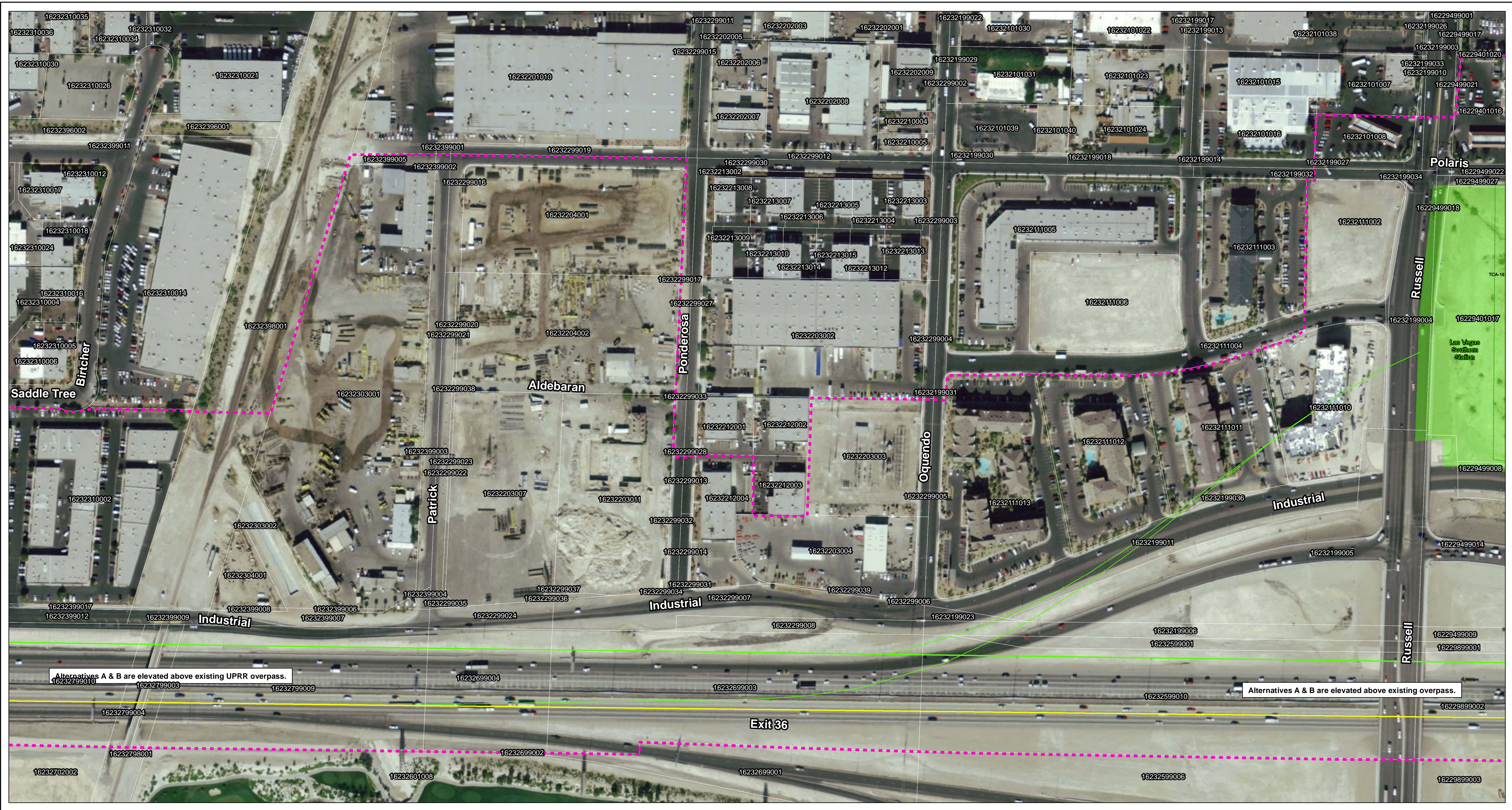
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| | TCA | | Proposed Action Alternative | | Proposed Action |
| | Area of Potential Effects | | Alternative A | | Alternative A |
| | Clark County Parcels | | Alternative B | | Alternative B |
| | Maintenance Facilities | | Option C | | Option C |
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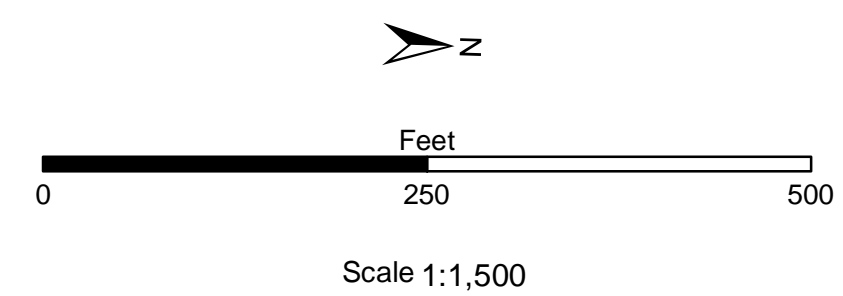
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 Desert Xpress



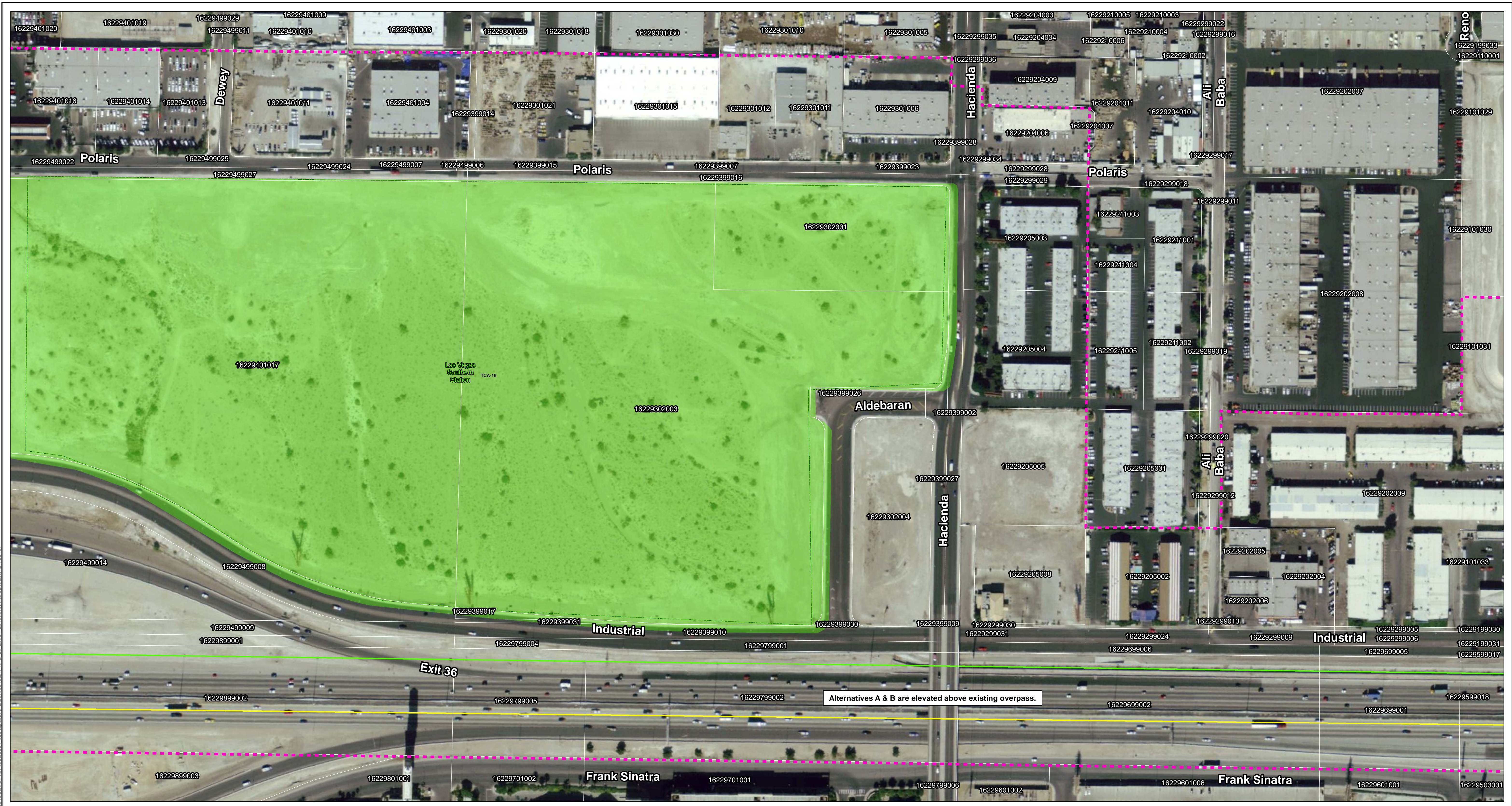
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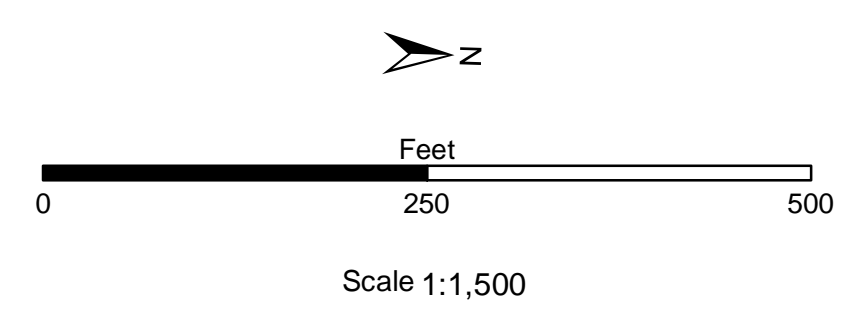
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 Desert Xpress



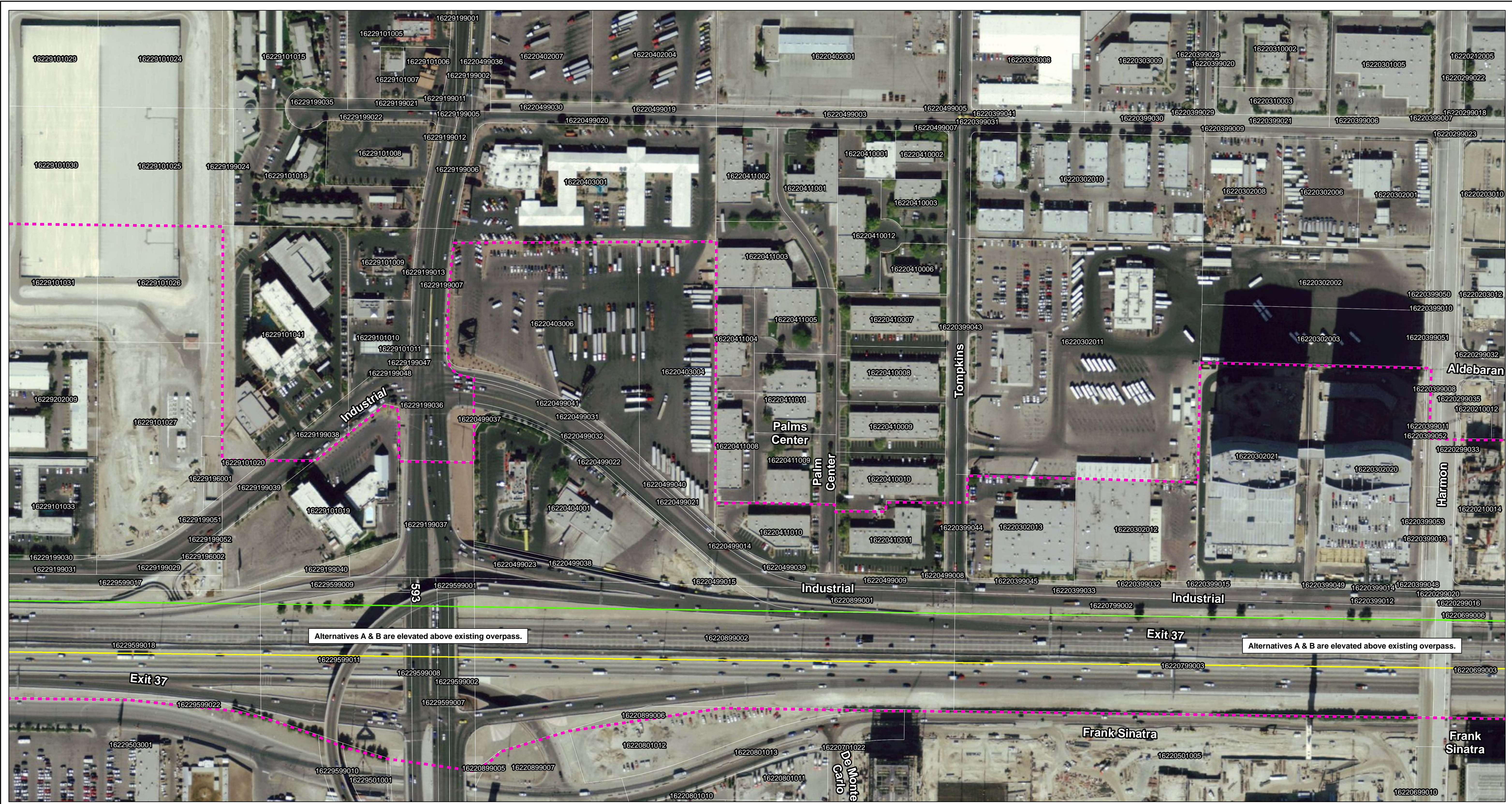
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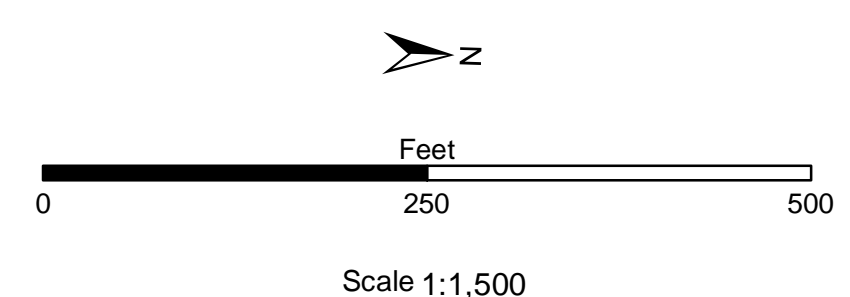
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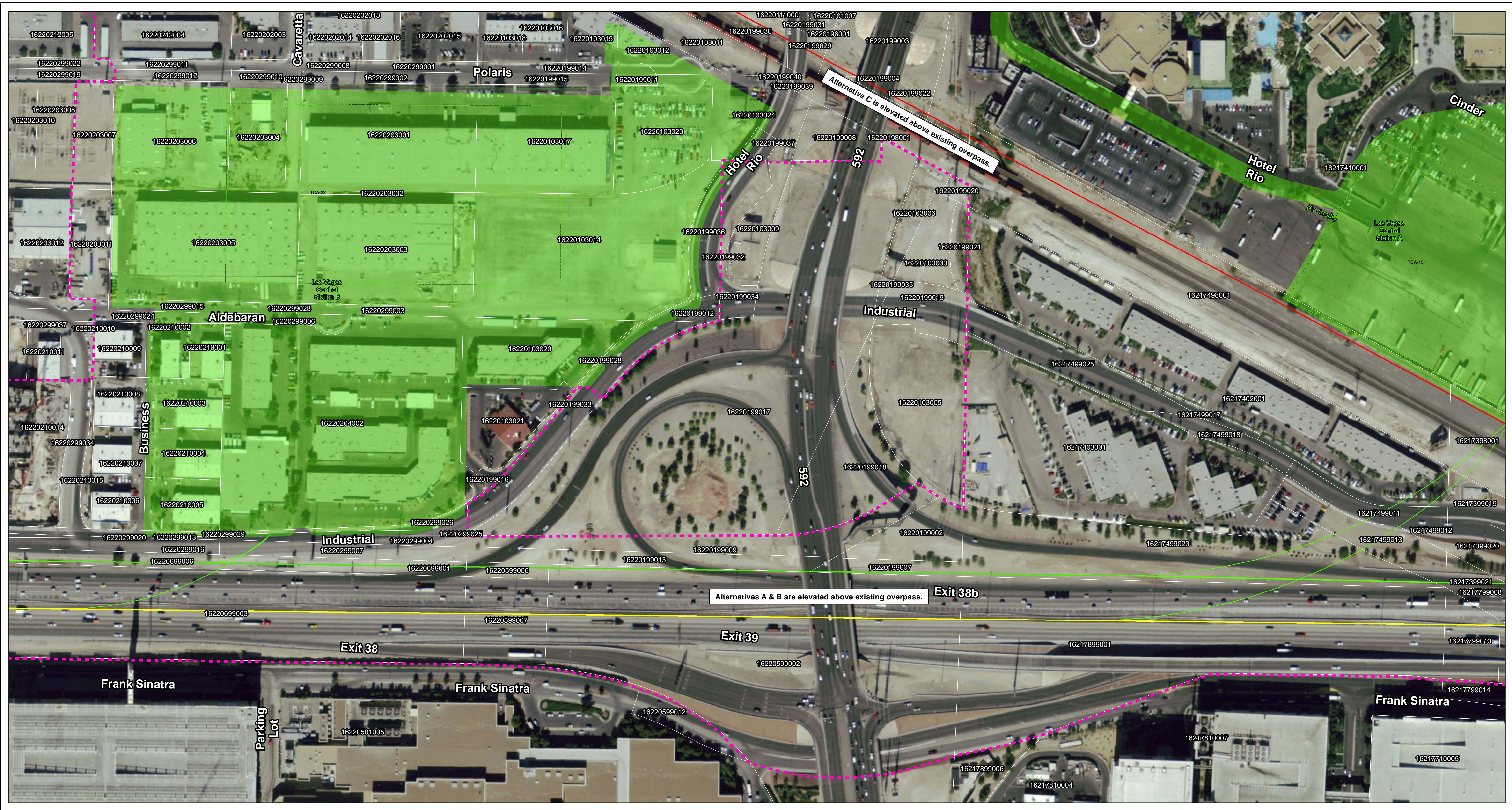
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	Clark County Parcels		Alternative B		Alternative B
	Maintenance Facilities		Option C		Option C
	Station Alternatives				



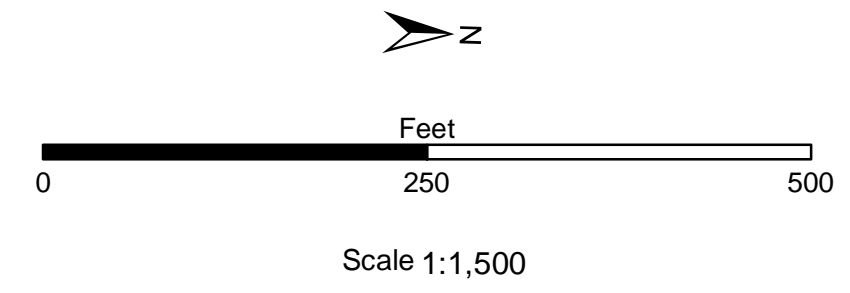
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	Clark County Parcels		Alternative B		Alternative B
	Maintenance Facilities		Option C		Option C
	Station Alternatives				



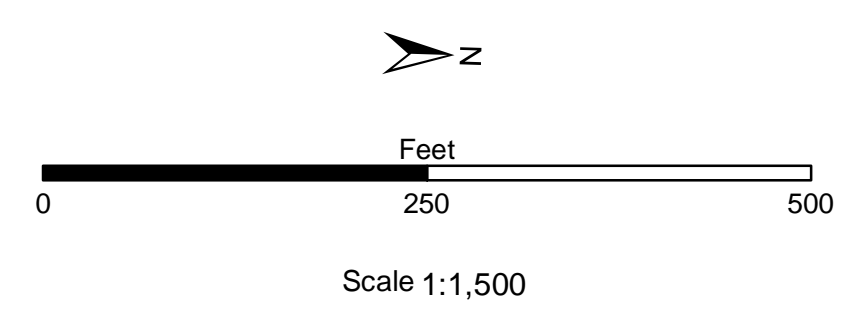
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 Desert Xpress



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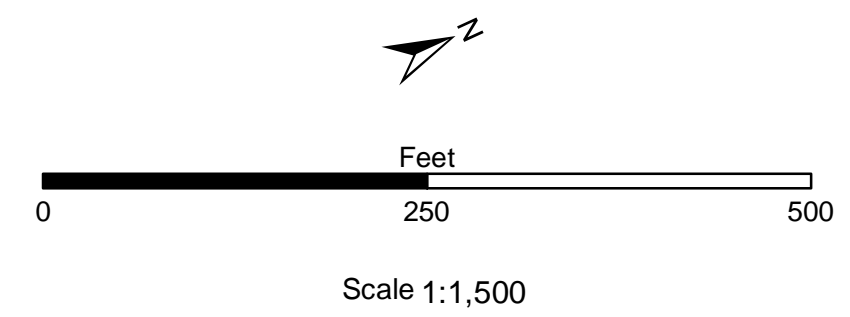
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 Desert Xpress



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Project Elements		Alignment		Autotransformers	
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	Clark County Parcels		Alternative B		Alternative B
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	Station Alternatives				



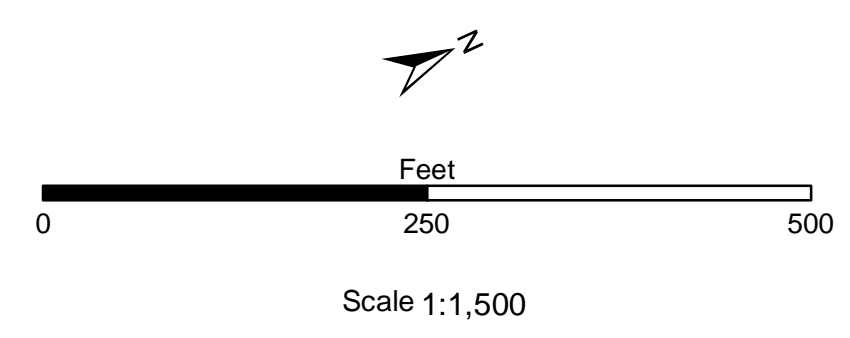
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 Desert Xpress



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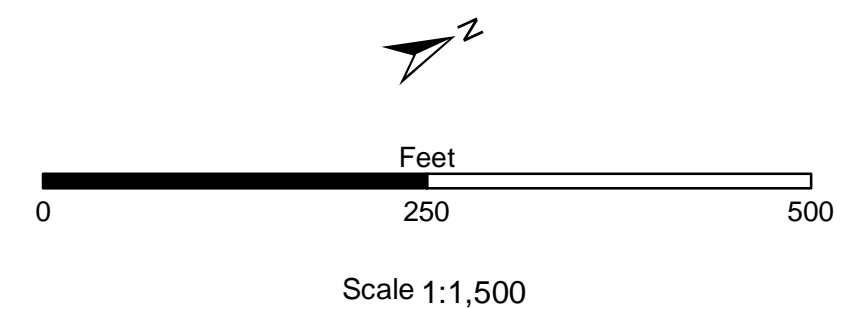
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Project Elements		Alignment		Autotransformers	
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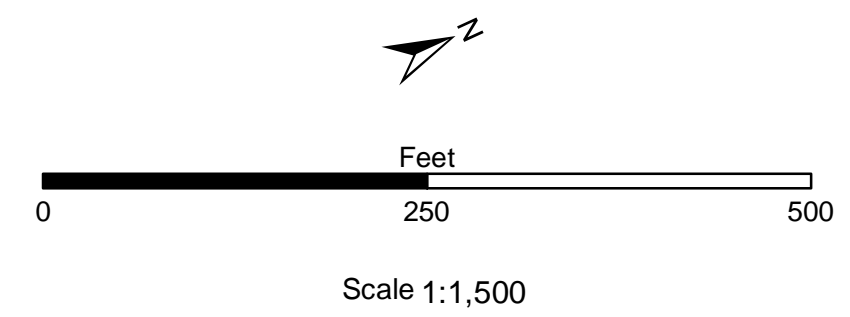
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 Desert Xpress



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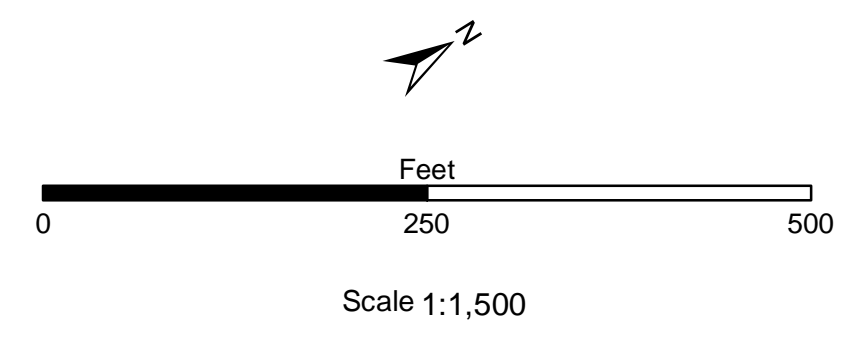
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Project Elements		Alignment		Autotransformers	
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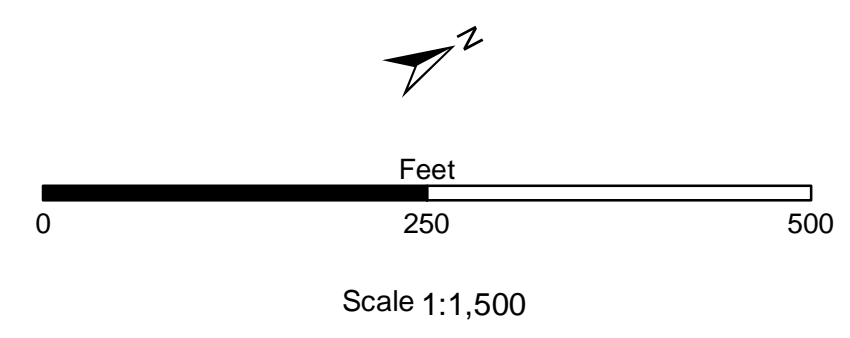
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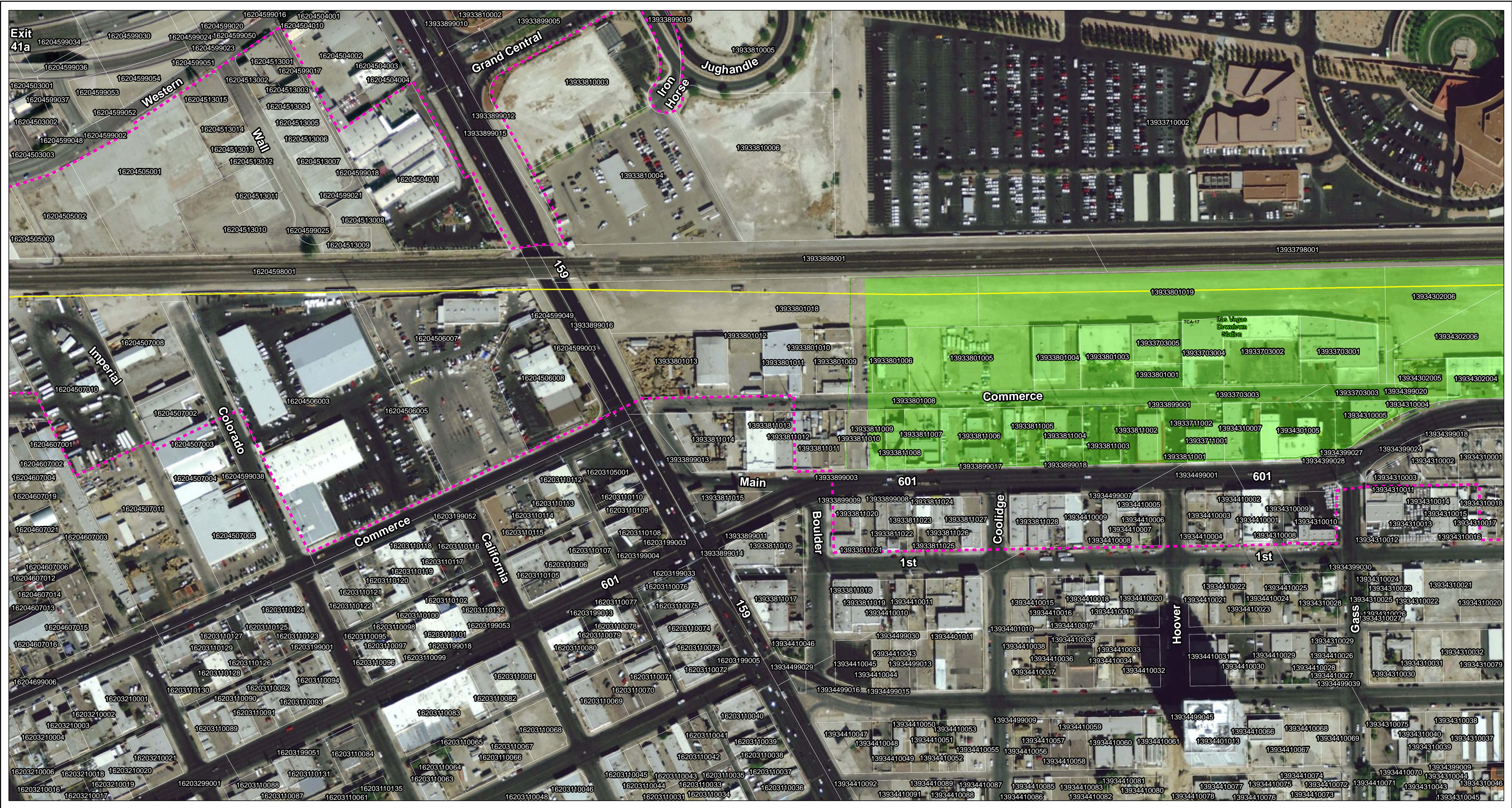
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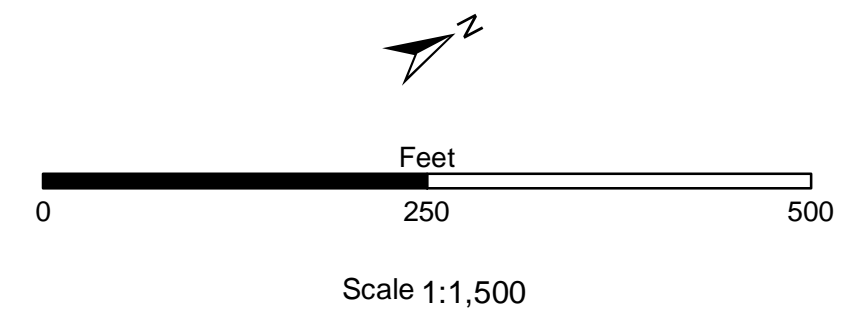
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Project Elements		Alignment		Autotransformers	
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	Clark County Parcels		Alternative B		Alternative B
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	Station Alternatives				



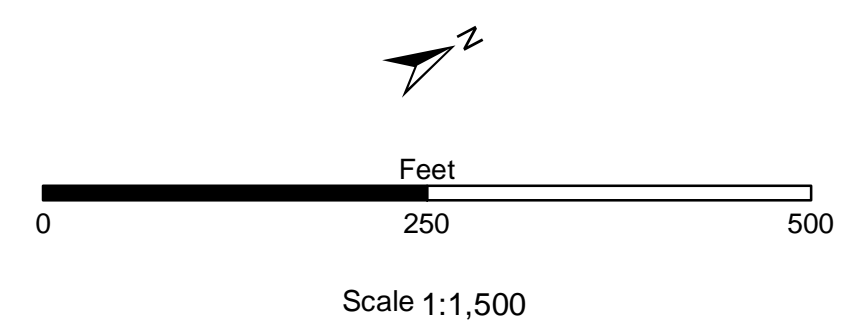
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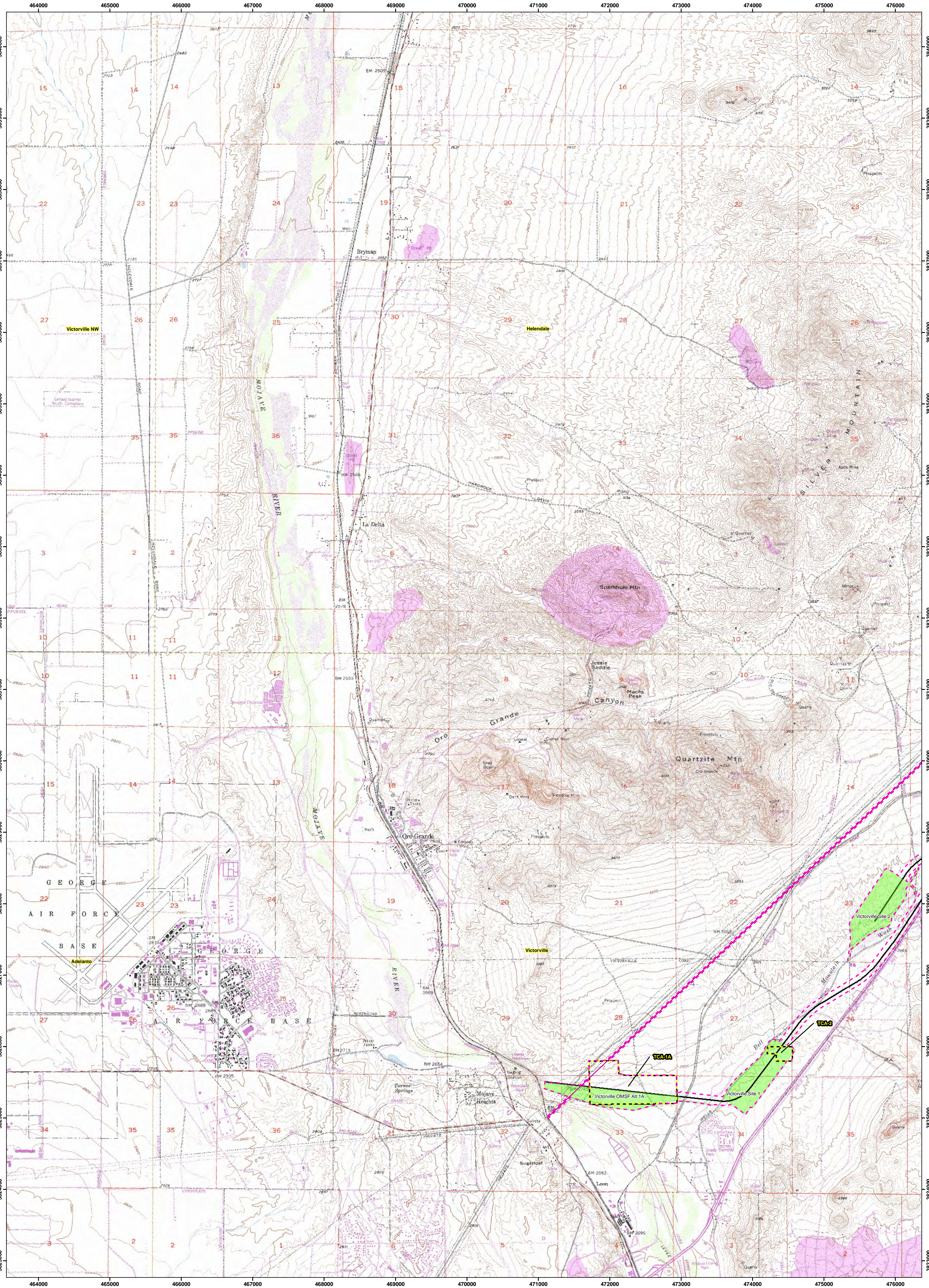
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- | Project Elements | Alignment | Autotransformers |
|---------------------------|-----------------------------|------------------|
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| Clark County Parcels | Alternative B | Alternative B |
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| Station Alternatives | | |

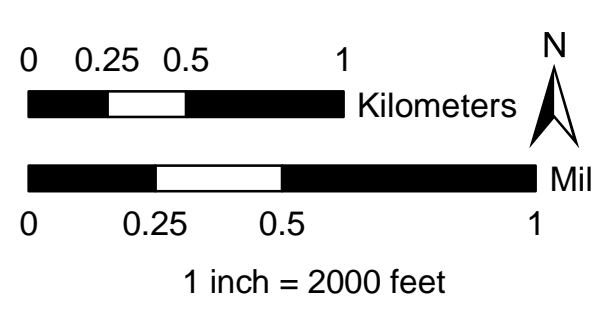


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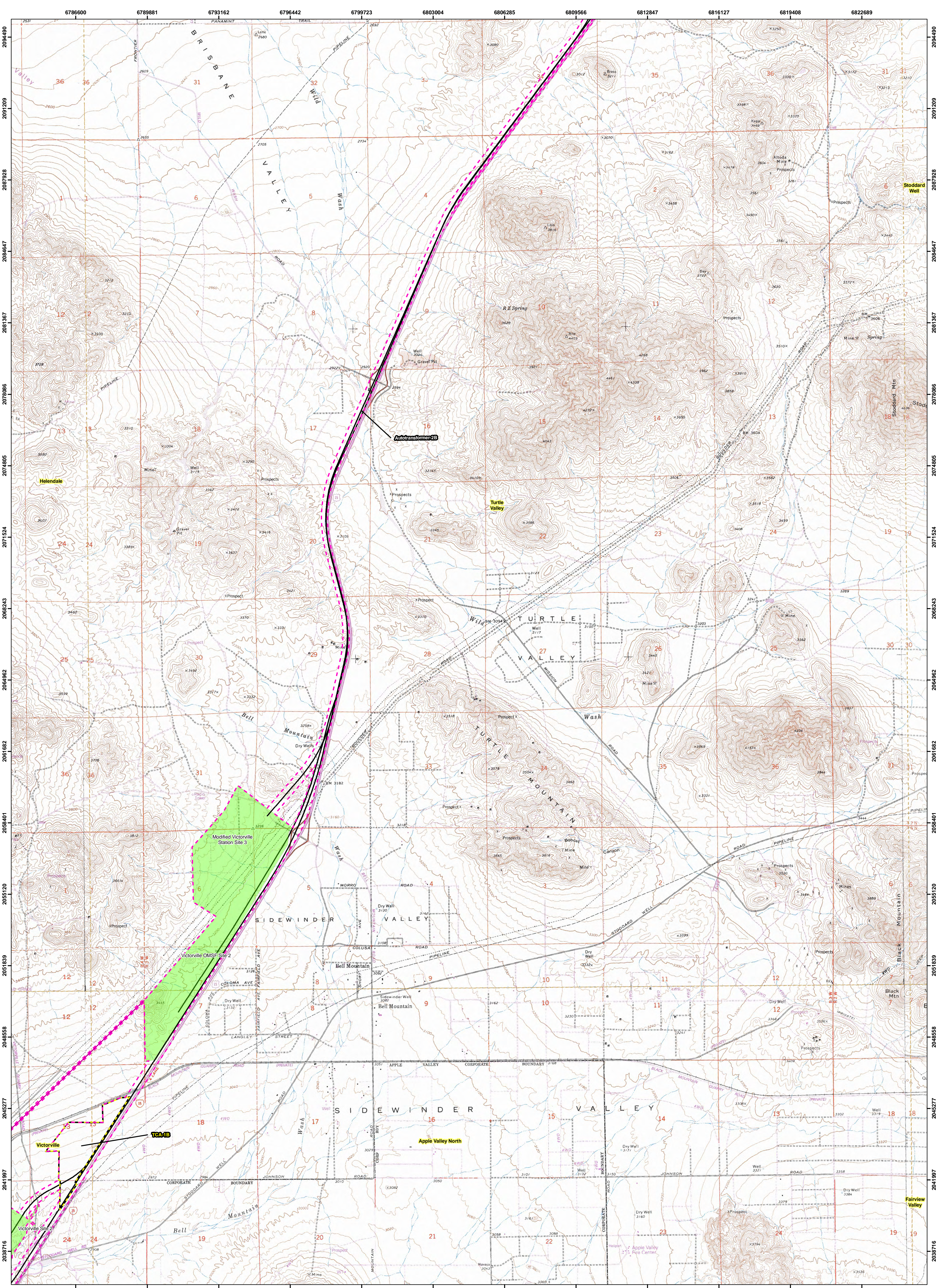
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- Area of Potential Effect
- USGS Quad Boundaries
- Victorville USGS Quad Names
- TCA's
- Stations & Maintenance Facilities
- Autotransformers
- Electric Utility



Sheet: 1 of 20
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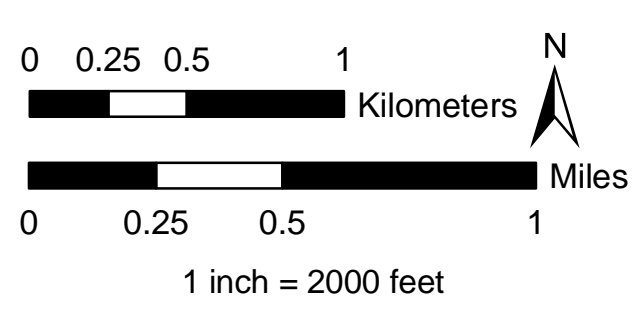
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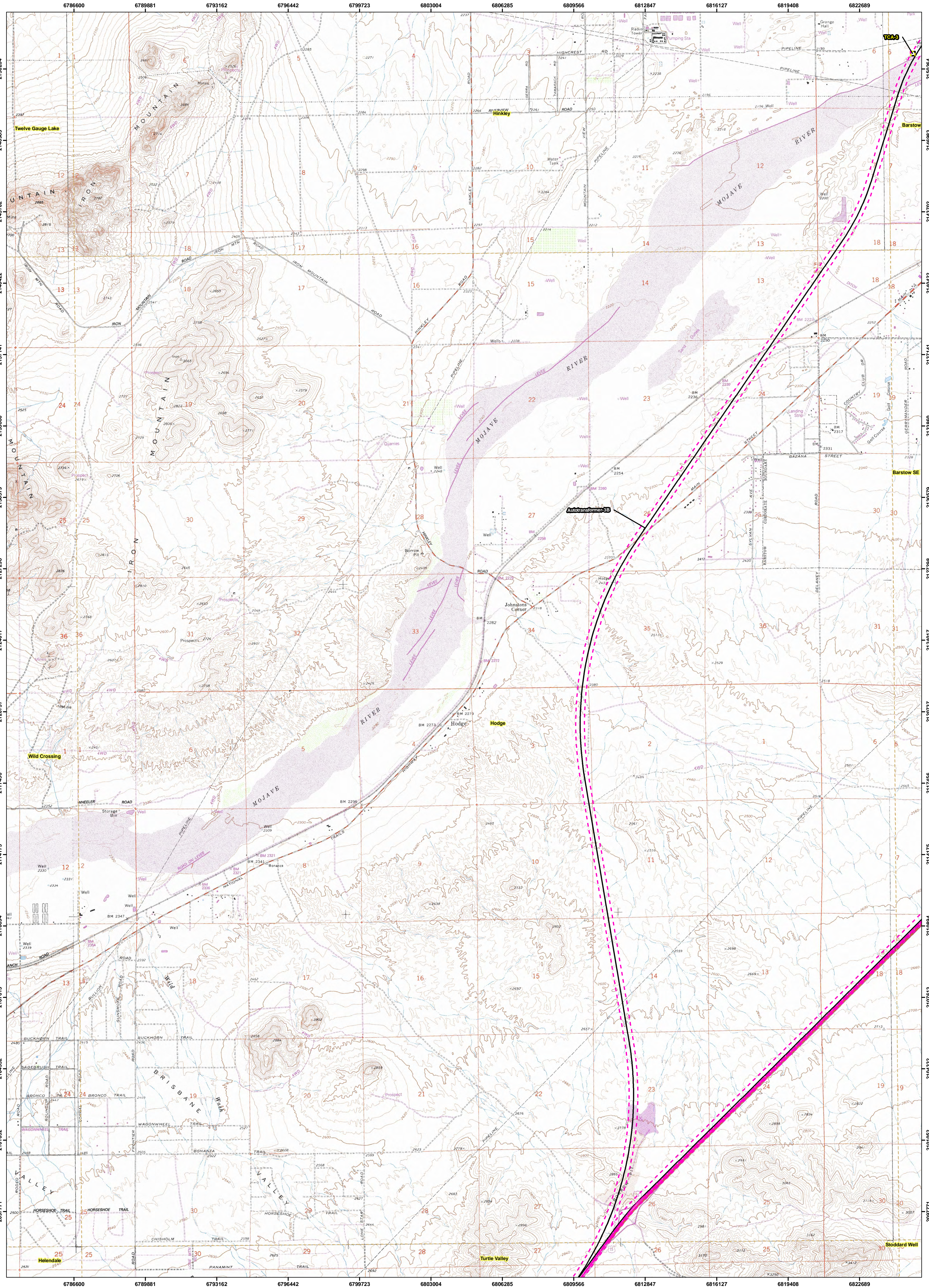
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- Stations & Maintenance Facilities
- Autotransformers
- Electric Utility



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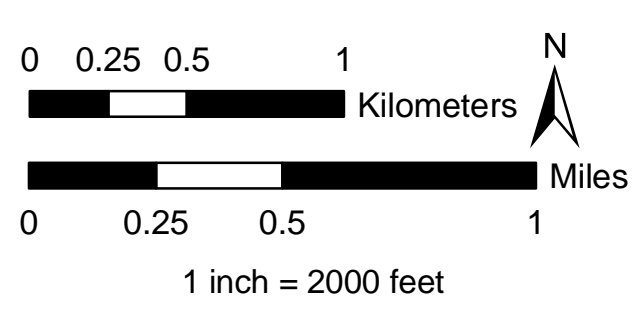
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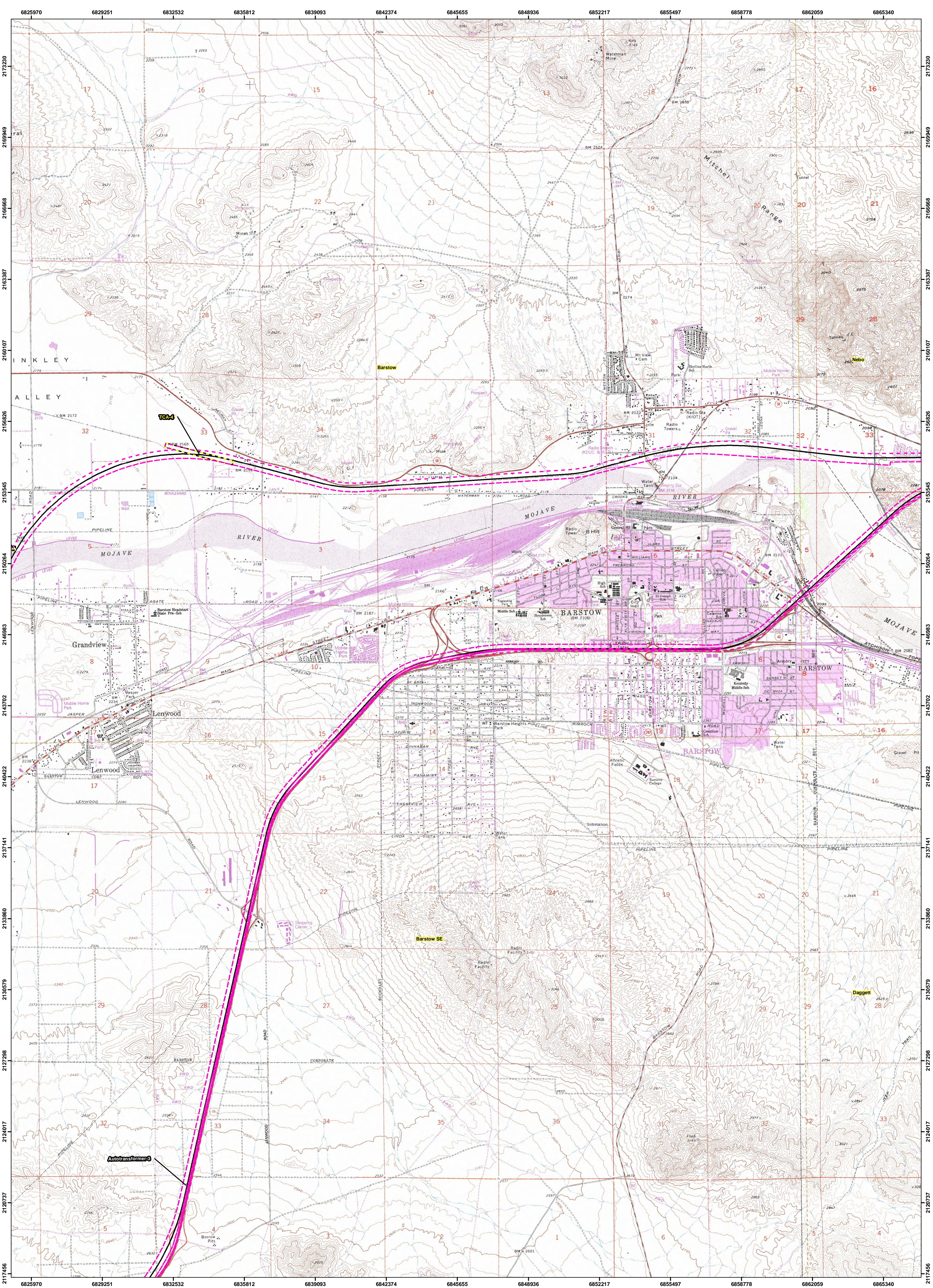
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- TCA's
- Stations & Maintenance Facilities
- Autotransformers
- Electric Utility



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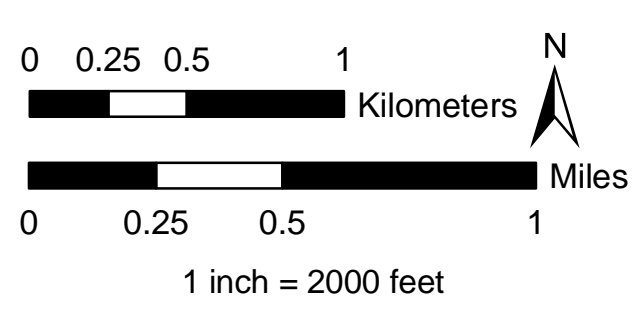
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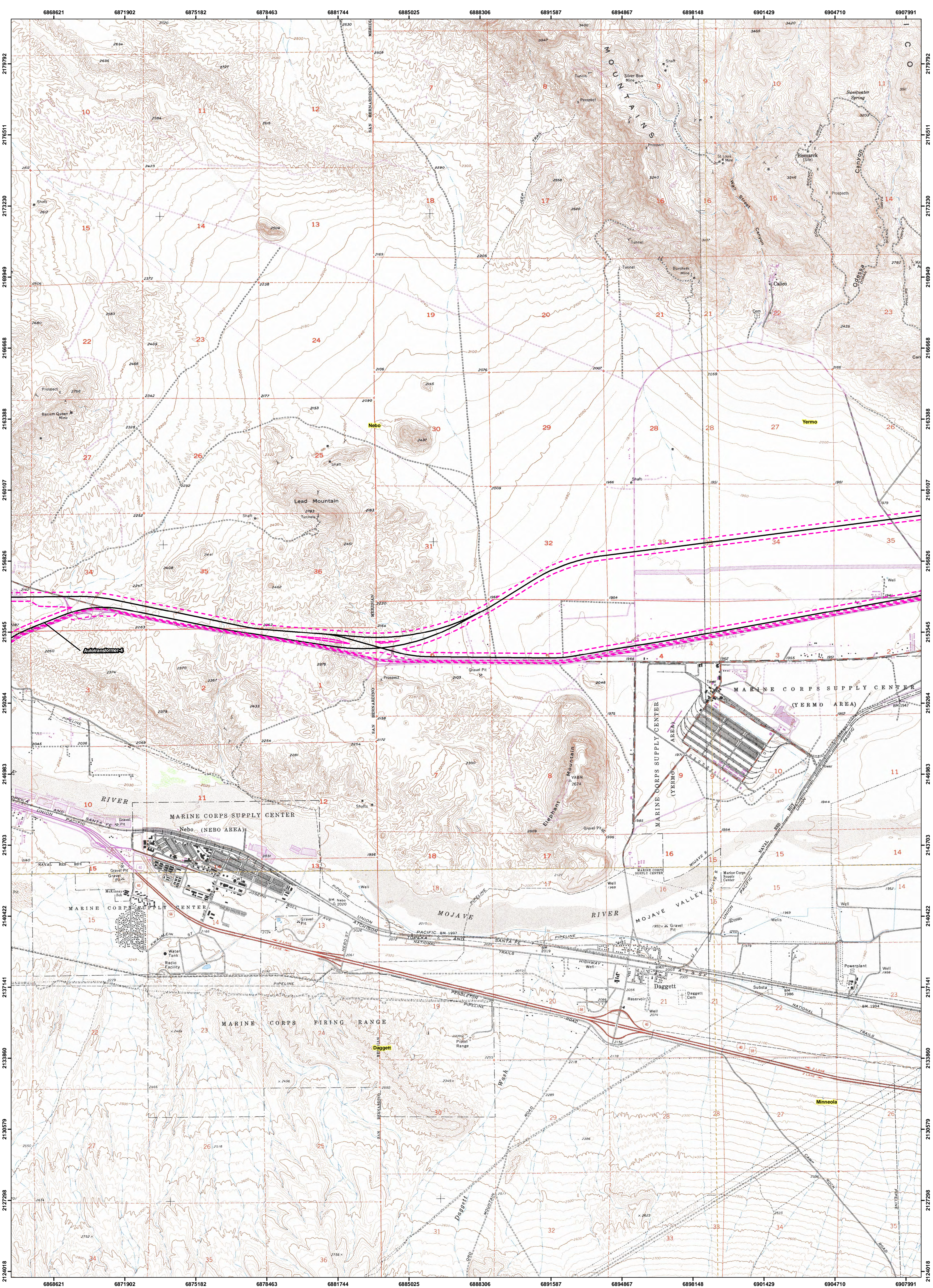
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- TCA's
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Sheet: 4 of 20
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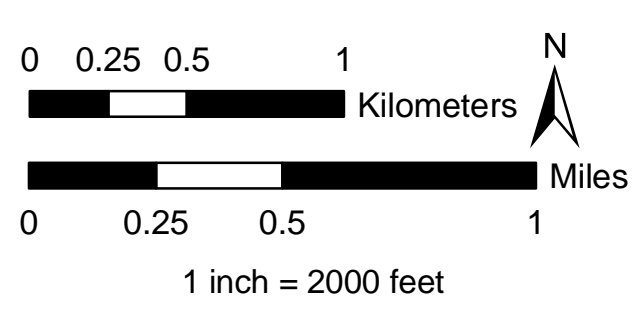
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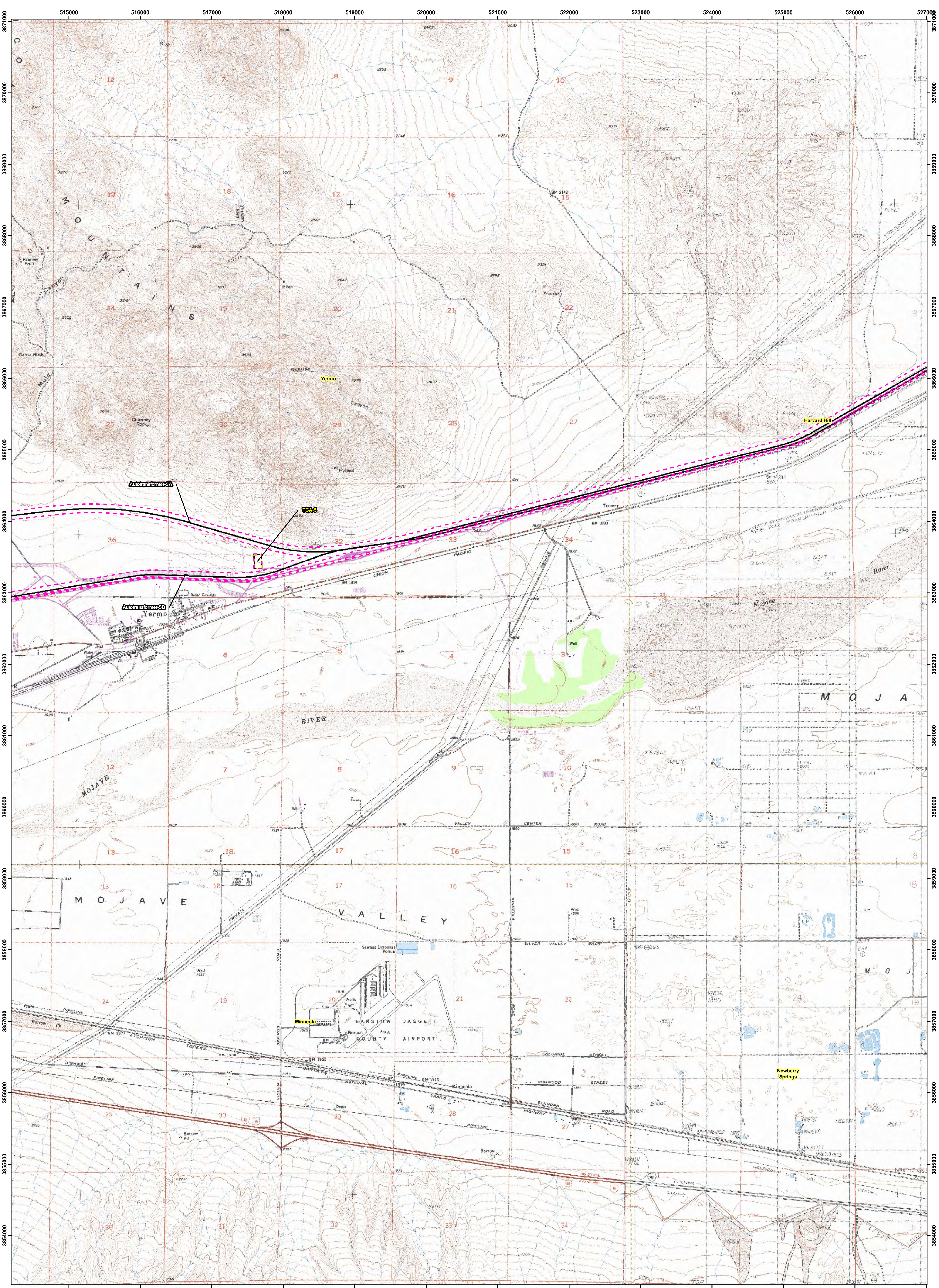
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- Area of Potential Effect
- Victorville USGS Quad Names
- TCA's
- Stations & Maintenance Facilities
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- Electric Utility



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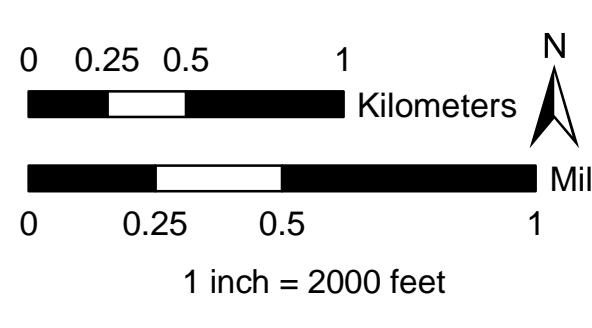
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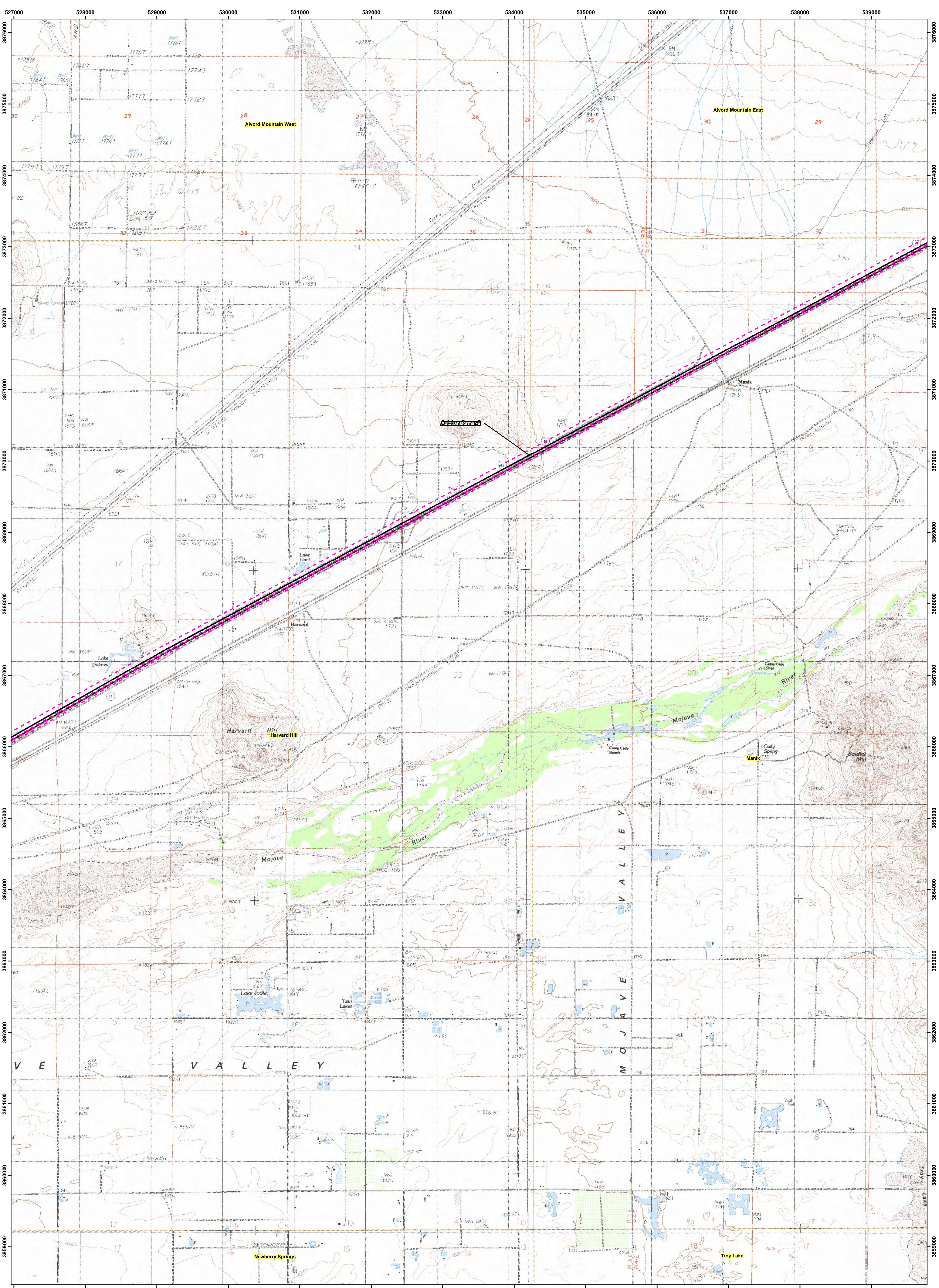
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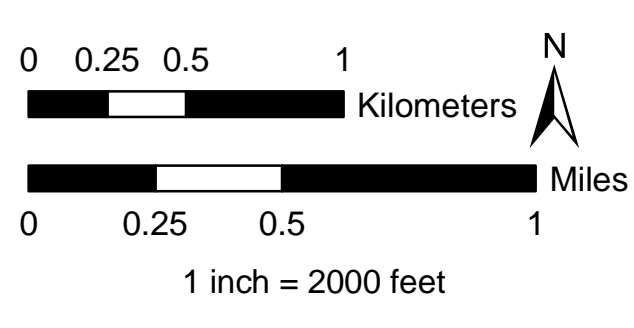
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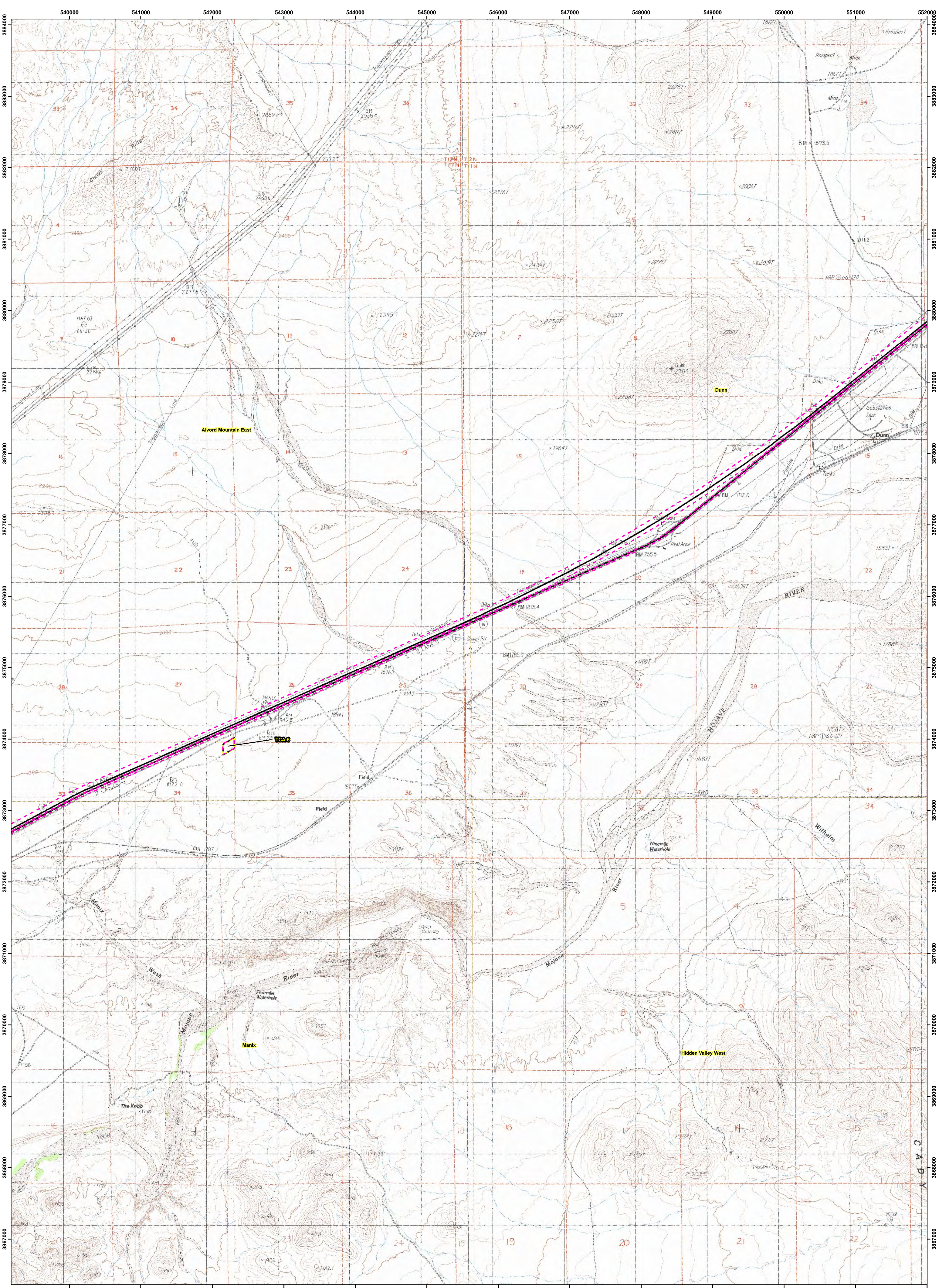
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- - - USGS Quad Boundaries
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- Stations & Maintenance Facilities
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Sheet: 7 of 20
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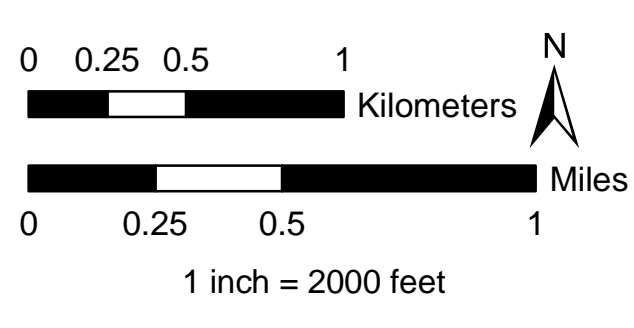
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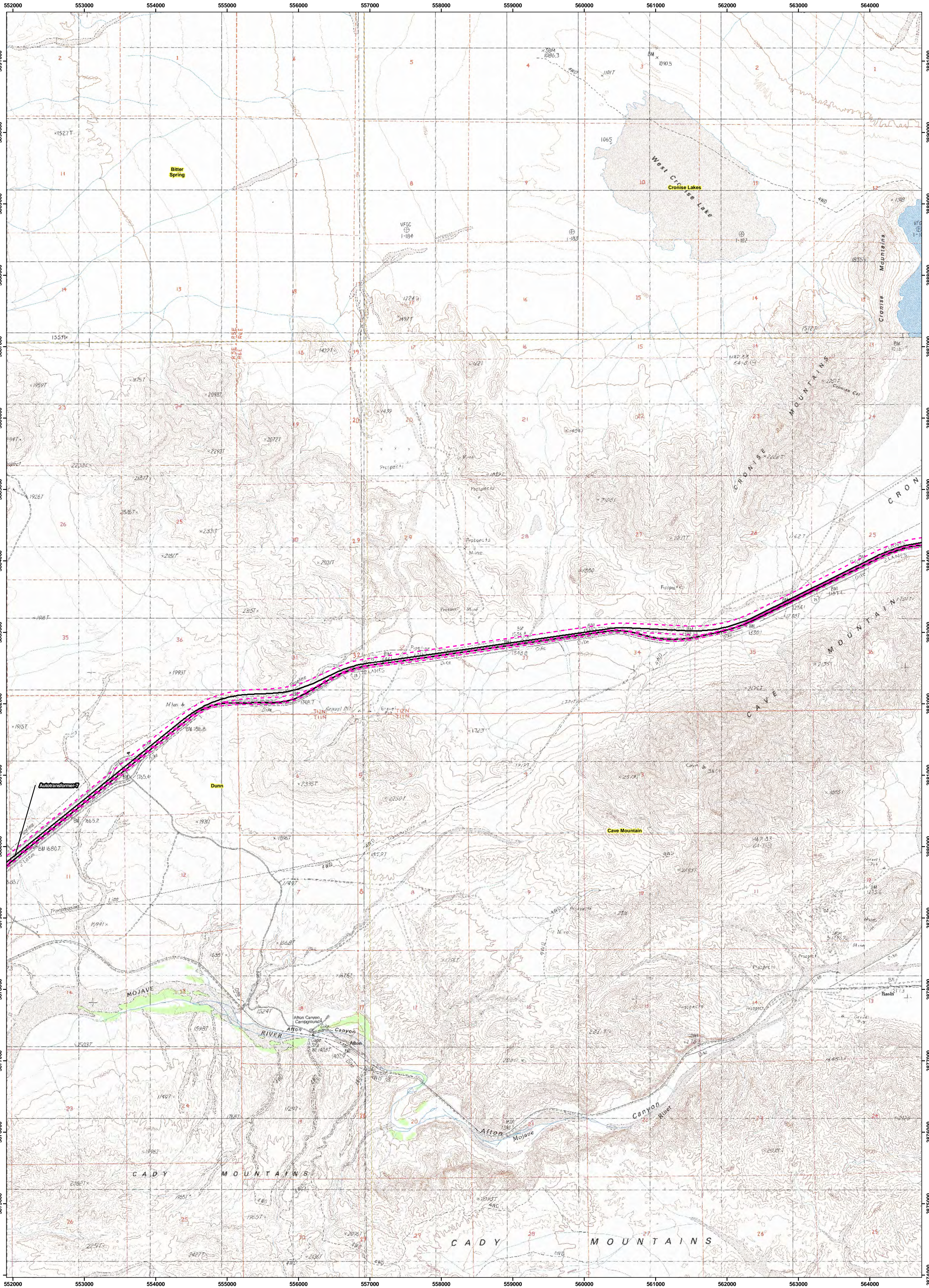
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Sheet: 8 of 20
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DesertXpress

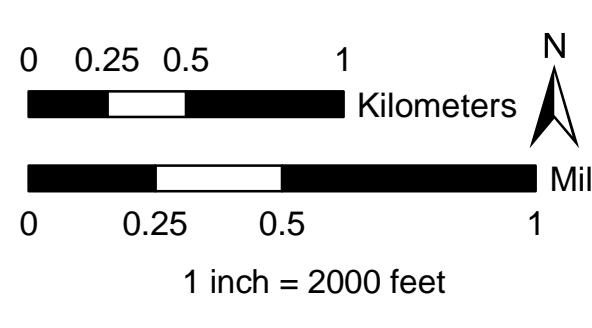
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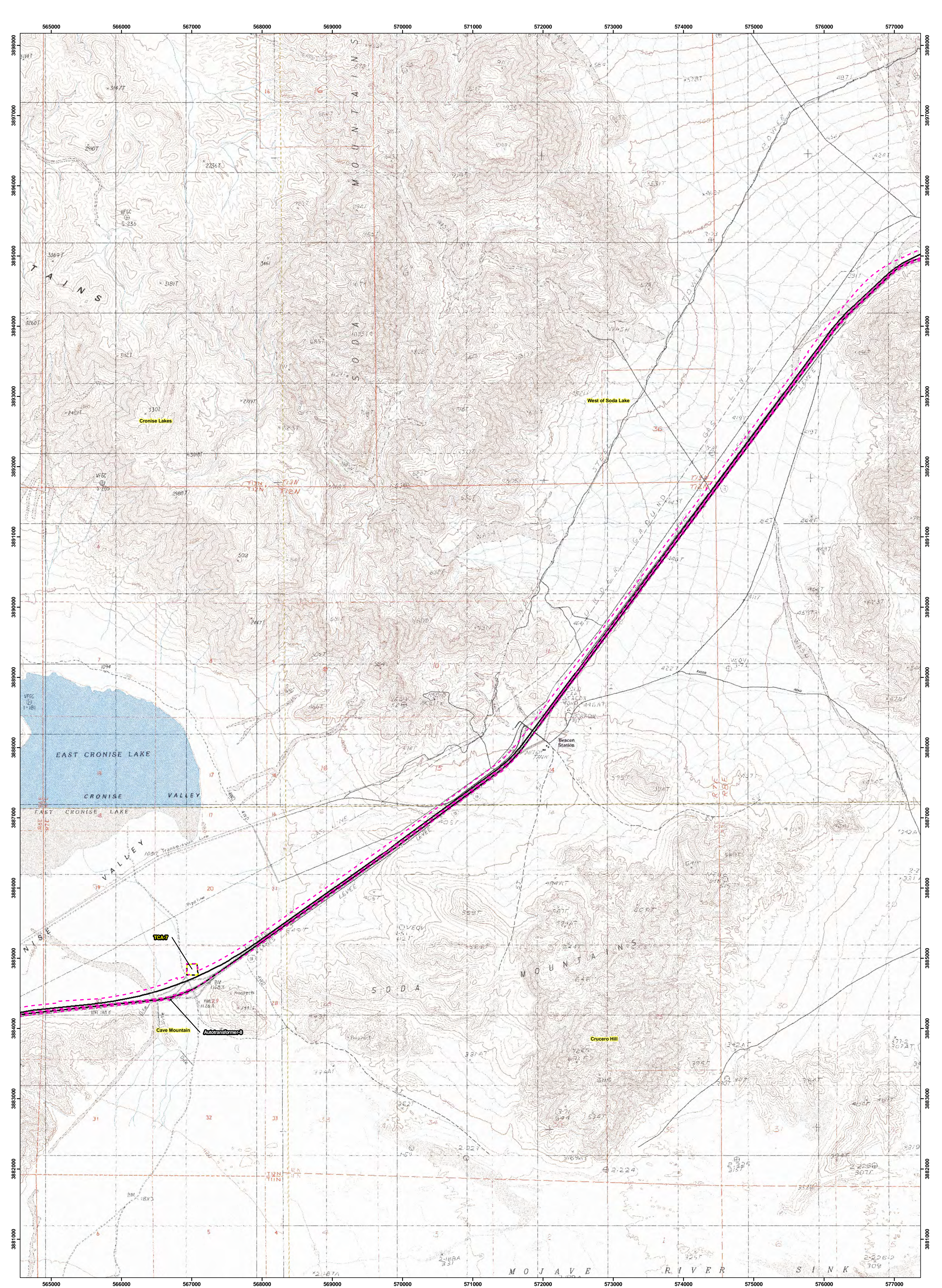
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Sheet: 9 of 20
 (Sheets 1- 17 in California)
DesertXpress

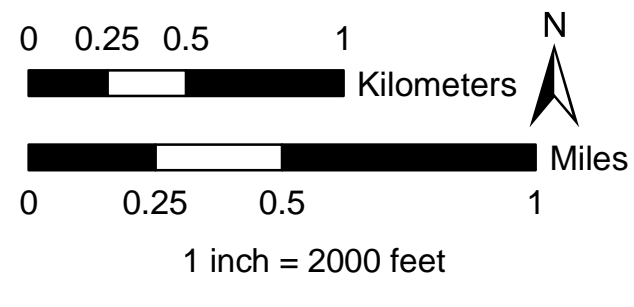
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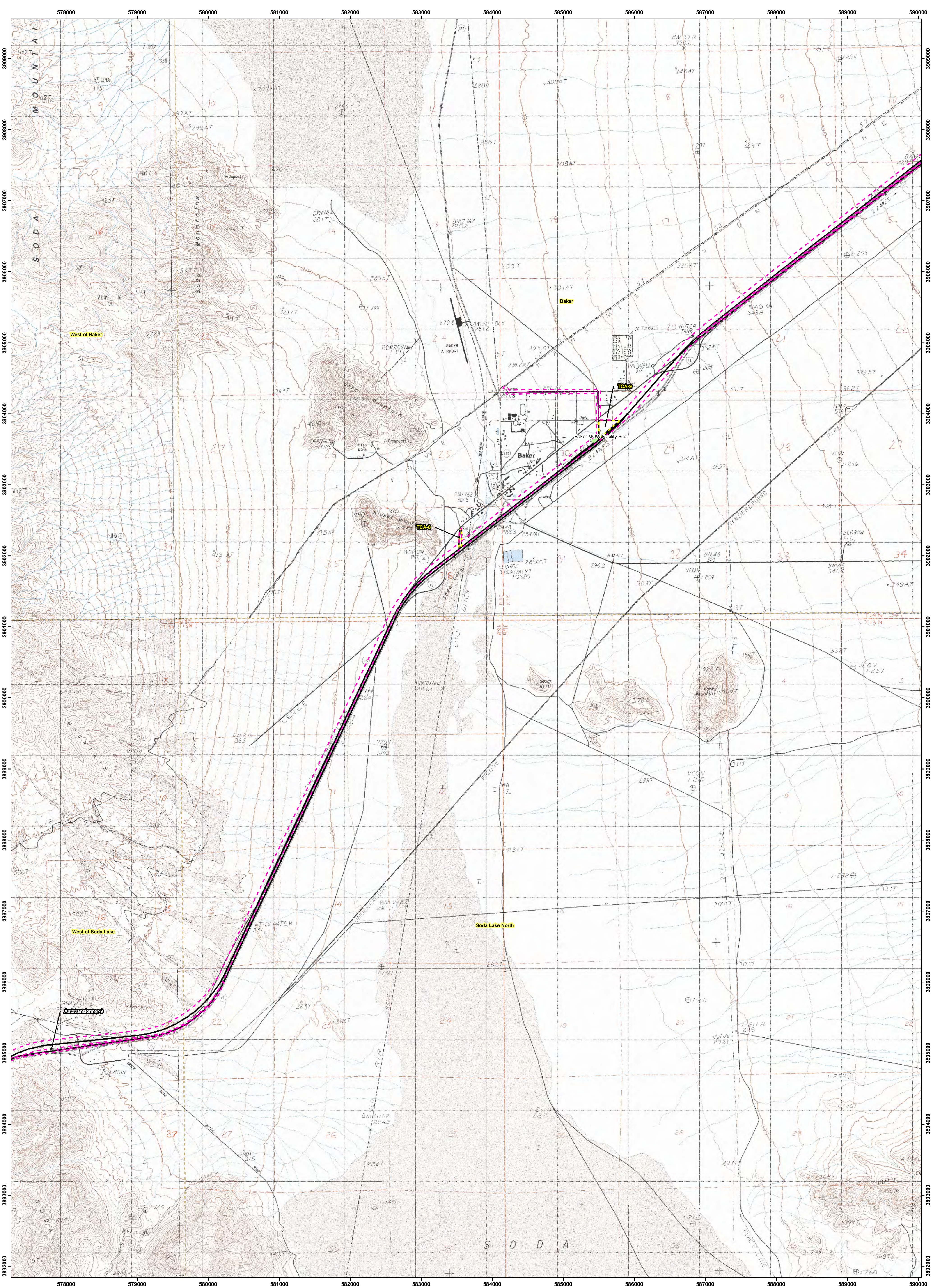
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Sheet: 10 of 20
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DesertXpress

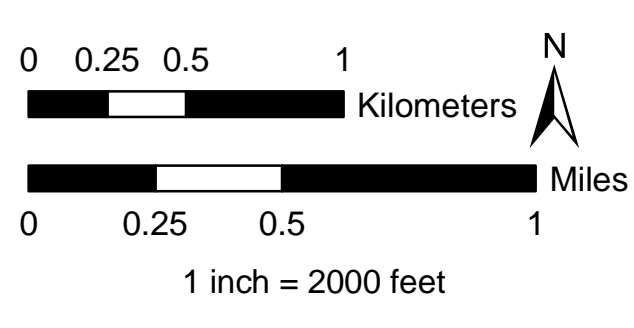
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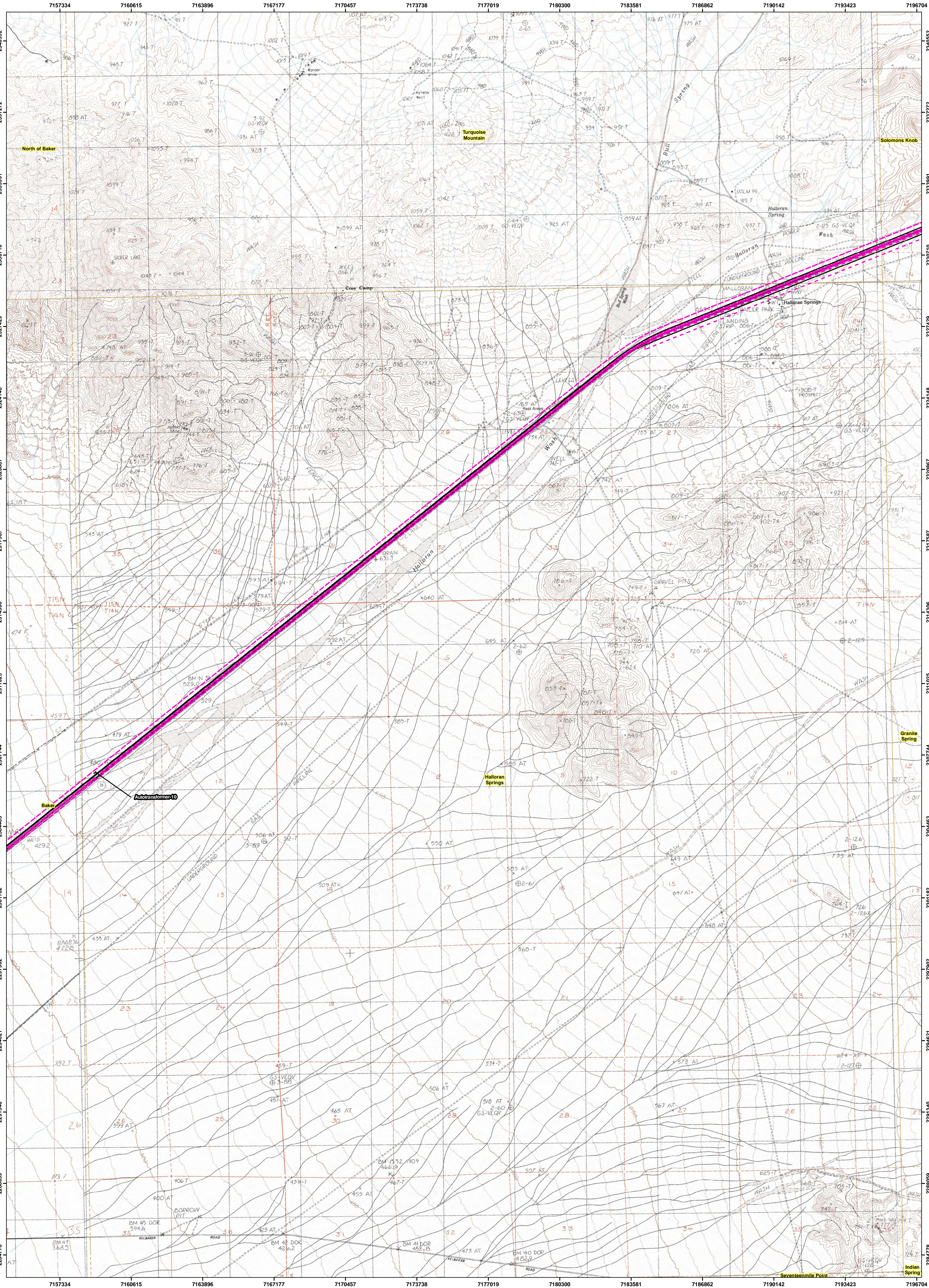
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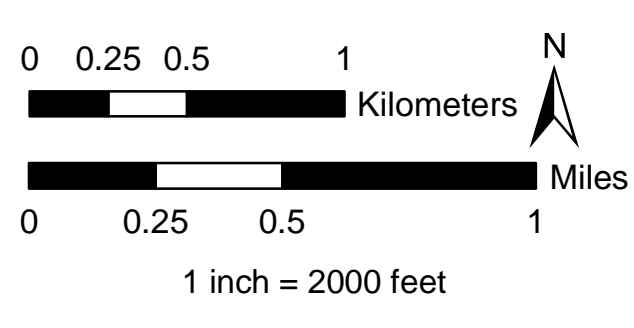
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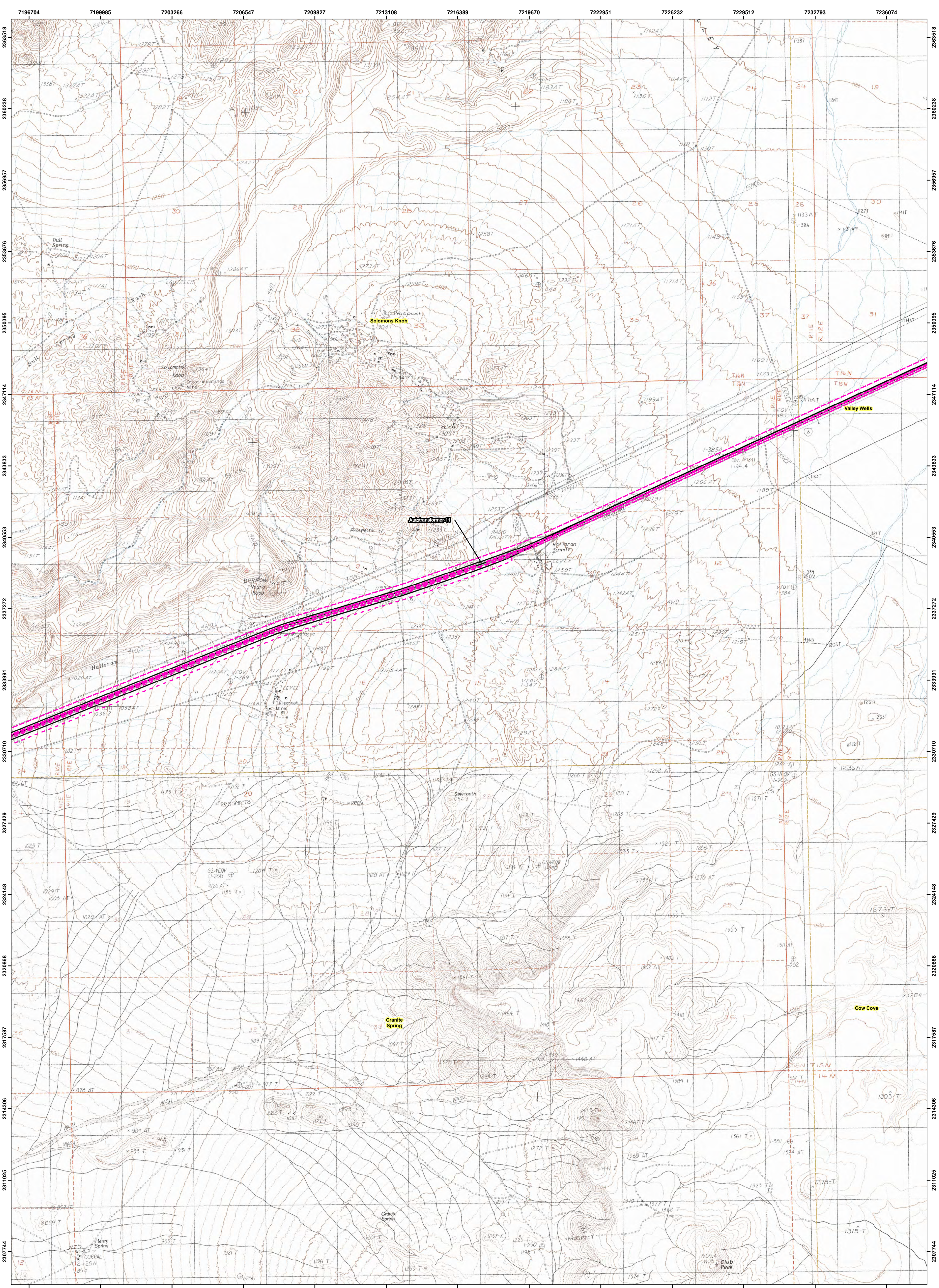
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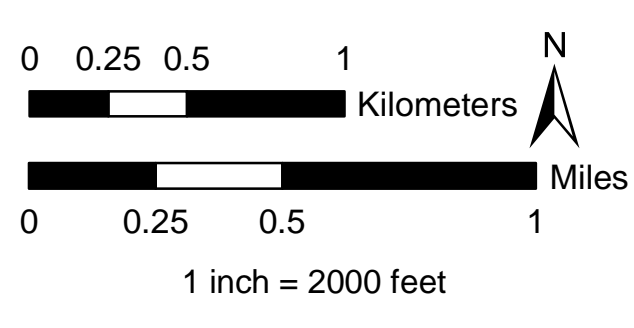
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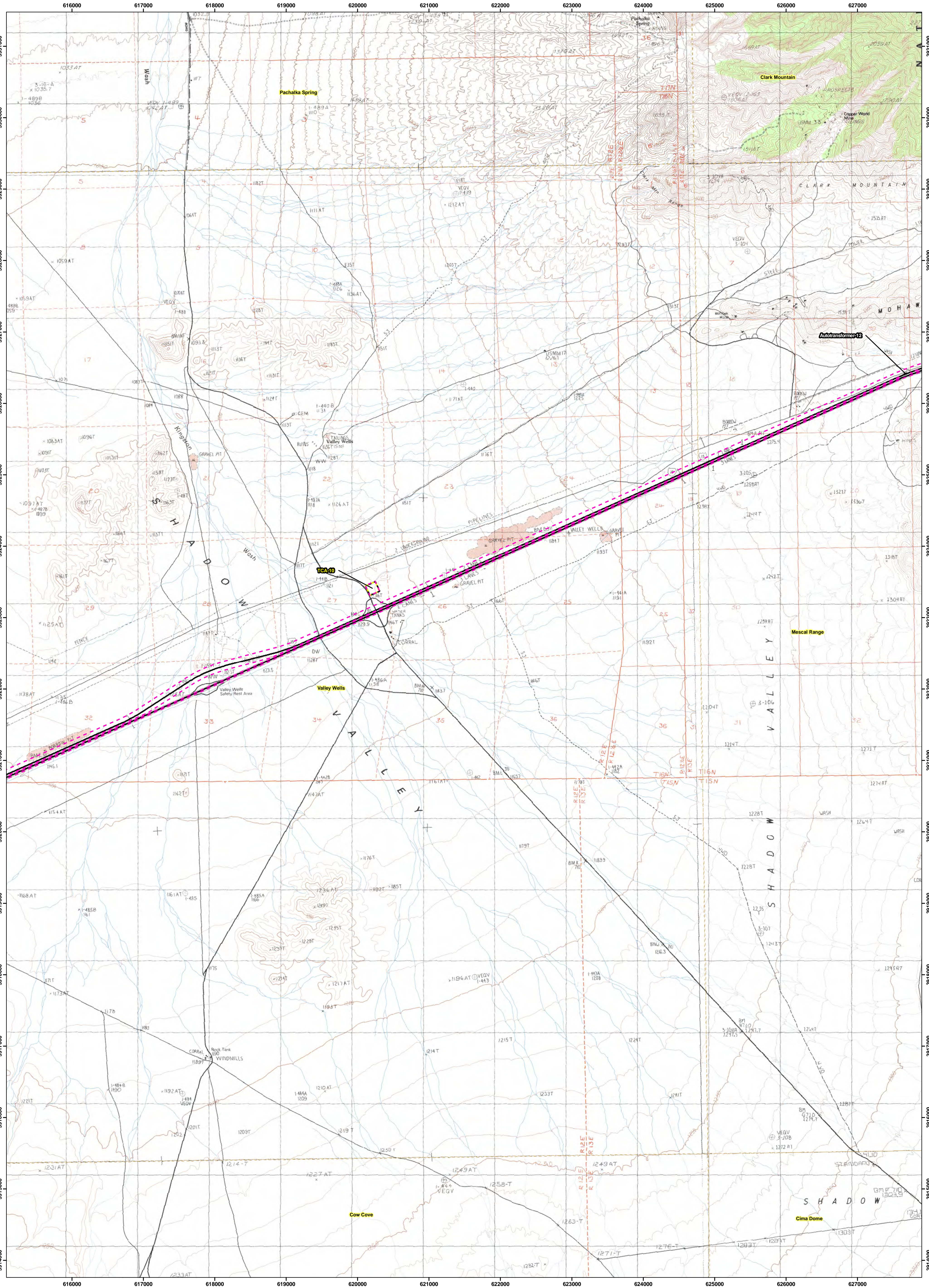
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- Stations & Maintenance Facilities
- Area of Potential Effect
- Autotransformers
- Electric Utility
- Victorville USGS Quad Names



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DesertXpress

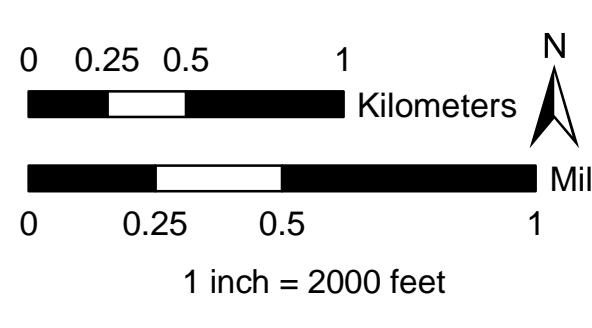
Source:
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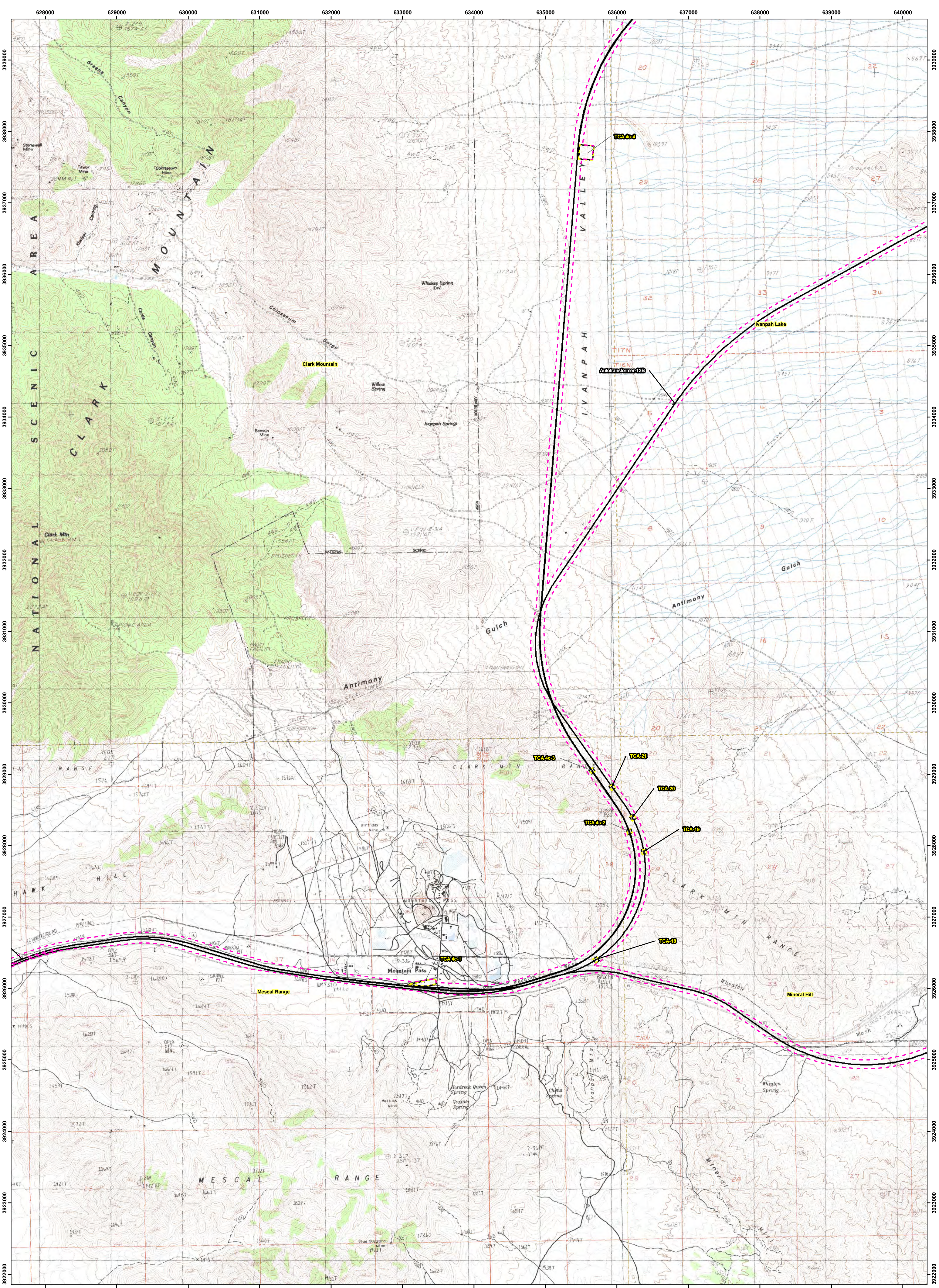
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- TCA's
- Area of Potential Effect
- Stations & Maintenance Facilities
- USGS Quad Boundaries
- Autotransformers
- Victorville USGS Quad Names
- Electric Utility



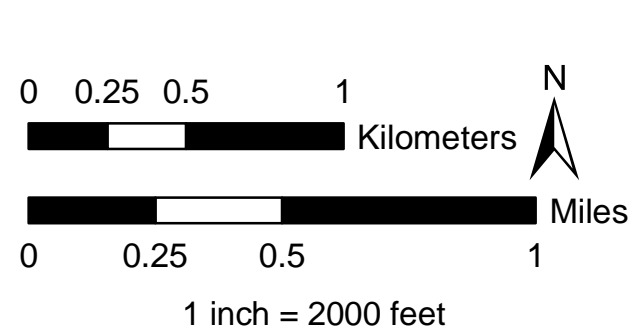
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Source:
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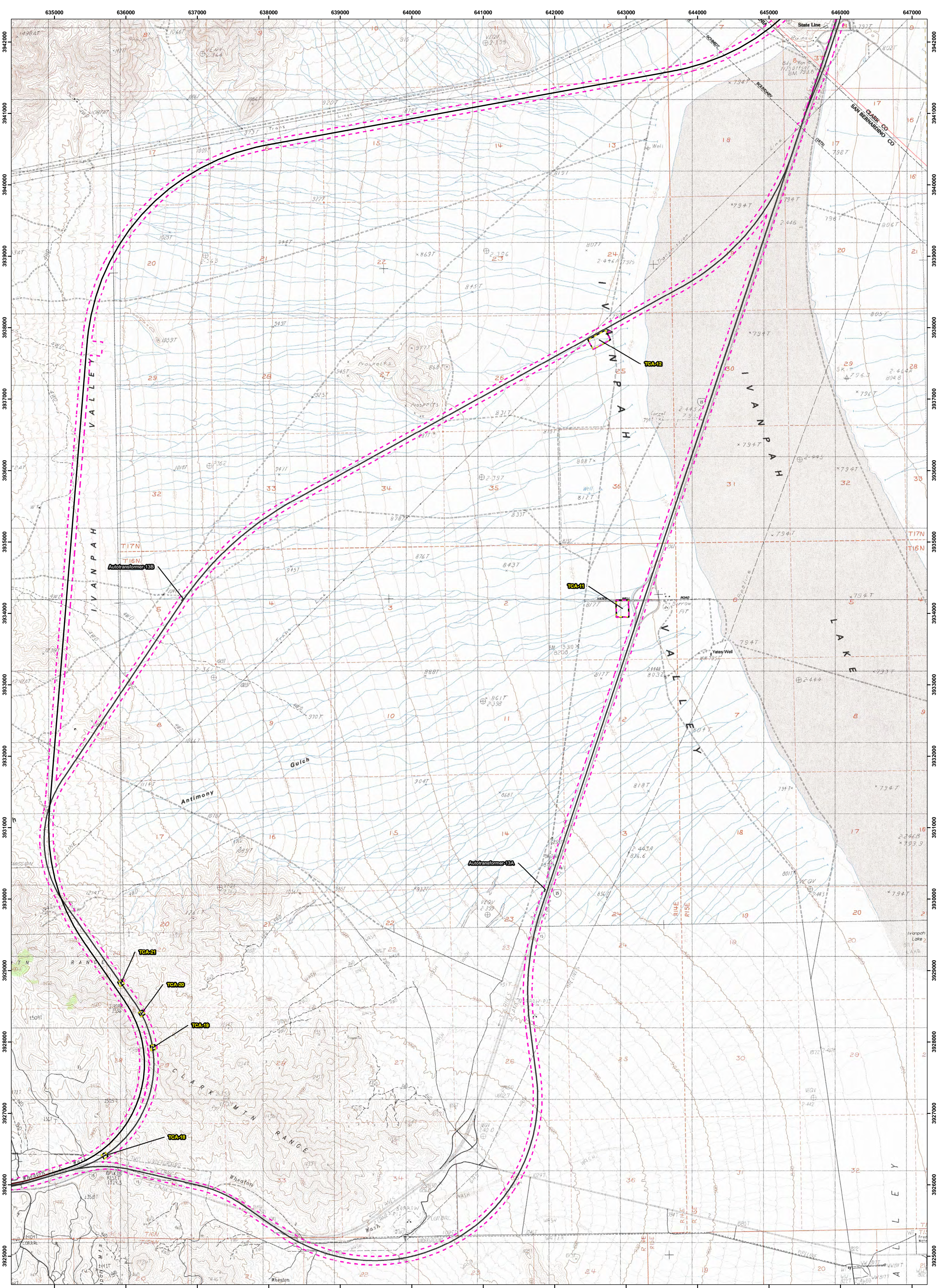
- Legend**
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 - TCA's
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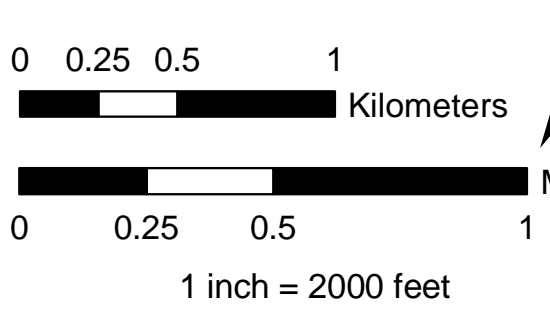
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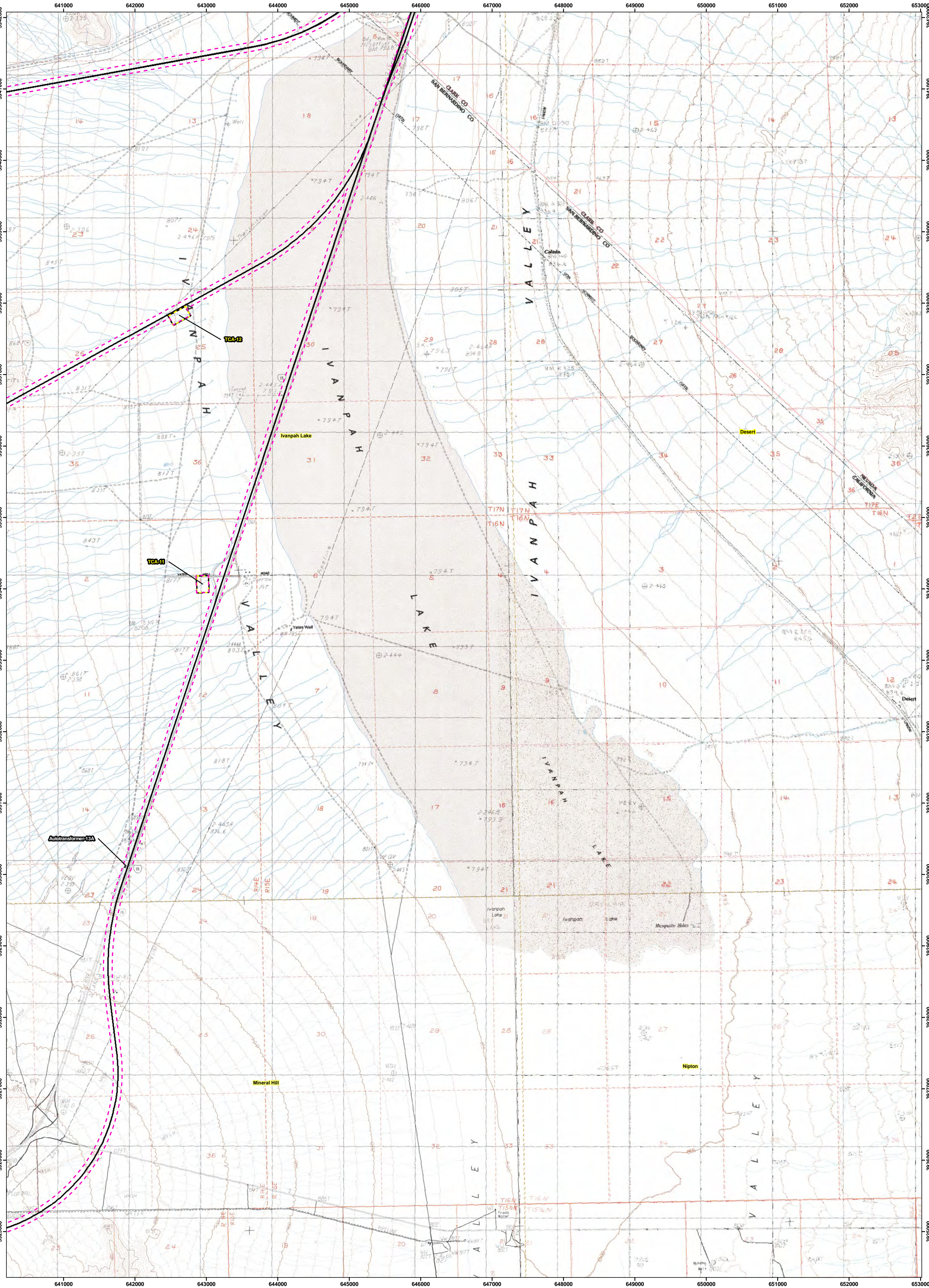
- Alignment (2010)
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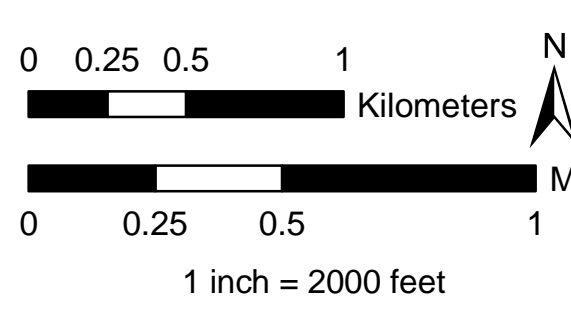
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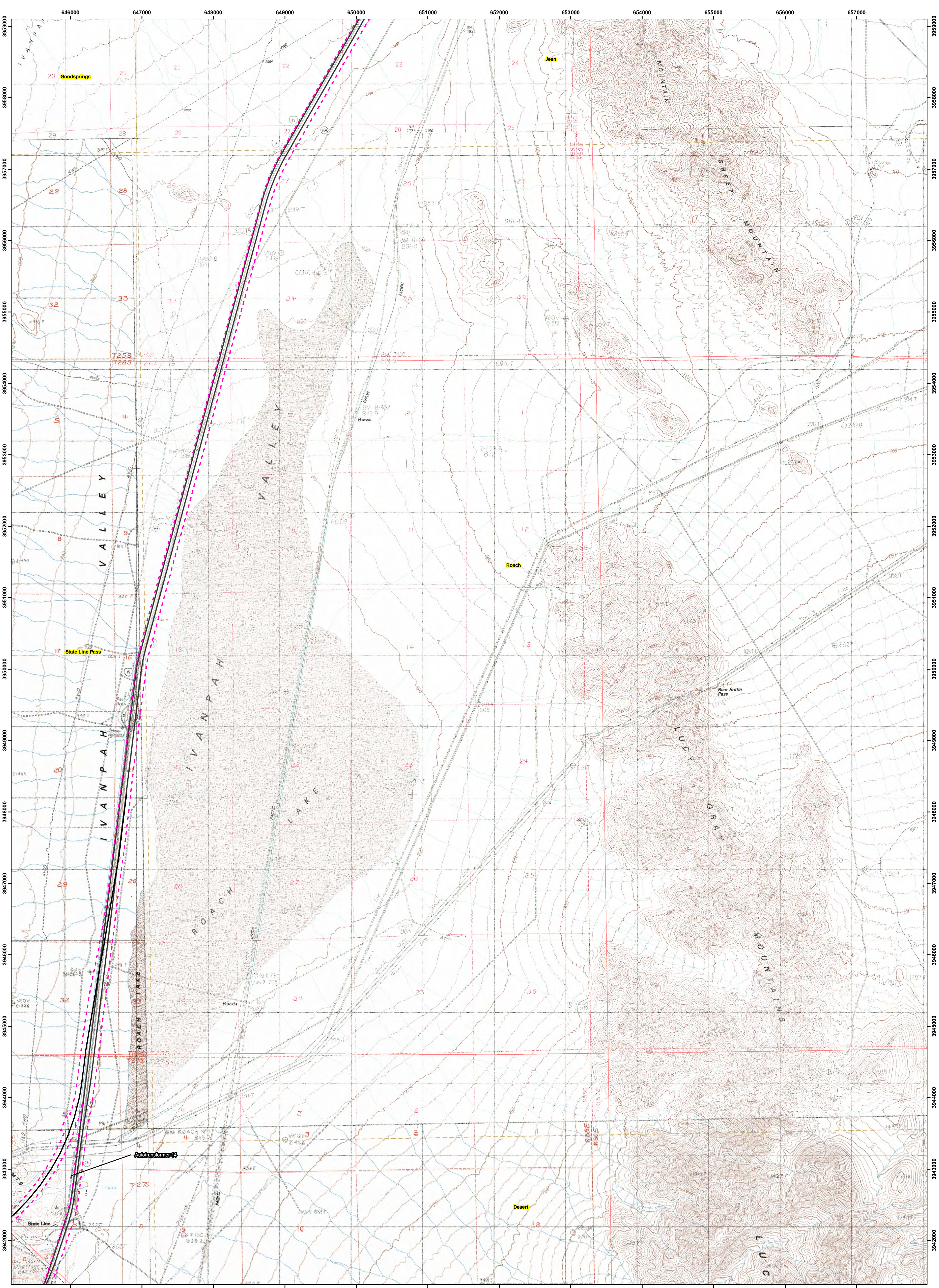
- Alignment (2010)
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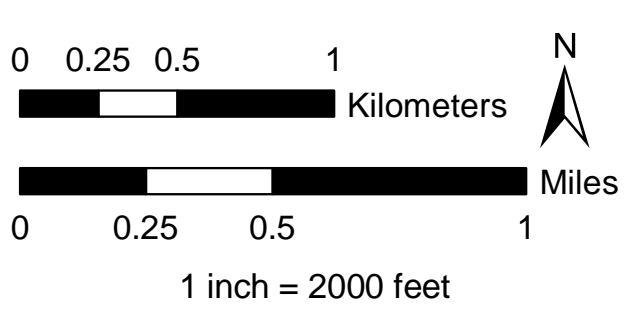
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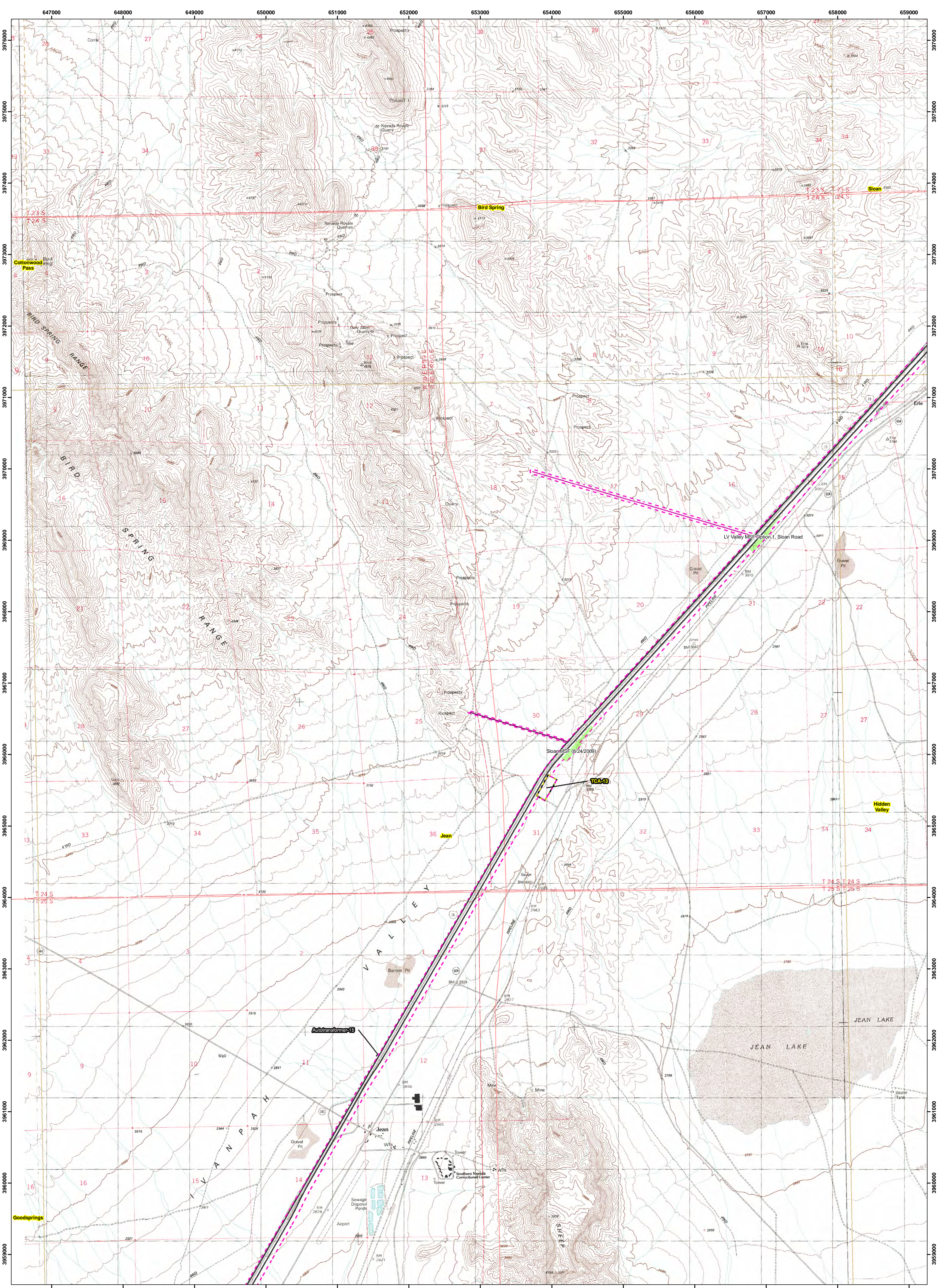
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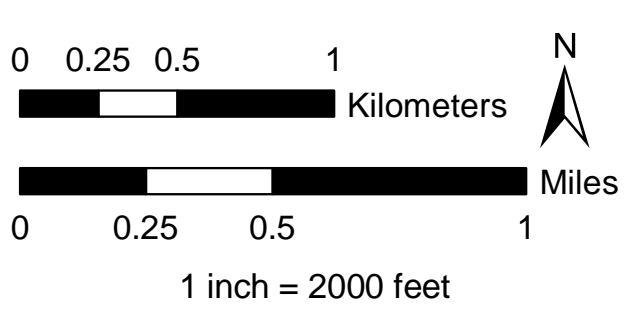
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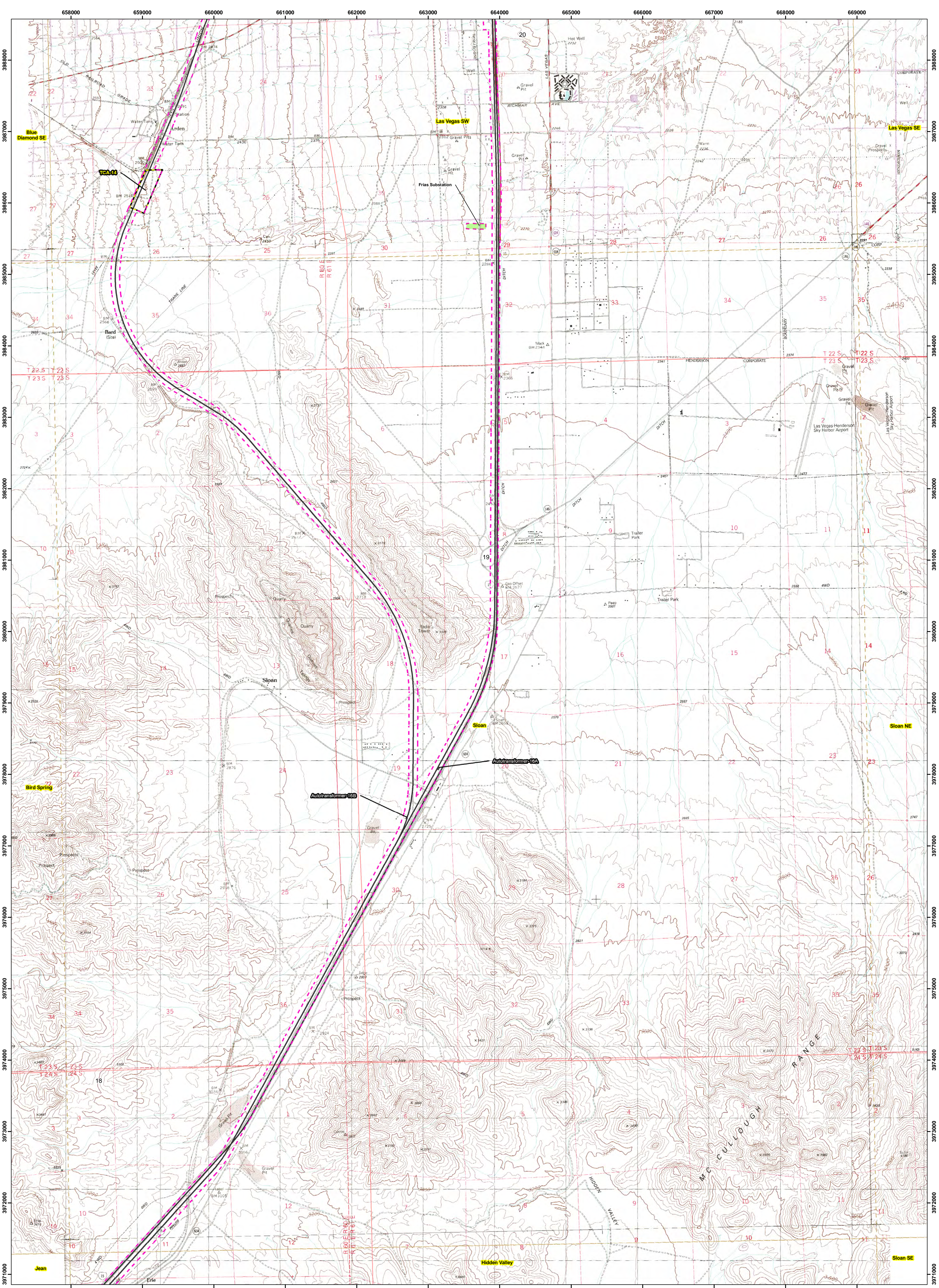
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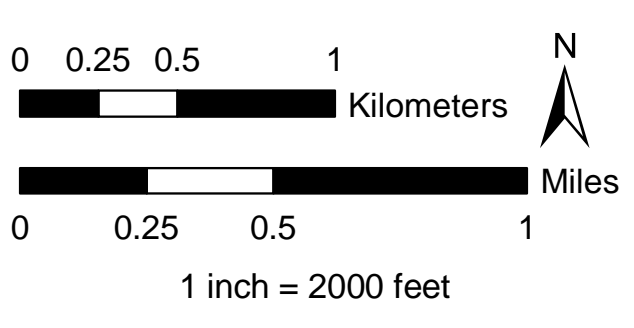
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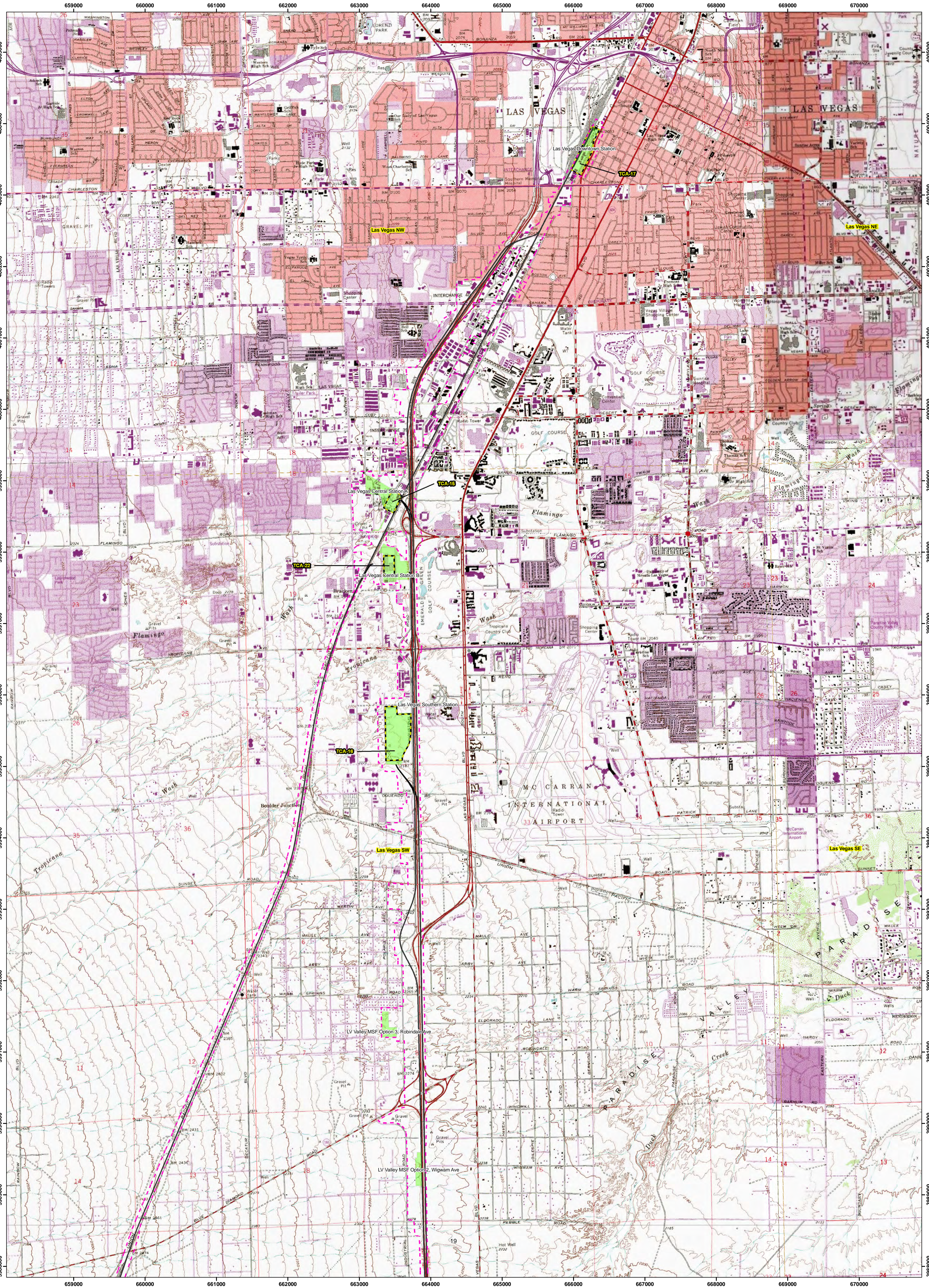
- Alignment (2010)
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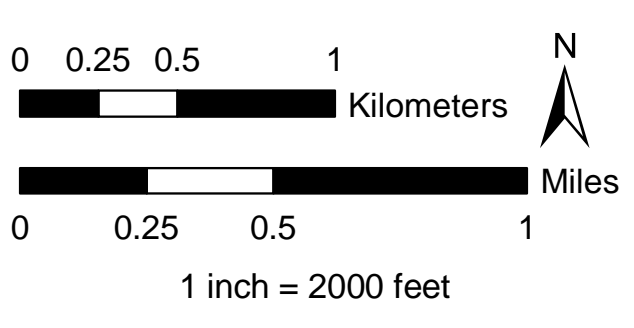
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 ESRI Streetmap 2006, BLM Land Ownership 2007





Legend

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Source:
 DesertXpress 2007, USGS Quads 2006,
 ESRI Streetmap 2006, BLM Land Ownership 2007



Attachment B: Archaeological and Architectural Resources in the APE

I. Archaeological Resources Identified in the APE

Site Number	Period	Type	NRHP Eligibility ^a
<i>Segment 1</i>			
CA-SBR-10315H	Historic	Power Transmission Line	Eligible
CA-SBR-9358H	Historic	Habitation Site	Not Eligible
CA-SBR-9359H	Historic	Mine Site	Not Eligible
CA-SBR-8700H	Historic	Mine, habitation Site	Assumption of Eligibility
JSA-CS-S-003H	Historic	Mine, Refuse Deposit and Rock Cairn	Not Eligible
JSA-CS-S-004H	Historic	Mine and Refuse Deposit	Not Eligible
JSA-CS-S-005H	Historic	Habitation Site	Assumption of Eligibility
JSA-CS-S-006H	Historic	Refuse Deposit	Not Eligible
JSA-CS-S-007H	Historic	Habitation Site	Assumption of Eligibility
JSA-CS-S-008H	Historic	Survey Marker	Not Eligible
JSA-CS-S-009H	Historic	Survey Marker	Not Eligible
JSA-CS-S-010H	Historic	Refuse Deposit	Not Eligible
JSA-CS-S-011H	Historic	Refuse Deposit	Not Eligible
JSA-CS-S-012H	Historic	Refuse Deposit	Assumption of Eligibility
JSA-CS-S-013H	Historic	Refuse Deposit	Not Eligible
JSA-CS-S-014H	Historic	Habitation Site	Not Eligible
JSA-CS-S-015H	Historic	Habitation Site	Not Eligible
JSA-CS-S-016H	Historic	Refuse Deposit	Assumption of Eligibility
JSA-TC-S-008H	Historic	Refuse Deposit	Not Eligible
JSA-TC-S-019	Prehistoric	Lithic Scatter	Assumption of Eligibility
JSA-TC-S-020H	Historic	Habitation Site	Not Eligible
JSA-CS-S-076H	Historic	Habitation Site	Assumption of Eligibility
JSA-CS-S-078H	Historic	Refuse Deposit	Not Eligible
JSA-CS-S-088H	Historic	Habitation Site	Assumption of Eligibility
JSA-KT-S-002H	Historic	Marker	Not Eligible
JSA-KT-S-003H	Historic	Marker	Not Eligible
JSA-KT-S-004H	Historic	Hearth	Assumption of Eligibility
<i>Victorville Station Site 1 Option</i>			
CA-SBR-4411H	Historic	Road	Eligible
JSA-TC-S-008H	Historic	Refuse Deposit	Not Eligible
JSA-TC-S-007H	Historic	Refuse Deposit	Not Eligible
JSA-TC-S-006H	Historic	Refuse Deposit	Not Eligible
CA-SBR-9360H	Historic	Road	Assumption of Eligibility

Site Number	Period	Type	NRHP Eligibility ^a
<i>Victorville Station Site 2 Option</i>			
CA-SBR-10315H	Historic	Power Transmission Line	Eligible
JSA -TC-S-009H	Historic	Refuse Deposit	Not Eligible
<i>Victorville Station Site 3 Option</i>			
JSA-CS-S-005H	Historic	Habitation site with foundation, refuse deposits, and privy.	Assumption of Eligibility
JSA-CS-S-073H	Historic	Historic fence line	Not Eligible
JSA-CS-S-074H	Historic	Domestic refuse deposit with glass, ceramics and metal	Not Eligible
JSA-CS-S-076H	Historic	Habitation site with road, mound, fire ring, and refuse deposits	Assumption of Eligibility
JSA-CS-S-212H	Historic	Habitation site with refuse deposits, privy, chimney remnant, and rock alignments	Assumption of Eligibility
JSA-CS-S-213H	Historic	US BLM cadastral marker	Not Eligible
JSA-CS-S-214H	Historic	Segment of historic dirt road	Not Eligible
JSA-CS-S-215H	Historic	Domestic refuse deposit	Not Eligible
JSA-CS-S-216H	Historic	Refuse deposit associated with construction of NRHP eligible transmission line (CA-SBR-7694H)	Assumption of Eligibility
CA-SBR-3161H	Historic	Habitation site with rock alignments, privy, cellar, and refuse deposits	Assumption of Eligibility
CA-SBR-7694H	Historic	Boulder power transmission line	Eligible
CA-SBR-10315H	Historic	Boulder to Hoover power transmission line	Eligible
<i>Victorville OMSF Option 1</i>			
CA-SBR-7694H	Historic	Power Transmission Line	Eligible
JSA-CS-S-002H	Historic	Fence Line	Not Eligible
CA-SBR-6317H	Historic	Mine Site	Not Eligible
JSA-TC-S-003H	Historic	Refuse Deposit	Assumption of Eligibility
CA-SBR-10315H	Historic	Power Transmission Line	Eligible
CA-SBR-4411H	Historic	Road	Eligible
CA-SBR-6323H	Historic	Refuse Deposit	Assumption of Eligibility
<i>Victorville OMSF Option 2</i>			
JSA-CS-S-073H	Historic	Fence Line	Not Eligible
JSA-CS-S-074H	Historic	Refuse Deposit	Not Eligible
JSA-CS-S-075H	Historic	Refuse Deposit	Assumption of Eligibility
JSA-CS-S-076H	Historic	Habitation Site	Assumption of Eligibility
JSA-CS-S-077H	Historic	Refuse Deposit	Not Eligible
JSA-CS-S-078H	Historic	Refuse Deposit	Not Eligible
JSA-CS-S-079H	Historic	Rock Cairn	Not Eligible
JSA-CS-S-080H	Historic	Rock Cairn	Not Eligible

Site Number	Period	Type	NRHP Eligibility^a
JSA-CS-S-081H	Historic	Refuse Deposit, Road, Rock Cairn	Assumption of Eligibility
JSA-CS-S-082H	Historic	Monument	Not Eligible
JSA-CS-S-083H	Historic	Rock Cairn	Not Eligible
JSA-CS-S-084H	Historic	Mining Site	Assumption of Eligibility
JSA-CS-S-085H	Historic	Prospector Pit, Refuse Deposit	Assumption of Eligibility
JSA-CS-S-086H	Historic	Rock Cairn	Not Eligible
JSA-CS-S-087H	Historic	Prospector Pit	Not Eligible
JSA-CS-S-088H	Historic	Habitation Site	Assumption of Eligibility
JSA-CS-S-090H	Historic	Cobble Piles	Not Eligible
JSA-CS-S-099H	Historic	Rock Cairn	Not Eligible
<i>Victorville Utility Corridor</i>			
CA-SBR-3159H	Historic	Railroad	Assumption of Eligibility
CA-SBR-8392H	Historic	Railroad	Assumption of Eligibility
JSA-CS-S-193H	Historic	Rock Cairn	Not Eligible
JSA-CS-S-194H	Historic	Habitation Site	Assumption of Eligibility
JSA-CS-S-221H	Historic	Refuse Deposit	Assumption of Eligibility
JSA-CS-S-222H	Historic	Refuse Deposit	Assumption of Eligibility
JSA-CS-S-223H	Historic	Railroad Grade	Assumption of Eligibility
JSA-CS-S-224H	Historic	Habitation Site	Assumption of Eligibility
JSA-CS-S-225H	Historic	Commercial Site and Road	Assumption of Eligibility
<i>Temporary Construction Area #1A</i>			
CA-SBR-7694H	Historic	Power Transmission Line	Eligible
CA-SBR-10315H	Historic	Power Transmission Line	Eligible
CA-SBR-12132H	Historic	Habitation Site	Assumption of Eligibility
CA-SBR-6325H	Historic	Refuse Deposit	Assumption of Eligibility
JSA-TC-S-004H	Historic	Refuse Deposit	Assumption of Eligibility
JSA-TC-S-003H	Historic	Refuse Deposit	Assumption of Eligibility
JSA-CS-S-002H	Historic	Fence Line	Not Eligible
<i>Temporary Construction Area #1B</i>			
JSA-TC-S-010H	Historic	Claim Marker	Not Eligible
JSA-TC-S-011H	Historic	Habitation Site, Well	Assumption of Eligibility
JSA-TC-S-012H	Historic	Refuse Deposit	Not Eligible
<i>Segment 2A/2B (Joint Portion)</i>			
CA-SBR-2294	Prehistoric	Village Site	Assumption of Eligibility
CA-SBR-4525H	Historic	Road	Assumption of Eligibility
CA-SBR-4615	Prehistoric	Cobble Reduction Site	Assumption of Eligibility
CA-SBR-6793H	Historic	Railroad	Eligible
JSA-CS-S-018H	Historic	Refuse Deposit	Not Eligible
JSA-CS-S-028	Prehistoric	Lithic Scatter	Not Eligible

Site Number	Period	Type	NRHP Eligibility^a
JSA-CS-S-029/H	Historic / Prehistoric	Hearth/Rock Circle and Lithic	Not Eligible
JSA-CS-S-030H	Historic	Refuse Deposit	Not Eligible
JSA-CS-S-031/H	Historic / Prehistoric	Rock Cairn and Quarry	Assumption of Eligibility
JSA-CS-S-032	Prehistoric	Quarry	Assumption of Eligibility
JSA-CS-S-033H	Historic	Refuse Deposit	Not Eligible
JSA-TC-S-021H	Historic	Refuse Deposit	Not Eligible
JSA-TC-S-023	Prehistoric	Habitation Site	Assumption of Eligibility
JSA-TC-S-024H	Historic	Well	Not Eligible
JSA-TC-S-029	Prehistoric	Habitation Site	Assumption of Eligibility
JSA-TC-S-030	Prehistoric	Habitation Site	Assumption of Eligibility
JSA-TC-S-031	Prehistoric	Habitation Site	Assumption of Eligibility
JSA-CS-S-115H	Historic	Monuments	Assumption of Eligibility
Segment 2A			
CA-SBR-10398H	Historic	Road	Assumption of Eligibility
CA-SBR-4085H	Historic	Railroad	Assumption of Eligibility
JSA-CS-S-034	Prehistoric	Quarry	Assumption of Eligibility
JSA-CS-S-035H	Historic	Mine	Not Eligible
JSA-CS-S-036H	Historic	Refuse Deposit and Utility Pole	Not Eligible
JSA-CS-S-038H	Historic	Rock Cairn	Not Eligible
JSA-CS-S-039H	Historic	Habitation Site	Not Eligible
JSA-CS-S-040H	Historic	Habitation Site	Assumption of Eligibility
JSA-CS-S-045H	Historic	Habitation Site	Assumption of Eligibility
JSA-CS-S-047H	Historic	Rock Cairn	Not Eligible
JSA-CS-S-048/H	Historic / Prehistoric	Refuse Deposit and Lithic Scatter	Assumption of Eligibility
JSA-CS-S-049H	Historic	Rock Cairn and Rock Alignment	Not Eligible
JSA-CS-S-050H	Historic	Rock Cairn and Refuse Deposit	Not Eligible
JSA-CS-S-052H	Historic	Hearth	Not Eligible
JSA-CS-S-053H	Historic	Refuse Deposit	Not Eligible
JSA-CS-S-054H	Historic	Rock Cairn	Not Eligible
JSA-CS-S-055H	Historic	Rock Cairn	Not Eligible
JSA-CS-S-056H	Historic	Habitation Site	Not Eligible
JSA-CS-S-057H	Historic	Habitation Site	Not Eligible
JSA-CS-S-058H	Historic	Rock Cairn	Not Eligible
JSA-CS-S-059/H	Historic	Rock Alignment Lithic Scatter	Not Eligible
JSA-CS-S-060H	Historic	Rock Cairn	Not Eligible
JSA-CS-S-063H	Historic	Rock Cairn and Road	Not Eligible
JSA-CS-S-064H	Historic	Rock Cairn	Not Eligible
JSA-CS-S-065H	Historic	Rock Cairn	Not Eligible

Site Number	Period	Type	NRHP Eligibility^a
JSA-CS-S-067H	Historic	Rock Cairn	Not Eligible
JSA-CS-S-068H	Historic	Rock Cairn	Not Eligible
JSA-CS-S-069H	Historic	Rock Cairn	Not Eligible
JSA-CS-S-071H	Historic	Post	Not Eligible
JSA-CS-S-072H	Historic	Habitation Site	Not Eligible
P-1812-2	Prehistoric	Trail	Assumption of Eligibility
JSA-CS-S-101H	Historic	Berm	Assumption of Eligibility
JSA-RN-S-005H	Historic	Flume	Assumption of Eligibility
Segment 2B			
JSA-RN-S-005H	Historic	Flume	Assumption of Eligibility
JSA-CS-S-020H	Historic	Refuse Deposit	Not Eligible
JSA-CS-S-021H	Historic	Refuse Deposit	Not Eligible
JSA-CS-S-022H	Historic	Refuse Deposit	Assumption of Eligibility
JSA-CS-S-023H	Historic	Habitation Site	Assumption of Eligibility
JSA-CS-S-024H	Historic	Refuse Deposit and Roads	Not Eligible
JSA-CS-S-026H	Historic	Road	Not Eligible
JSA-CS-S-027H	Historic	Refuse Deposit	Not Eligible
JSA-CS-S-034	Prehistoric	Quarry	Assumption of Eligibility
JSA-CS-S-102H	Historic	Refuse Deposit	Assumption of Eligibility
Segment 2C – Median			
CA-SBR-562	Prehistoric	Prehistoric lithic quarry and reduction site; non-contributing element of Sidewinder Quarry Archaeological District	Not Eligible
CA-SBR-2283	Prehistoric	Prehistoric lithic quarry and reduction site with rock rings; contributing element of Sidewinder Quarry Archaeological District	Eligible
CA-SBR-2910H	Historic	Segment of Route 66, part of the old National Trails Highway	Eligible
CA-SBR-3486	Prehistoric	Prehistoric lithic quarry and reduction site; contributing element of Sidewinder Quarry Archaeological District	Eligible
CA-SBR-4085H	Historic	Earthen railroad berm	Assumption of Eligibility
CA-SBR-6023H	Historic	Extensive residential and commercial refuse deposit, known as the Yermo Dump	Assumption of Eligibility
CA-SBR-6693H	Historic	Atchison, Topeka & Santa Fe railroad	Eligible
CA-SBR-8321	Prehistoric	Prehistoric lithic quarry and reduction site; contributing element of Sidewinder Quarry Archaeological District	Eligible
CA-SBR-8322	Prehistoric	Prehistoric lithic quarry and reduction site; contributing element of Sidewinder Quarry Archaeological District	Eligible

Site Number	Period	Type	NRHP Eligibility^a
CA-SBR-8323	Prehistoric	Prehistoric trail; contributing element of Sidewinder Quarry Archaeological District	Eligible
CA-SBR-8923	Prehistoric / Historic	Prehistoric lithic quarry and reduction site with historic to modern period rock cairns	Determined Not Eligible
CA-SBR-9357	Prehistoric	Prehistoric site with rock rings	Assumption of Eligibility
CA-SBR-9361H	Historic	Sidewinder Road wagon trail	Assumption of Eligibility
P-36-20375	Prehistoric	Sidewinder Quarry Archaeological District, with 45 identified contributing elements	Eligible
<i>Segment 2C – Side Running</i>			
JSA-CS-S-229H	Historic	Homestead site with treelines and redeposited trash and structural debris	Not Eligible
JSA-CS-S-230H	Historic	Concrete road monument	Not Eligible
JSA-CS-S-231H	Historic	Segment of transmission line	Not Eligible
JSA-CS-S-232H	Historic	Rock cairn	Not Eligible
JSA-CS-S-233	Prehistoric	Cobble quarry	Assumption of Eligibility
JSA-CS-S-234H	Historic	Historic refuse deposit containing cans, wire, metal and glass	Assumption of Eligibility
JSA-CS-S-235H	Historic	Foundation and light scatter of debris	Not Eligible
JSA-CS-S-236H	Historic	Foundation and light scatter of debris	Not Eligible
JSA-CS-S-237H	Historic	Foundation and light scatter of debris	Not Eligible
JSA-CS-S-238H	Historic	Foundation and scatter of debris and artifacts	Not Eligible
JSA-CS-S-239H	Historic	Redeposited refuse deposit of glass, ceramics, and metal	Not Eligible
JSA-CS-S-240H	Historic	Two foundations and light scatter of debris	Not Eligible
JSA-CS-S-241H	Historic	Foundation and scatter of debris and artifacts	Not Eligible
JSA-CS-S-242H	Historic	Foundation and light scatter of debris	Not Eligible
JSA-CS-S-243H	Historic	Foundation and light scatter of debris	Not Eligible
JSA-CS-S-244H	Historic	Foundation, fence line and light scatter of debris	Not Eligible
JSA-CS-S-245H	Historic	Redeposited residential debris	Not Eligible
JSA-CS-S-246H	Historic	Dense refuse deposit with cans, ceramics, metal, glass, and firearm cartridges	Assumption of Eligibility
CA-SBR-2910H	Historic	Segment of Route 66, part of the old National Trails Highway	Eligible
CA-SBR-3485	Prehistoric	Prehistoric lithic quarry and reduction site; contributing element of Sidewinder Quarry Archaeological District	Eligible

Site Number	Period	Type	NRHP Eligibility^a
CA-SBR-3486	Prehistoric	Prehistoric lithic quarry and reduction site; contributing element of Sidewinder Quarry Archaeological District	Eligible
CA-SBR-3548	Prehistoric	Prehistoric rock rings	Assumption of Eligibility
CA-SBR-6693H	Historic	Atchison, Topeka & Santa Fe railroad	Eligible
CA-SBR-8313H	Historic	Fence line	Assumption of Eligibility
CA-SBR-8321	Prehistoric	Prehistoric lithic quarry and reduction site; contributing element of Sidewinder Quarry Archaeological District	Eligible
CA-SBR-8322	Prehistoric	Prehistoric lithic quarry and reduction site; contributing element of Sidewinder Quarry Archaeological District	Eligible
CA-SBR-9361H	Historic	Sidewinder Road wagon trail	Assumption of Eligibility
P-36-13644	Prehistoric	Lithic scatter and reduction site	Eligible
P-36-20375	Prehistoric	Sidewinder Quarry Archaeological District, with 45 identified contributing elements	Eligible
<i>Temporary Construction Area #4</i>			
CA-SBR-6793H	Historic	Railroad	Eligible
JSA-TC-S-030	Prehistoric	Habitation Site	Assumption of Eligibility
JSA-TC-S-031	Prehistoric	Habitation Site	Assumption of Eligibility
<i>Segment 3A</i>			
CA-SBR-7694	Historic	Power Transmission Line	Eligible
PSBR-64H	Historic	Water Transmission Line	Assumption of Eligibility
CA-SBR-2129	Prehistoric	Quarry	Assumption of Eligibility
CA-SBR-4272H	Historic	Spanish Trail	Assumption of Eligibility
CA-SBR-223	Prehistoric	Quarry	Assumption of Eligibility
CA-SBR-10315H	Historic	Power Transmission Line	Eligible
CA-SBR-2131	Prehistoric	Cobble Reduction Site	Assumption of Eligibility
CA-SBR-3694	Prehistoric	Village Site	Eligible
PSBR-52	Prehistoric	Trail System	Assumption of Eligibility
CA-SBR-5127H	Historic	Refuse Deposit	Assumption of Eligibility
P2044-12H	Historic	Refuse Deposit	Assumption of Eligibility
P2044-5	Prehistoric	Food Processing Site	Assumption of Eligibility
CA-SBR-7689H	Historic	Road	Assumption of Eligibility
CA-SBR-1068	Prehistoric	Trail	Assumption of Eligibility
CA-SBR-541	Prehistoric	Quarry	Assumption of Eligibility
CA-SBR-2340H	Historic	Railroad	Assumption of Eligibility
P2284-6H	Historic	Town Site	Assumption of Eligibility
P2273-1H	Historic	Habitation	Assumption of Eligibility
P2272-2	Prehistoric	Rock Art Area	Assumption of Eligibility

Site Number	Period	Type	NRHP Eligibility^a
P2271-2H	Historic	Town Site	Assumption of Eligibility
CA-SBR-1074H	Historic	Refuse Deposit	Not Eligible
Segment 3B			
PSBR-64H	Historic	Water Transmission Line	Assumption of Eligibility
CA-SBR-7694H	Historic	Power Transmission Line	Eligible
CA-SBR-2129	Prehistoric	Quarry	Assumption of Eligibility
CA-SBR-4272H	Historic	Spanish Trail	Assumption of Eligibility
CA-SBR-2591	Prehistoric	Quarry	Assumption of Eligibility
CA-SBR-2092	Prehistoric	Cobble Reduction Site	Assumption of Eligibility
CA-SBR-223	Prehistoric	Quarry	Assumption of Eligibility
CA-SBR-10315H	Historic	Power Transmission Line	Eligible
CA-SBR-3694	Prehistoric	Village Site	Eligible
CA-SBR-5329	Prehistoric	Lithic Scatter	Assumption of Eligibility
PSBR-52	Prehistoric	Trail System	Assumption of Eligibility
P2044-12H	Historic	Refuse Deposit	Assumption of Eligibility
P2044-5	Prehistoric	Food Processing Site	Assumption of Eligibility
CA-SBR-7689H	Historic	Road	Assumption of Eligibility
CA-SBR-885	Prehistoric	Rock alignment	Assumption of Eligibility
CD-SBR-4054/H	Historic / Prehistoric	Refuse Deposit / Groundstone	Assumption of Eligibility
P2262-2H	Historic	Habitation Site	Assumption of Eligibility
CA-SBR-541	Prehistoric	Quarry	Assumption of Eligibility
CA-SBR-2340H	Historic	Railroad	Assumption of Eligibility
P2284-6H	Historic	Town Site	Assumption of Eligibility
P2272-2	Prehistoric	Rock Art Area	Assumption of Eligibility
CA-SBR-2532	Prehistoric	Pottery Scatter	Assumption of Eligibility
P2271-2H	Historic	Town Site	Assumption of Eligibility
CA-SBR-1074H	Historic	Refuse Deposit	Not Eligible
JSA-CS-S-042H	Historic	Refuse Deposit	Assumption of Eligibility
JSA-CS-S-043H	Historic	Rock Cairn and Refuse Deposit	Not Eligible
JSA-CS-S-044H	Historic	Refuse Deposit and Well	Not Eligible
JSA-RN-S-003H	Historic	Refuse Deposit	Assumption of Eligibility
JSA-RN-S-004H	Historic	Habitation Site	Not Eligible
JSA-CS-S-046H	Historic	Refuse Deposit	Not Eligible
JSA-CS-S-124/H	Prehistoric / Historic	Lithic Scatter and Refuse Deposit	Assumption of Eligibility
JSA-CS-S-125	Prehistoric	Lithic Scatter	Assumption of Eligibility
JSA-CS-S-126H	Historic	Construction Refuse Deposit	Assumption of Eligibility
JSA-CS-S-129H	Historic	Refuse Deposit	Not Eligible
JSA-CS-S-130H	Historic	Well	Assumption of Eligibility
JSA-CS-S-131	Prehistoric	Cobble Reduction Site	Assumption of Eligibility

Site Number	Period	Type	NRHP Eligibility^a
JSA-CS-S-132H	Historic	Rock Cairn	Assumption of Eligibility
JSA-CS-S-133	Prehistoric	Lithic Scatter	Assumption of Eligibility
JSA-CS-S-134	Prehistoric	Cobble Reduction Site	Assumption of Eligibility
JSA-CS-S-135	Prehistoric	Lithic Scatter	Assumption of Eligibility
JSA-CS-S-136	Prehistoric	Lithic Scatter	Assumption of Eligibility
JSA-CS-S-137H	Historic	Power Transmission Line	Not Eligible
JSA-CS-S-138	Prehistoric	Lithic Scatter	Assumption of Eligibility
JSA-CS-S-144H	Historic	Fence line	Not Eligible
JSA-CS-S-145H	Historic	Prospector Pit	Assumption of Eligibility
JSA-CS-S-146H	Historic	Cadastral Marker	Not Eligible
JSA-CS-S-151	Prehistoric	Hearth	Assumption of Eligibility
JSA-CS-S-152	Prehistoric	Hearth	Assumption of Eligibility
JSA-CS-S-153	Prehistoric	Trail	Assumption of Eligibility
JSA-CS-S-154	Prehistoric	Trail	Assumption of Eligibility
JSA-RN-S-006H	Historic	Well	Not Eligible
JSA-RN-S-007H	Historic	Refuse Deposit	Assumption of Eligibility
JSA-RN-S-008H	Historic	Refuse Deposit	Assumption of Eligibility
JSA-RN-S-009H	Historic	Refuse Deposit	Assumption of Eligibility
Segment 3C			
JSA-CS-S-250H	Historic	Mine site	Not Eligible
JSA-CS-S-251H	Historic	Prospector's pit	Not Eligible
JSA-CS-S-252H	Historic	Mine site and refuse deposit	Not Eligible
JSA-CS-S-253H	Historic	Refuse Deposit	Assumption of Eligibility
JSA-CS-S-254H	Historic	Utility line	Not Eligible
JSA-CS-S-255H	Historic	Fence	Not Eligible
JSA-CS-S-256H	Historic	Habitation Site	Not Eligible
JSA-CS-S-257H	Historic	Refuse deposit	Not Eligible
JSA-CS-S-258H	Historic	Refuse deposit	Assumption of Eligibility
JSA-CS-S-259H	Historic	Refuse deposit	Not Eligible
JSA-CS-S-260H	Historic	'C' Monuments	Not Eligible
JSA-CS-S-261H	Historic	'C' Monuments	Not Eligible
JSA-CS-S-262H	Historic	Refuse deposit	Assumption of Eligibility
JSA-CS-S-263H	Historic	'C' Monument	Not Eligible
JSA-CS-S-264H	Historic	'C' Monument	Not Eligible
CA-SBR-7698H	Historic	Road	Assumption of Eligibility
Baker Utility Corridor			
JSA-CS-S-196H	Historic	Habitation Site	Assumption of Eligibility
Temporary Construction Area #6			
CA-SBR-2131	Prehistoric	Cobble Reduction Site	Assumption of Eligibility
CA-SBR-6022	Prehistoric	Cobble Reduction Site	Assumption of Eligibility

Site Number	Period	Type	NRHP Eligibility ^a
Temporary Construction Area #7			
CA-SBR-4198	Prehistoric	Habitation Site	Assumption of Eligibility
P2044-9	Prehistoric	Rock Art	Assumption of Eligibility
P2044-11	Prehistoric	Quarry and Habitation Site	Assumption of Eligibility
Segment 4A			
CA-SBR-7689H	Historic	Road	Assumption of Eligibility
CA-SBR-3048H	Historic	Road	Assumption of Eligibility
JSA-CS-S-091H	Historic	Refuse Deposit	Assumption of Eligibility
JSA-CS-S-092	Prehistoric	Lithic Scatter	Assumption of Eligibility
JSA-CS-S-094H	Historic	Road	Not Eligible
JSA-CS-S-095	Prehistoric	Lithic and Groundstone Scatter	Assumption of Eligibility
JSA-CS-S-096	Prehistoric	Lithic Scatter	Assumption of Eligibility
JSA-CS-S-097H	Historic	Refuse Deposit	Assumption of Eligibility
JSA-CS-S-103H	Historic	Habitation Site	Assumption of Eligibility
JSA-CS-S-105H	Historic	Monuments	Assumption of Eligibility
Segment 4B			
CA-SBR-10315H	Historic	Power Transmission Line	Eligible
CA-SBR-7347H	Historic	Road	Assumption of Eligibility
CA-SBR-3048H	Historic	Road	Assumption of Eligibility
JSA-CS-S-104H	Historic	Road	Not Eligible
JSA-CS-S-105H	Historic	Monuments	Assumption of Eligibility
JSA-CS-S-106H	Historic	Rock Cairn and Quarry	Assumption of Eligibility
JSA-CS-S-107H	Historic	Rock Cairn	Not Eligible
JSA-CS-S-108H	Historic	Road	Not Eligible
JSA-CS-S-109H	Historic	Road	Not Eligible
JSA-CS-S-110H	Historic	Rock Cairn	Assumption of Eligibility
JSA-CS-S-111H	Historic	Road	Not Eligible
JSA-CS-S-112H	Historic	Rock Cairn	Not Eligible
JSA-CS-S-113H	Historic	Road	Assumption of Eligibility
JSA-CS-S-114H	Historic	Rock Alignment	Assumption of Eligibility
JSA-CS-S-116H	Historic	Rock Cairn	Not Eligible
JSA-CS-S-117H	Historic	Rock Cairn	Not Eligible
JSA-CS-S-119H	Historic	Rock Cairn	Assumption of Eligibility
JSA-CS-S-121H	Historic	Rock Cairn	Assumption of Eligibility
JSA-CS-S-122H	Historic	Rock Cairn	Not Eligible
JSA-CS-S-123H	Historic	Rock Cairn	Not Eligible
Temporary Construction Area #12			
CA-SBR-10315H	Historic	Power Transmission Line	Eligible
Segment 4C			
JSA-CS-S-108H	Historic	Road segment	Assumption of Eligibility

Site Number	Period	Type	NRHP Eligibility^a
JSA-CS-S-109H	Historic	Road segment	Not Eligible
JSA-CS-S-111H	Historic	Road segment	Not Eligible
JSA-CS-S-112H	Historic	Rock cairn	Not Eligible
JSA-CS-S-113H	Historic	Road segment	Assumption of Eligibility
JSA-CS-S-116H	Historic	Rock cairn	Not Eligible
JSA-CS-S-117H	Historic	Rock cairn	Not Eligible
JSA-CS-S-118H	Historic	Rock cairn	Assumption of Eligibility
JSA-CS-S-200H	Historic	Utility pole	Assumption of Eligibility
JSA-CS-S-201H	Historic	Rock cairns	Not Eligible
JSA-CS-S-203H	Historic	Rock cairn	Not Eligible
JSA-CS-S-204H	Historic	Mining site with adit and rock cairn	Assumption of Eligibility
JSA-CS-S-205H	Historic	Rock cairn	Not Eligible
JSA-CS-S-206H	Historic	Rock cairn	Not Eligible
JSA-CS-S-207H	Historic	Cobble support for water conveyance pipe	Assumption of Eligibility
JSA-CS-S-208H	Historic	US GLO cadastral marker	Not Eligible
JSA-CS-S-210H	Historic	Road segment	Not Eligible
CA-SBR-3048H	Historic	Road segment and refuse deposit	Assumption of Eligibility
CA-SBR-6835H	Historic	Survey marker, part of Von Schmidt Line	Assumption of Eligibility
CA-SBR-6955/H	Prehistoric / Historic	Prehistoric habitation site with lithics, hearth features, and a projectile point; and a historic refuse deposit and fire ring	Assumption of Eligibility
CA-SBR-7098/H	Prehistoric / Historic	Prehistoric habitation site with lithics, ground stone and hearth ; historic well and refuse deposits	Assumption of Eligibility
CA-SBR-7347H	Historic	Road segment	Assumption of Eligibility
CA-SBR-10315H	Historic	Boulder to Hoover power transmission line	Eligible
CA-SBR-10872	Prehistoric	Habitation site with lithics, projectile points, ground stone, and pottery.	Eligible
Segment 5A			
26CK3825	Prehistoric	Habitation	Eligible
26CK7218	Historic	Road	Eligible
26CK5180	Historic	Transmission Line	Eligible
26CK3540	Historic	Construction Camp	Eligible
26CK3541	Historic	Railroad Construction Camp	Eligible
26CK3542	Historic	Railroad Grade	Not Eligible
26CK5685	Historic	Railroad Grade	Eligible

Site Number	Period	Type	NRHP Eligibility ^a
Segment 5B			
26CK3540	Historic	Railroad Camp	Eligible
26CK3541	Historic	Railroad Construction Camp	Eligible
26CK5685	Historic	Railroad Grade	Eligible
26CK3808	Prehistoric	Lithic Scatter	Eligible
26CK3820	Prehistoric	Habitation	Eligible
26CK3821	Prehistoric	Habitation	Eligible
26CK3822	Prehistoric	Habitation	Eligible
26CK3823	Prehistoric	Habitation	Eligible
26CK3824	Prehistoric	Habitation	Eligible
26CK3825	Prehistoric	Habitation	Eligible
26CK3832	Prehistoric	Lithic Scatter	Eligible
26CK3833	Prehistoric	Lithic Scatter	Eligible
26CK3834	Prehistoric	Lithic Scatter	Eligible
26CK3836	Prehistoric	Lithic Scatter	Eligible
26CK4958	Historic	Road	Eligible
26CK5180	Historic	Transmission Line	Eligible
26CK6715	Prehistoric / Historic	Railroad Construction Camp and Groundstone	Eligible
26CK7166	Prehistoric / Historic	Habitation Site	Eligible
26CK7167	Prehistoric	Habitation Site	Eligible
26CK7181	Prehistoric	Lithic Scatter	Not Eligible
26CK7212	Historic	Road	Eligible
26CK7214	Historic	Road	Not Eligible
26CK7217	Historic	Road and Refuse Deposit	Eligible
26CK7218	Historic	Road	Eligible
26CK7223	Historic	Transmission Line	Not Eligible
26CK8273	Historic	Mine Site	Not Eligible
26CK8276	Historic	Refuse Deposit	Not Eligible
26CK8347	Historic / Prehistoric	Railroad Construction Camp and Lithic Scatter	Not Eligible
JSA-CS-S-160H	Historic	Refuse Deposit	Assumption of Eligibility
JSA-CS-S-161H	Historic	Habitation Site and Refuse Deposit	Assumption of Eligibility
JSA-CS-S-162H	Historic	Refuse Deposit	Assumption of Eligibility
JSA-CS-S-163H	Historic	Rock Cairn	Not Eligible
JSA-CS-S-164H	Historic	Rock Cairn	Not Eligible
JSA-CS-S-165H	Historic	Rock Cairn	Not Eligible
JSA-CS-S-166H	Historic	Cobble Piles	Not Eligible
JSA-CS-S-190H	Historic	Railroad Camp	Assumption of Eligibility

Site Number	Period	Type	NRHP Eligibility ^a
RSMSF			
JSA-CS-S-217H	Historic	Residential refuse deposit	Not Eligible
Segment 6A			
26CK3542	Historic	Railroad Berm	Not Eligible
26CK5374	Prehistoric	Lithic Scatter	Not Eligible
26CK1995	Prehistoric	Lithic Scatter	Not Eligible
26CK5685	Historic	Railroad	Eligible
Segment 6B			
26CK3542	Historic	Railroad Berm	Not Eligible
26CK5369	Prehistoric	Lithic Scatter	Not Eligible
26CK5374	Prehistoric	Lithic Scatter	Not Eligible
26CK1995	Prehistoric	Lithic Scatter	Not Eligible
JSA-CS-S-167H	Historic	Cadastral Marker	Assumption of Eligibility
Option C			
26CK5729	Historic	Railroad Construction Camp	Eligible
26CK5801	Historic	Berm	Not Eligible
26CK5747	Historic	Refuse Deposit	Not Eligible
26CK6035	Historic	Railroad Construction Camp	Not Eligible
26CK4356	Historic	Refuse Deposit and Bard Siding	Not Eligible
26CK5685	Historic	Railroad	Eligible
26CK5347	Historic	Refuse Deposit	Not Eligible
26CK5353	Historic	Habitation Site	Eligible
26CK4400	Historic	Railroad Construction Camp	Eligible
26CK3542	Historic	Railroad Berm	Not Eligible
26CK5694	Historic	Railroad Construction Camp	Eligible
JSA-CS-S-149H	Historic	Power Transmission Line	Assumption of Eligibility
JSA-CS-S-169	Prehistoric	Lithic Scatter	Assumption of Eligibility
JSA-CS-S-170	Prehistoric	Lithic Scatter	Assumption of Eligibility
JSA-CS-S-175	Prehistoric	Rock Shelter	Assumption of Eligibility
JSA-CS-S-176H	Historic	Railroad Camp	Assumption of Eligibility
JSA-CS-S-177H	Historic	Railroad Camp	Assumption of Eligibility
JSA-CS-S-178H	Historic	Railroad Dump Site	Assumption of Eligibility
JSA-CS-S-179H	Historic	Railroad Dump Site	Assumption of Eligibility
JSA-CS-S-180H	Historic	Cadastral Marker	Assumption of Eligibility
JSA-CS-S-181	Prehistoric	Lithic Scatter	Assumption of Eligibility
JSA-CS-S-183	Prehistoric	Quarry	Assumption of Eligibility
JSA-CS-S-184H	Historic	Cadastral Marker	Assumption of Eligibility
JSA-CS-S-185	Prehistoric	Rock shelter	Assumption of Eligibility
JSA-CS-S-186	Prehistoric	Trail	Assumption of Eligibility

Site Number	Period	Type	NRHP Eligibility ^a
JSA-CS-S-187H	Historic	Refuse Deposit	Assumption of Eligibility
JSA-CS-S-188	Prehistoric	Quarry	Assumption of Eligibility
Temporary Construction Area #14			
JSA-CS-S-148H	Historic	Refuse Deposit	Assumption of Eligibility
JSA-CS-S-149H	Historic	Power Transmission Line	Assumption of Eligibility
Alignment Adjustment Areas			
JSA-CS-S-222H	Historic	Refuse Deposit	Assumption of Eligibility
CA-SBR-4525H	Historic	Road segment	Assumption of Eligibility
JSA-CS-S-030H	Historic	Residential refuse deposit	Not Eligible
JSA-CS-S-031/H	Prehistoric / Historic	Prehistoric quarry site and historic rock cairns	Assumption of Eligibility
JSA-CS-S-032	Prehistoric	Prehistoric quarry site	Assumption of Eligibility
JSA-CS-S-218H	Historic	Rock rings and historic refuse deposit	Not Eligible
JSA-CS-S-219H	Historic	Concrete foundation	Not Eligible
P-2044-5	Prehistoric	Habitation and food processing site	Assumption of Eligibility
CA-SBR-4198	Prehistoric	Habitation site with pottery, lithics, fire affected rock, faunal remains, ground stone, and possible human remains	Assumption of Eligibility
P-2044-11	Prehistoric	Quarry and habitation site	Assumption of Eligibility
26CK3542	Historic	Railroad grade segment	Not Eligible

Source: ICF, 2011

^a Preliminary recommendations of *not eligible* for inclusion on the NRHP were based on the results of the field survey, follow-up archival research, and BLM consultation. The preliminary notations of “Not Eligible” and “Assumption of Eligibility” are based on existing data and are not a determination of eligibility. SHPO has not concurred on these findings.

II. Architectural Resources Identified in the APE

Address (Las Vegas)	Historic/ Current Building Name or Type	Built	Note	Segment
2300 Western Avenue, South ^{4,5}	Gas Station	1965	located on non-adjacent property outside of the APE, but within the viewshed of a proposed elevated structure	7A, 7B, 7C
1801-3 & 1805-7 Western Avenue ²	Amer. Building Products	1956	located on adjacent property within the APE	7C
1800 Industrial Road ^{4,5}	Commercial Professional Services	1964		7C
1706 (1718) Industrial Road ^{4,5}	Commercial Professional Services: International Enzymes Inc.; Tattoo Parlor	1954		7C
311 Utah Avenue, West ^{4,5}	United Rentals Warehouse	1956	located on non-adjacent property outside of the APE, but within the viewshed of a proposed elevated structure	7A, 7B, 7C
331 Utah Avenue, West ^{4,5}	Fire Station No. 4	1955		7A, 7B, 7C
1502 Commerce Street, South ¹	Office Building	c.1948		7A, 7B, 7C
1415 Western Avenue ²	Adams' Western Store	1956	located on adjacent property within the APE	7A, 7B, 7C
1414 Industrial Road ^{4,5}	Industrial Manufacturing: A.T.I.S.	1953	located on adjacent property within the APE	7A, 7B, 7C
320 Utah Avenue, West ^{4,5}	Incubator Industrial Buildings	1954	located on non-adjacent property outside of the APE, but within the viewshed of a proposed elevated structure	7A, 7B, 7C
1400 Industrial Road	Nevada Film Wardrobe & Barquist Sheet Metal	1955	located on adjacent property within the APE	7A, 7B, 7C
1408 Western Avenue ²	Meyers Electric	1955	located on non-adjacent property outside of the APE, but within the viewshed of a proposed elevated structure	7A, 7B, 7C
1407 Western Avenue ²	Silver State Petroleum	1958	located on adjacent property within the APE	7A, 7B, 7C
1400 Western Avenue ²	Tri-City Air Conditioning & associated yard	1956	located on non-adjacent property outside of the APE, but within the viewshed of a proposed elevated structure	7A, 7B, 7C
1300-1302 Western Avenue ²	John Van Hooves' Upholstery Design Studio	1957		7A, 7B, 7C
1326 Main Street, South ¹	Imperial Motel	c.1936		7A, 7B, 7C
317 Wall Street ²	unknown/ vacant	1956	located on adjacent property within the APE	7A, 7B, 7C
313 Wall Street ²	unknown/ vacant	1958	located on non-adjacent property outside of the APE, but within the viewshed of a proposed elevated structure	7A, 7B, 7C

Address (Las Vegas)	Historic/ Current Building Name or Type	Built	Note	Segment
1201 Main Street, South ¹	Image Custom Furniture	c.1945		7A, 7B, 7C
310 Wall Street ²	T.J. Wholesale/ Tedes Auto Sales	1955		7A, 7B, 7C
316 Wall Street ²	Brinks	1955		7A, 7B, 7C
322 Wall Street ²	Nevada Tool Supply	1955		7A, 7B, 7C
200 Wall Street ²	Andy's Electric Motors	1955	located on adjacent property within the APE	7A, 7B, 7C
299 Charleston Blvd ² 299 Charleston Blvd ²	Holsum Bread Office Holsum Bread Bakery	1954 1955	located on non-adjacent property outside of the APE, but within the viewshed of a proposed elevated structure	7A, 7B, 7C
307 Charleston Blvd, West ²	Red Rooster Antiques & Gifts	1953		7A, 7B, 7C
303 Charleston Blvd ²	Ellingham's Paint & Body Shop	1958		7A, 7B, 7C
9 Charleston Blvd, West ^{4,5}	Johnny Tocco's Ringside Gym	1942		7A, 7B, 7C
1070 Commerce Street, South ¹	Uniforms Inc.	c.1953	located on adjacent property within the APE	7A, 7B, 7C
1065 Main Street, South ¹	Morgan's Termite & Pest Control	c.1940	located on non-adjacent property outside of the APE, but within the viewshed of a proposed elevated structure	7A, 7B, 7C
1001 First Street, South ¹	Commercial	c.1950		7A, 7B, 7C
823 First Street, South ¹	Residential (3 buildings)	c.1933		7A, 7B, 7C
825 First Street, South ¹	Residential	c.1933		7A, 7B, 7C
807 Main Street, South ¹	El Sombrero Café	c.1955		7A, 7B, 7C Downtown Station
200, 208 Garces Avenue ³	Duplex	1949		7A, 7B, 7C
105 Bonneville, East ³	Residential	1915		7A, 7B, 7C
625 First Street, South ^{1,3}	Commercial	1932		7A, 7B, 7C
114, 116 Bonneville Avenue, East ¹	Residential	c.1928		7A, 7B, 7C
110, 112 Bonneville Avenue, East ¹	Residential	c.1928		7A, 7B, 7C

Sources:

1. Knight & Leavitt Associates, Inc. 2002
2. Ryden Architects 1998
3. Marshall and Marshall 2007
4. NDOT 2008
5. Louis Berger Group, Inc. 2008

1. Attachment C: Class III Inventory Report

I. INTRODUCTION

FRA shall require a Class III Inventory report to be prepared containing the elements described in this Attachment. All work shall be completed pursuant to 36 CFR §800.4. Inventory efforts on BLM lands in Nevada will follow the *State Protocol Agreement between the Bureau of Land Management, Nevada and the Nevada State Historic Preservation Office* (2009). Inventory of architectural resources will be examined following the *Nevada Section 106 Architectural Inventory and Survey Guidelines*. All inventory efforts on BLM land in California will follow the *State Protocol Agreement between the California State Director of the Bureau of Land Management and the California State Historic Preservation Officer* (2004).

A. Description of the Area of Potential Effects

1. Description of the proposed Undertaking; the nature and extent (including acreage and/or miles involved) of activities expected to take place as a result of the proposed Undertaking.
2. Locational information on 7.5 minute USGS Topographical Quadrangles including name, Section and Township/Range, land status (BLM, Caltrans, NDOT, etc.), State and county.
3. USGS map (1:24000 scale) showing location and boundaries of project area. Map should be clearly labeled and of reproducible quality.
4. Total acreage surveyed linear surveys should be described by length and width as well as total acreage. If acreage surveyed differs from project acreage, the reason for this difference needs to be discussed.

B. Environment

A brief description of the environmental setting including topography, vegetation, elevation, water sources, ground visibility, and human alteration or disturbance, as appropriate.

C. Pre-field Literature Search

Discuss previous cultural resource work conducted in the project area including published research and cultural resource management reports. Previous surveys that have been conducted within the proposed project area shall be discussed regarding the nature of the work performed, the amount of acreage included in the project area, the methods used, and the findings, and bibliographic references shall be included in the report.

D. Cultural Overview

The general prehistoric and historic overviews and evaluative research design sections identified below should have sufficient information to evaluate sites under all NRHP criteria.

1. Paleoenvironmental
A general discussion related to environmental conditions that have existed within the project area over the 10,000 years
2. Prehistory
Characterize the prehistoric legacy within the project area with particular attention given to regional chronology, culture group(s), use, traits and temporal relationships.

3. History
Characterize the historic legacy within the project area with particular attention names, dates, and activities.
4. Evaluative Research Design
Identify relevant regional research issues and relevant questions.

II. INVENTORY METHODOLOGY

A. Survey Information

1. Names, designations and qualifications of field personnel
2. Dates of fieldwork
3. Survey techniques; intensity of coverage, spacing, type of transect, and survey conditions that would include weather and ground visibility. If different types of survey were conducted within the project area, these various survey areas should be clearly indicated on the project survey map. Variations in the survey interval shall be documented and justified in the report, as necessary.
4. The means relied upon for location of the survey area; whether or not the survey area was clearly marked in the field (i.e., boundaries were flagged on the ground, project area extrapolated from USGS map locations).

B. Recording Techniques

1. Site and Isolated Find (IF) definitions for the purposes of reporting.
2. Site marking methods (including previous sites).
3. If temporal/cultural affiliations were assigned to sites, discuss how assignments were determined.
4. If collections were made, provide justification and note repository.

III. SITE DESCRIPTION

A. Prehistoric and Historic Sites

1. Newly recorded and previously recorded sites that lie within the APE or have potential to be impacted by the Undertaking.
2. Brief environmental setting, cultural affiliation, identified features and artifacts, middens, and other visible manifestations showing their spatial relationship within the site boundary.
3. Site integrity.
4. Site eligibility. This should include statement concerning the research or information context in which sites have been evaluated and applicable NRHP criteria for eligibility as per 36 CFR 60.4 for eligibility or ineligibility.
5. A site sketch map should also accompany each site description. The map will include trinomial number, site boundary, relationship to the proposed project impact area, north arrow with scale, and key.

6. Completed Intermountain Antiquities Computer System (IMACS) forms for archaeological properties and Historic Resources Inventory Forms (HRIFs) for architectural properties located in Nevada. Department of Parks and Recreation (DPR) forms for properties located in California. In addition, submit plan view map, topographic location map, and photographs (as appropriate). All forms should be legible enough to obtain good quality reproductions.

IV. CONCLUSION

The number and type of sites located and recorded including previously recorded sites within the project area and their eligibility determination. Clearly identify the potential effects of the project on significant cultural properties.

V. MANAGEMENT RECOMMENDATIONS

Provide clear a clear statement of the effects of the project and possible mitigation recommendations.

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Attachment D. Outline for Historic Properties Treatment Plan

I. GENERAL

- A. The Historic Properties Treatment Plan (HPTP) will conform to the *Secretary of the Interior's Standards for the Treatment of Historic Properties*, and Stipulation III.E of this PA. The HPTP will be developed in coordination with the Tribes and other parties identified in Stipulation III.E.1.
- B. Treatment recommendations should be commensurate with the nature and significance of the involved cultural resources. Recommendations should consider project time schedules and should consider a range of alternative treatments including protection measures (e.g., this would include post-protection measures such as erosion control, reseeding, etc.) and data recovery. Recommendations shall include measures for site monitoring in areas of suspected subsurface values and in site areas with artifacts needing collection after data recovery.

II. STANDARDS FOR THE TREATMENT PLAN

The HPTP shall include at a minimum:

- A. A description of historic properties, or portions of properties where data recovery is to be carried out;
- B. A description of property, properties, or portions of properties that will be destroyed, altered, or transferred without data recovery;
- C. Development of appropriate research domains and related questions;
- D. The methods to be used, with an explanation of their relevance to the research questions;
- E. The methods to be used in analysis, data management, and dissemination of data, including:
 - 1. The types of analyses (i.e., destructive vs. non-destructive) that may be performed on different types of materials recovered through archaeological excavation or monitoring, developed in coordination with involved federal agencies, for federal lands in consultation with the consulting tribes, and other involved parties;
- F. The disposition of recovered materials and records including the disposition of Native American sacred items, human remains, and grave goods as dictated by applicable law;
- G. Proposed methods for involving the interested public in data recovery if determined to be appropriate after discussing with Consulting Tribes;
- H. Proposed methods for disseminating results of the work to the interested public if determined to be appropriate after discussing with Consulting Tribes;
- I. Proposed methods by which relevant Native American Tribes and local governments will be kept informed of project progress and afforded an opportunity to participate;
- J. A proposed schedule for the submission of progress reports to the PA signatories and Consulting Tribes where appropriate;
- K. Proposed methods for site rehabilitation/stabilization following excavation activities, as necessary;
- L. Address security measure(s) for site protection before and during excavation;
- M. Address how cultural artifacts and samples (e.g., radiocarbon samples and pollen) collected will be secured and protected from the time of removal through excavation or sampling to the final curation facility, including the development of a curation plan, compatible with Stipulations III.F and IV.A.3

of this PA, implemented prior to the commencement of any artifact recovery, and which will establish agreements with federally recognized curation facilities in California and Nevada, and develop a timeline for artifact processing, analysis, and transference to the appropriate curation facilities;

- N. Address methods for avoidance and protection measures that include flagging tape, physical barriers, such as environmental fencing, on site Native American monitoring, and pre-construction meetings for cultural resource protection and PA stipulations;
- O. If long term physical or administrative protection measures are recommended, proposals must include justification and Undertaking specifications.

III. POSSIBLE MITIGATION OPTIONS

Mitigation measures for specific historic properties identified according to the terms of this PA will be developed in a HPTP once a cultural resources inventory has been finalized, resources have been evaluated, and project related affects have been assessed. However, preliminary inventory efforts for the Undertaking have identified various categories of cultural resources, as yet unevaluated for NRHP significance, which may be adversely affected. Final mitigation measures will be developed in consultation with the appropriate parties, and will vary depending on the type of resource involved and anticipated project impacts. However, there are several types of mitigation measures that may be employed to minimize impacts. These are outlined here, as guidelines for developing a formal HPTP.

As summarized in the Draft Environmental Impact Statement for the DesertXpress High-Speed Passenger Train project, identified cultural resources include both prehistoric and historical archaeological resources. Categories of prehistoric archaeological resources include quarries, lithic scatters, pottery scatters, isolated features like hearths and roasting pits, isolated milling features, habitation sites, trails, rock art (petroglyphs), rock alignments, and burials. Categories of historical archaeological resources include transmission lines, fence lines, roads, railroad lines and railroad berms, rock cairns and other markers, refuse deposits, habitation/homestead sites, town sites, mines and mining-related features, agricultural and ranching features, and rock alignments.

Possible measures that may be developed as part of the HPTP to avoid, minimize, or mitigate potential impacts to cultural resources identified as historic properties include:

- A. *Avoidance*. Given the phased approach for the Section 106 process, the construction of the project will require appropriate planning and implementation to avoid historic properties that are identified after construction has started where possible through alteration of design and construction planning. However, prior to construction, FRA, BLM or other interested state or federal agencies shall consult with DesertXpress Enterprises and federally recognized tribes where appropriate, to determine if there are means to avoid or minimize any adverse effects that the preferred alternative will have on historic properties prior to preparing Finding of Effect documents.
 - *Avoidance* would be an appropriate mitigation measure for most historic properties in any of the resource categories. However, while not always possible, avoidance would be the preferred measure for sacred sites or resources that have high significance and are best preserved in place. These include:
 - Rock art sites
 - Prehistoric rock alignments
 - Native American burial sites
 - Any resources that are best preserved in place.

- B. *Construction Monitoring*. Portions of the APE, including both areas with identified archaeological sites as well as areas that do not have recorded sites, have the potential for buried resources. While most categories of archaeological resources may have subsurface components, more complex site types, such as prehistoric and historical habitation sites, sites containing features, town sites, and burial sites, likely have greater sensitivity or greater potential to contain significant buried deposits.

During construction, DesertXpress shall ensure that archaeological monitors and Native American monitors designated in consultation with the Consulting tribes will be present in those areas that are identified as moderately to highly sensitive for prehistoric and historical archaeological deposits. Upon discovery of buried resources, those resources will be evaluated by qualified personnel and suitable treatment measures will be developed. Qualifications for archaeological personnel will follow Stipulation IV.A of this PA. If human remains are found during monitoring, provisions outlines in Stipulation II.G of this PA will be followed.

- *Construction Monitoring* may be appropriate for historic properties in any of the resource categories.

- C. *Other Protective Measures*. Where appropriate, impacts to historic properties may be minimized through other protective measures, both during and after construction activities. These measures may include the erection of temporary fencing or other barriers to limit access to sensitive resources or to protect resources from construction-related activities; cultural resources sensitivity training for project-related personnel; stabilization and erosion control, such as non-mechanical reseeded of significant deposits that might be affected by project-induced erosion; or other measures as appropriate. These measures may be used in conjunction with other mitigation options as described in paragraphs A, B, D, and E of this section.

- *Other Protective Measures* may be appropriate for historic properties in any of the resource categories.

- D. *Detailed Recording*. Many of the archaeological resource categories that may be impacted by the project involve artifacts or features that are restricted to the surface. In some situations, particularly in areas where geological conditions are not amenable to natural burial (as on desert pavement or deflated surfaces, for example), it may be clear that these resources do not have a subsurface component. In these cases, detailed recording on appropriate site record forms provides a means to gather and record data that conveys the important characteristics of the resources. This may include the collecting of time-sensitive, diagnostic, or other important artifacts that will be affected by the project. Following detailed recording, additional mitigation measures may not be necessary, though this will have to be established based on the specific characteristics of each resource.

Several sources of guidance are available for dealing with some of these resource categories and have been approved for the project. As described in Stipulation III.C.3 of this PA, for the portions of the Undertaking within California, the California Archaeological Resource Identification and Data Acquisition Program: Sparse Lithic Scatters (CARIDAP) (Jackson et al. 1988) will be used for recording lithic scatters and no further measures will be required. In addition, following the direction of the BLM, the Nevada Protocol between BLM and SHPO will be used as guidance for evaluation and treatment of certain categories of resources in both California and Nevada. According to the Nevada Protocol (BLM 1999), certain types of sites are categorically not eligible. These include isolated artifacts or pieces from a single broken artifact; isolated or unassociated features that cannot be dated and have no potential to provide additional data; historic artifact scatters that cannot be associated with a specific historic theme; and linear resources such as roads, trails, water conveyance systems, fence lines, and transmission lines that cannot be dated, lack unique engineered features, have been bladed or otherwise improved, and

cannot be associated with a specific historic theme. In many cases, archaeological resources subject to the terms of these guidelines likely will not be identified as historic properties, and their treatment will not be addressed in the HPTP.

- *Detailed Recording* as a mitigation measure likely would be most appropriate in situations where historic properties may require excavation and where detailed recording could be sufficient for documenting the full National Register values of the property. These may include:
 - Quarries
 - Lithic and other artifact scatters
 - Prehistoric trails
 - Transmission lines
 - Fence lines
 - Roads
 - Railroad lines and railroad berms
 - Historic rock cairns and other markers
 - Historic refuse deposits

E. *Archaeological Data Recovery Excavation*. In cases where adverse effects to archaeological sites containing buried deposits cannot be avoided, data recovery excavation will be employed. The HPTP will discuss appropriate field methodologies, procedures for analysis, and reporting and curation requirements for the data recovery program, and will follow procedures as described in Stipulation II.E of this PA and Section II of Appendix D. Qualifications for archaeological personnel will follow Stipulation IV.A of this PA. DesertXpress Enterprises shall ensure a Native American monitor designated by the Consulting Tribes will be present during excavation. If human remains are found during excavation, provisions outlined in Stipulation II.G of this PA will be followed. Following data recovery excavation, construction monitoring or other measures, as described above, may be employed in sensitive areas or areas where unidentified buried deposits may occur.

- In most cases, *Archaeological Data Recovery Excavation* would be appropriate for historic properties in the following categories:
 - Prehistoric habitation sites
 - Historic town sites
 - Historic habitation/homestead sites
 - Native American burial sites that cannot be avoided
 - Any properties that have buried components

Attachment E. Outline for NAGPRA Plan of Action

I. GENERAL

- A. The purpose of the Native American Graves Protection and Repatriation Act (NAGPRA) Plan of Action (POA) for the DesertXpress project will be to ensure that the appropriate Native American and federal agency consulting parties have been identified.
- B. The NAGPRA POA will apply to human remains and other objects (defined below) that fall under the provisions of NAGPRA, and which are found on federal land. The NAGPRA POA will conform with 43 CFR § 10.5 of the NAGPRA, which pertains to Native American consultation and the development of comprehensive agreements. Human remains found on non-tribal or non-federal land will be treated in accordance with appropriate state laws.
- C. The POA will be developed in consultation with the Consulting Tribes and will conform to Stipulation III.G of this PA.

II. STANDARDS FOR THE POA

Pursuant to 43 CFR § 10.5(e), the POA shall include, at a minimum:

- A. *A definition of the kinds of objects that fall under the provisions of NAGPRA.* As defined at 43 CFR § 10.2(d), these are:
 - 1. Human remains of Native American origin.
 - 2. Associated funerary objects, which are objects intentionally placed with human remains and still physically associated with such remains. The location of objects within grave fill or in immediate proximity to human remains shall be understood to indicate intentional placement with human remains.
 - 3. Unassociated funerary objects, which are objects intentionally placed with human remains but whose physical association has been lost, typically through ground-disturbing processes such as vandalism, erosion, rodent activity, construction, or farming and ranching.
 - 4. Sacred objects, which are items identified by Native American religious leaders as necessary in the practice of traditional tribal religious ceremonies.
 - 5. Objects of cultural patrimony, which are items having ongoing historical, traditional, or cultural importance central to the affiliated tribe, as distinct from items that could be owned and alienated by individual tribal members.
- B. *Information and procedures that will be used to determine custody of NAGPRA items encountered as a result of the DesertXpress project on federal lands.* This is especially necessary given the large geographical scale of the project and the involvement of multiple Native American tribes. Following guidance at 43 CFR § 10.6(a), custody is determined in the order required in NAGPRA (see below). Final details will be developed in the POA, as develop by FRA, BLM, and in consultation with the appropriate federally recognized Native American tribes.
 - 1. *A lineal descendent of the deceased individual* is an individual tracing his or her ancestry directly and without interruption by means of the traditional kinship system of the appropriate Indian tribe.
 - 2. Where a lineal descendent cannot be ascertained or no claim is made, custody will go to the *Indian tribe on whose tribal land* the NAGPRA items were discovered. This provision is not applicable to the DesertXpress project, since no portions of the project occur on tribal land.

3. On federal non-tribal lands, *cultural affiliation* will be determined pursuant to §10.14(c). Cultural affiliation means a relationship of shared group identity that may be reasonably traced historically or prehistorically between a present-day Indian tribe and an identifiable earlier group. NAGPRA regulations provide guidance for determining cultural affiliation.
- C. *Protocols for the treatment, care, and handling of NAGPRA item.* These will include procedures for the intentional excavation of NAGPRA items (following regulations at 43 CFR § 10.3), as well as procedures for inadvertent discoveries during construction or other activities (43 CFR § 10.4). The treatment, care, and handling of recovered NAGPRA items will be carried out in a respectful manner, and shall follow the following procedures:
1. If human remains or other NAGPRA items are discovered intentionally or inadvertently during archaeological excavation or construction, all ground-disturbing activities within 50 feet (15 meters) of the discovery shall cease.
 2. Archaeological work on that portion of the site containing the NAGPRA items will continue to the point that the items are stabilized and the nature and extent of the items can be determined, while leaving any items in place and protected. This may include full exposure and recording of the items, as described in Section D below.
 3. Until custody is determined, and where possible, NAGPRA items will be left in place during the notification period described in the following item. The appropriate agency will establish adequate measures to safeguard the site. If it is necessary to remove the NAGPRA items from the site, they will be held at a secure facility until the NAGPRA process has been completed.
 4. Once NAGPRA items are identified, the archaeological contractor or project personnel shall contact FRA and BLM verbally within one (1) business day, followed by written notification within three (3) business days. The federal land owner will conduct the NAGPRA process.
 5. If possible, NAGPRA items found through intentional or inadvertent discovery will be avoided and left in place. If the NAGPRA items are in no danger of impact, the location will be documented and the items protected, as necessary. If NAGPRA items are discovered within the construction zone and cannot be preserved in place, those items will be removed after notification of the appropriate federal land owner. Standard archaeological methods will be employed during removal, as described below.
- D. *Protocols for archaeological recording and analysis of NAGPRA items.*
1. Intentionally or inadvertently discovered NAGPRA items will be recorded at a descriptive, noninvasive level including measurements, type, and morphology. Non-destructive visual inspection of human remains may include determinations of age, sex, and cultural affiliation. Standard archaeological techniques will be used to document the details of the finds and their archaeological context. The NAGPRA items will be both sketched and photographed in place in the event that it becomes necessary to remove them from the site. To the extent possible, such documentation and recording shall be performed without dislodging the NAGPRA items. Locational information, as determined through sub-meter GPS, shall be collected and provided to FRA and BLM.
 2. During the discovery and notification period, analysis of discovered NAGPRA items will consist of non-destructive, in-field visual analysis, as described above. If cultural affiliation cannot be determined for NAGPRA items, particularly human remains, it may be necessary to conduct more in-depth analysis to assist in determining cultural affiliation. Other forms of possible post-recovery analysis will be developed by federal agencies in consultation with local federally recognized tribes.

E. Steps to be followed in contacting the appropriate tribe upon discovery of NAGPRA items, including the identification of an official point of contact for each tribe.

1. Procedures for identifying the appropriate tribe(s) and points of contact within tribes shall be developed through consultation during the development of the POA. In the absence of such procedures, all federally recognized potentially affiliated Native American tribes shall be contacted upon discovery of NAGRA items.

F. Nature of the reports to be prepared.

1. For NAGPRA items discovered during archaeological excavation, the results of the NAGPRA investigations shall be incorporated into the overall excavation report as a detachable, confidential appendix.
2. For NAGPRA items discovered during construction, the results of the NAGPRA investigations shall be incorporated into the overall monitoring report as a detachable, confidential appendix.
3. In either case, site maps within the body of the reports will identify all features, including those features containing discovered NAGPRA items.

G. The planned disposition of human remains and other NAGPRA items. Procedures will follow 43 CFR § 10.6, which pertains to transference of custody from the federal agency to the tribe.

Where possible, attempts will be made to avoid impacts to discovered NAGPRA items and leave them in place. NAGPRA items left in place shall remain in the custody of the land-managing agency and will not be repatriated. In the event that discovered NAGPRA items must be removed, the federal land manager upon whose land the materials were located will follow the NAGPRA process to determine, in consultation with appropriate federally recognized tribes, pursuant to 43 CFR §10.6 (and as described above), which, if any, Native American tribe is affiliated with the materials. The federal agency will issue required public notification of transfer of custody and, barring counter claims by other tribes, will transfer the materials to the federally recognized affiliated tribe if they so desire.