

Wayland, Joshua

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Sent: Monday, November 23, 2020 7:41 PM
To: Tabachnick, Alan
Cc: Floyd, Kathryn K.; mmckee@7county.utah.gov; mikenna.wolff@icf.com; Wayland, Joshua
Subject: Coalition Comments on Section 106 Technical Memorandum
Attachments: Coalition Comments on 106 Tech Memo(50523552.1).pdf

Good evening Alan,

Please find attached the comments of the Seven Country Infrastructure Coalition on the draft Section 106 Technical Memorandum.

Best,

Maggie

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November 23, 2020

Mr. Alan Tabachnick
Historic Preservation Specialist
Office of Environmental Analysis
Surface Transportation Board
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Alan.tabachnick@stb.gov

Re: Uinta Basin Railway Project Section 106 Technical Memorandum

Mr. Tabachnick,

Thank you for providing a copy of the draft Section 106 Technical Memorandum for the proposed Uinta Basin Railway to the Consulting Parties for review and comment. The draft Technical Memorandum presents a thorough analysis of historic property eligibility and effects, and the Seven County Infrastructure Coalition appreciates the time and effort has gone into preparing this document. The Coalition's comments are provided below.

The draft Technical Memorandum explains that it presents Phase 1 of OEA's phased identification process. This Phase 1 includes OEA's preliminary eligibility determinations and assessment of effects. Based on the analysis presented in the draft Technical Memorandum, OEA concludes that the project will have an adverse effect on all identified historic properties in the Area of Potential Effects (APE).

We agree with OEA that the Technical Memorandum presents preliminary findings as part of the Phase 1 identification process. These findings will therefore be revisited during Phase 2, implementation of the final Programmatic Agreement, and could change. To provide greater clarity to readers, the Coalition suggests that this process be plainly explained in the final Technical Memorandum, with a greater emphasis on the preliminary nature of the Phase 1 findings that will be reevaluated during Phase 2, which includes final identification of historic properties, final determinations of effects, and resolution of adverse effects.

The following points would also provide greater clarity to readers in the final Technical Memorandum:

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- Final determination of adverse effects will be highly dependent on selected project design, characteristics of individual historic properties, and final evaluation of efforts to avoid and minimize impacts to cultural properties.
- OEA's assumptions regarding when adverse effects would occur are also preliminary and could change as additional information is received.
- The draft utilizes legal boundaries of historic properties as part of its analysis. Final boundaries for some properties may differ from legal property boundaries as further analysis occurs. Thus, the preliminary determination of adverse effects based on legal property boundaries could change during Phase 2.
- OEA may ultimately conclude that the project will impact only non-contributing portions of a property and that therefore there is no adverse effect to that historic property.

* * *

Again, the Coalition thanks you for your hard work on developing the Technical Memorandum, and it appreciates the opportunity to review and provide comments on the draft. Please let me know if you have any questions or if you would like clarification on any of the Coalition's comments.

Sincerely,



Kathryn K. Floyd

cc: Joshua Wayland, STB (joshua.wayland@stb.gov)
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