

From: [Steve Cheney](#)
To: [Buckley, Maggie](#); [Kevin Rice](#)
Cc: [Phoebus, Elizabeth \(Betsi\)](#); [Assenza, Adam](#)
Subject: RE: Work Plan - MOU
Date: Thursday, February 17, 2022 11:06:21 AM
Attachments: [image002.png](#)
[image003.png](#)

Maggie – Kevin and I really could have used this information several weeks ago, going forward, it will be critical that we receive all available information so that we can make informed decisions about this project with Jacobs and the STB. If there are any other key documents or communications that Kevin and I might not be aware of, please let us know what these items might be and provide this information as soon as possible. Thank you for your help.



Steve Cheney

Director of Design & Environmental
 Ph: 402.544.3227 | Cell: 402.238.8981 | Fax: 402.501.0478
scheney@up.com www.uprr.com
 Union Pacific Railroad | 1400 Douglas St, Stop 0910 | Omaha, NE 68179

From: Buckley, Maggie <Maggie.Buckley@jacobs.com>
Sent: Thursday, February 17, 2022 9:45 AM
To: Kevin Rice <kprice@up.com>
Cc: Phoebus, Elizabeth (Betsi) <Betsi.Phoebus@jacobs.com>; Adam.Assenza@stb.gov; Steve Cheney <SLCHENEY@up.com>
Subject: RE: Work Plan - MOU

*** PROCEED WITH CAUTION - This email was sent from outside the Company ***

Good morning Kevin,

Yes, we do have a work plan – please see attached. I’ve also attached the email approval from Jeremy Berman.

Thank you,

Maggie Buckley
 O: 425.233.3117
 M: 206.949.5955

From: Kevin Rice <kprice@up.com>
Sent: Thursday, February 17, 2022 7:26 AM
To: Buckley, Maggie <Maggie.Buckley@jacobs.com>
Cc: Phoebus, Elizabeth (Betsi) <Betsi.Phoebus@jacobs.com>; Adam.Assenza@stb.gov; Steve Cheney <SLCHENEY@up.com>
Subject: [EXTERNAL] Work Plan - MOU

Maggie:

In preparation for our meeting tomorrow, Steve and I were reviewing the MOU between UP, STB and Jacobs. In there, it references a Work Plan. I don’t recall if one was ever developed (and don’t see it in my records, but I might just be missing it). If one was developed, can you please send it over to us? If one wasn’t developed, we would make that a focus of the meeting tomorrow to get that going with regards to the tasks and the schedule for the tasks.

Thanks!

VII. Work Plan

A. The Contractor, in consultation with OEA and the Petitioner, shall submit a draft Work Plan to OEA for preparing the required environmental documentation within 10 business days after all parties have signed this MOU. The draft Work Plan shall contain at least the following elements:

- (1) A description of all work to be performed (including preparing and sending any consultation letters; participating in public and agency meetings; outlining and drafting environmental documents; reviewing, analyzing, and summarizing public comments, conducting analyses, etc.);
- (2) The projected schedule for completing the various tasks described;
- (3) Identification of the Contractor's staff members who will be responsible for preparing, analyzing, and reviewing the work; and
- (4) An outline of the environmental analysis.

Kevin Rice, PE
Sr. Manager M/W Environmental
Union Pacific Railroad
(402) 544-2213

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SURFACE TRANSPORTATION BOARD
Washington, DC 20423
Office of Environmental Analysis

August 20, 2021

Jeremy M. Berman
Union Pacific Railroad Company
1400 Douglass Street, 15th Floor
Omaha, Nebraska 68179

Re: Docket No. FD 36501, Union Pacific Railroad Company – Construction and
Operation Exemption – in Maricopa County, AZ – Work Plan

Dear Mr. Berman:

This work plan describes the Contractor's (Jacobs Engineering Group Inc. [Jacobs]) approach to assisting in the preparation of required environmental documentation on behalf of the Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) in support of the Board's consideration of a proposal by the Union Pacific Railroad (UPRR) to construct and operate a new industrial lead rail line in Maricopa County, Arizona.

1. WORK TO BE PERFORMED

1.1 Prepare Environmental Assessment

UPRR intends to request authorization from the Board to construct and operate a new industrial lead rail line under Section 10901 of Title 49 of the *United States Code* (49 U.S.C. § 10901). Jacobs will assist OEA in the preparation of an environmental assessment (EA) consistent with the National Environmental Policy Act (42 U.S.C. §§ 4331-4335) and the Board's environmental rules (49 C.F.R. § 1105.6(b)4). EA preparation will consist of the following major activities:

- Initiate project
 - Collect existing background information (e.g., spatial data, local plans and policies) and new information essential to the impact analysis (e.g., fieldwork)
 - Develop list of agency contacts
 - Identify any potential cooperating and participating agencies
 - Solicit agency input and review with OEA for consideration in EA analyses
- Develop purpose and need statement for the project
 - Request relevant information from UPRR
 - Review draft with OEA
 - Revise based on OEA comments
- Describe the project and define the range of alternatives to be evaluated, including the No Action Alternative to serve as a baseline for comparison
 - Request relevant information from UPRR through OEA

- Review draft with OEA
 - Revise based on OEA comments
- Determine the need for and prepare technical documentation in support of the EA, including but not limited to the following disciplines, based upon the results of agency input: cultural resources, endangered species, traffic, air quality, and noise and vibration
 - Request relevant data needs from UPRR through OEA
 - Review draft with OEA
 - Revise based on OEA comments
 - Initiate Section 106 and Section 7 consultation
- Prepare draft EA
 - Review draft EA sections with OEA
 - Revise based on OEA comments
- Publish draft EA
 - Prepare a draft Notice of Availability for OEA to publish in the Federal Register and local notification media, establishing a review period for accepting comments
 - Distribute digital and hard copies of draft EA
 - Collect and compile comments
- Prepare Final EA (addressing substantive comments that may have been received)
 - Review draft Final EA sections with OEA
 - Revise based on OEA comments
- Prepare a draft Notice of Availability for OEA to publish in the Federal Register and local media.

1.2 Prepare Section 106 Documentation

Jacobs will develop and propose an area of potential effects for review and approval by STB. Once the APE is approved by STB, cultural resources data gaps will be identified and a cultural resources report will be prepared to identify potentially present resources eligible for listing on the National Register of Historic Places under Section 106 of the National Historic Preservation Act, to evaluate potential effects of the project on those properties, to present treatment recommendations for those properties (as applicable), and to present recommendations for an agency determination of project effects. The findings of this report and concurrence of the State Historic Preservation Office will be incorporated into the draft and final EA. While formal tribal and agency Section 106 consultation will be conducted by STB, Jacobs will maintain a Section 106 correspondence log throughout the life of the project.

1.3 Prepare Endangered Species Act Documentation

Jacobs will compile a list of species protected under the Endangered Species Act that are potentially present in the project area with the potential to be affected by the project. The species list will be reviewed with OEA to determine the appropriate form of documentation. A biological evaluation or a biological assessment will be prepared for submittal to the U.S. Fish and Wildlife Service, if appropriate. The findings of this report and concurrence of the U.S. Fish and Wildlife Service will be incorporated into the draft and final EA.

1.4 Prepare Traffic, Air Quality, and Noise Documentation

Jacobs will conduct an analysis of the potential impacts of the project to rail and vehicular traffic during construction and operation of the new rail line, including recommended mitigation measures (if needed). The results of the traffic analysis will be used to conduct a noise and vibration impact screening and a particulate matter hot-spot analysis. The findings of each will be documented in technical memoranda and incorporated into the draft and final EA.

2. MILESTONE SCHEDULE

Task	End date ⁽¹⁾
Develop Purpose and Need Statement	October 2021
Describe Project and Define Range of Alternatives	November 2021
Solicit Agency Feedback	November 2021
Prepare Technical Documentation	February 2022
Prepare Draft Environmental Assessment	June 2022
Public and Agency Review	July 2022
Prepare Final Environmental Assessment	December 2022

Note:

⁽¹⁾ Assumes start date of August 30, 2021, following Board concurrence with work plan.

3. STAFFING PLAN

Role	Jacobs Staff Name
Project Manager	Maggie Buckley
Lead EA Author and Quality Control	Betsi Phoebus
EA Author and Quality Control	Beth Defend
EA Author/Support (if needed)	Julie Phillipon Lance Olenius David Van Gorder
Transportation (Rail)	Marina Nelson Jeremy Wyndham, PE, PTOE Marc Pearsall Jennifer Ryan, PE, PTOE
Transportation (Roadway)	Shanthi Krishnan, PE, PTOE, RSP1 Anil Mudigonda, PE, PTOE, RSP1 Joseph Davis, PE Isaiah Rubin, EIT
Air Quality and Climate Change	Joe D'Onofrio
Noise and Vibration	Joe D'Onofrio
Hazardous Materials	Liz Forbes
Biology and Endangered Species Act Compliance	Kay Nicholson Wanda Bruhns Samantha Vaughan

Role	Jacobs Staff Name
	Jill Harris
Water Resources	Sabra Bushey
Geology and Soils	Sabra Bushey
Land Use and Recreation	Nancy Shelton
Socioeconomics	Nancy Shelton
Visual Quality	Patricia Steinholtz
Environmental Justice	Nancy Shelton
Archaeological and Historic Resources and Section 106 Compliance	Glennnda Luhnnow Joanne Tactikos Mike Stubing Ned Tassinari
Agency Coordination	Betsi Phoebus
Public Involvement	Nancy Shelton Sabra Bushey Beth Defend
Graphics	Karen Rhea
Geographic Information Systems	Kyle Benne
Technical Editing	Jennifer Cyr

4. ENVIRONMENTAL ANALYSIS OUTLINE

The EA will use the following preliminary outline:

1. Introduction
 - 1.1 Project Location
 - 1.2 Purpose and Need for the Project
2. Proposed Action and Alternatives
 - 2.1 Alternatives Considered and Dismissed
 - 2.2 No-Action Alternative
 - 2.3 Proposed-Action Alternative
 - 2.4 Construction Methods and Process
3. Affected Environment and Environmental Effects
 - 3.1 Transportation and Safety
 - 3.2 Air Quality and Climate Change
 - 3.3 Noise and Vibration
 - 3.4 Hazardous Materials and Waste Sites
 - 3.5 Biological Resources (Wildlife, Fish, and Other Aquatic Species)
 - 3.6 Water Resources
 - 3.7 Geology and Soils
 - 3.8 Land Use and Recreation

- 3.9 Socioeconomics
 - 3.10 Visual Quality
 - 3.11 Environmental Justice
 - 3.12 Archaeological and Historic Resources
 - 3.13 Mitigation (If needed)
- 4. Coordination and Compliance
 - 4.1 Agency and Tribal Consultation
 - 4.2 Permits and Approvals
 - 4.3 Public Involvement
 - 4.4 List of Preparers
- 5. References

Assenza, Adam

From: Jeremy Berman <jmberman@up.com>
Sent: Monday, August 23, 2021 1:35 PM
To: Assenza, Adam
Cc: Buckley, Maggie; Gosselin, Danielle; Navecky, David; Tabachnick, Alan
Subject: [EXTERNAL] RE: FD 36501, UP - Jacobs Work Plan

Mr. Assenza,

The work plan looks good to UP. We have no edits.

Jeremy Berman

Union Pacific | Senior General Attorney | Law Department

P: 402-544-4735

jmberman@up.com

From: Assenza, Adam <Adam.Assenza@stb.gov>
Sent: Friday, August 20, 2021 5:09 PM
To: Jeremy Berman <jmberman@up.com>
Cc: Buckley, Maggie <Maggie.Buckley@jacobs.com>; Gosselin, Danielle <Danielle.Gosselin@stb.gov>; Navecky, David <David.Navecky@stb.gov>; Tabachnick, Alan <alan.tabachnick@stb.gov>
Subject: FD 36501, UP - Jacobs Work Plan

*** PROCEED WITH CAUTION - This email was sent from outside the Company ***

Hello Mr. Berman,

Jacobs has sent us their work plan and we've reviewed and edited as appropriate. Please find the attached work plan for your review.

Thank you,

ADAM ASSENZA

Environmental Protection Specialist (he/him)

Office of Environmental Analysis

Surface Transportation Board

P: 202-245-0301

E: Adam.Assenza@STB.gov

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