

From: Kevin Rice <kprice@up.com>
Sent: Tuesday, April 5, 2022 2:45 PM
To: Adam.Assenza@stb.gov
Cc: Buckley, Maggie <Maggie.Buckley@jacobs.com>; Phoebus, Elizabeth (Betsi) <Betsi.Phoebus@jacobs.com>; Tanya Spratt <TSPRATT@UP.COM>
Subject: [EXTERNAL] STB Letter Regarding Alignment Changes

Adam:

Please see attached letter outlining the reasons for the alignment changes from our 10% design to the current 30% design. In addition, it addresses the matter of staying within the UPRR ROW during construction and operation.

Please let me know if you need anything else related to this matter.

Thank you,

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

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April 5, 2022

Mr. Adam Assenza
Environmental Protection Specialist
Office of Environmental Analysis
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423

Re: STB Docket No. FD 36501, Union Pacific Railroad – Explanation of Design Changes and Clarification of Construction and Operation Activities with Respect to Adjacent Property

Dear Mr. Assenza:

With regards to the proposed construction of Pecos Industrial Rail Access and Train Extension Project (“PIRATE Project”), the Office of Environmental Analysis (OEA) has requested the Union Pacific Railroad (UPRR) provide an explanation for design changes made from the 10% conceptual level to the current 30% design as well as clarification of UPRR construction and operating activities as it relates to adjacent properties.

Alignment Changes from 10% Concept to 30% Design

There were two alignment changes from the 10% plans to the 30% plans, which shall be referred to as the “East Terminus” and “Hawes Road Spur” for purposes of this letter.

The East Terminus was an approximate 1800’ extension of the Pirate I/L track to the East, beyond the future connection point to CMC Steel, as shown below in the 10% plans, circled in blue:



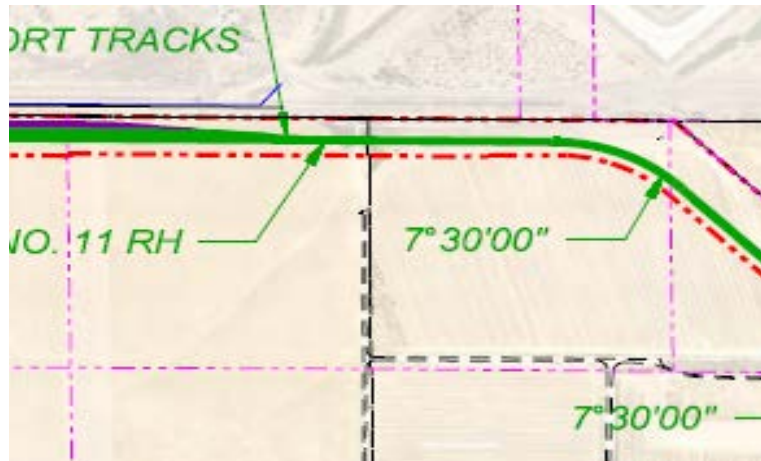
In the conceptual phase, the East Terminus was included in the design because it was thought that there could be a potential of serving additional customers to the East of CMC Steel. However, as design progressed, it was determined that industrial development was not likely East of N Moeur Rd in the short term, and therefore added no value to the project and was subsequently removed from the 30% plans as shown below:



Hawes Road Spur was requested to be included in the 10% Plans by the landowner to the South of the industrial lead alignment. It was a connection to a potential future development of the land, as shown below, circled in blue:



However, through communications with the landowner, it was determined that the future land development was not probable by the current landowner and therefore removed from the 30% plans. Any future development of this tract of land would be the designed, permitted and constructed by the landowner. The current 30% design depicts this area as shown below:

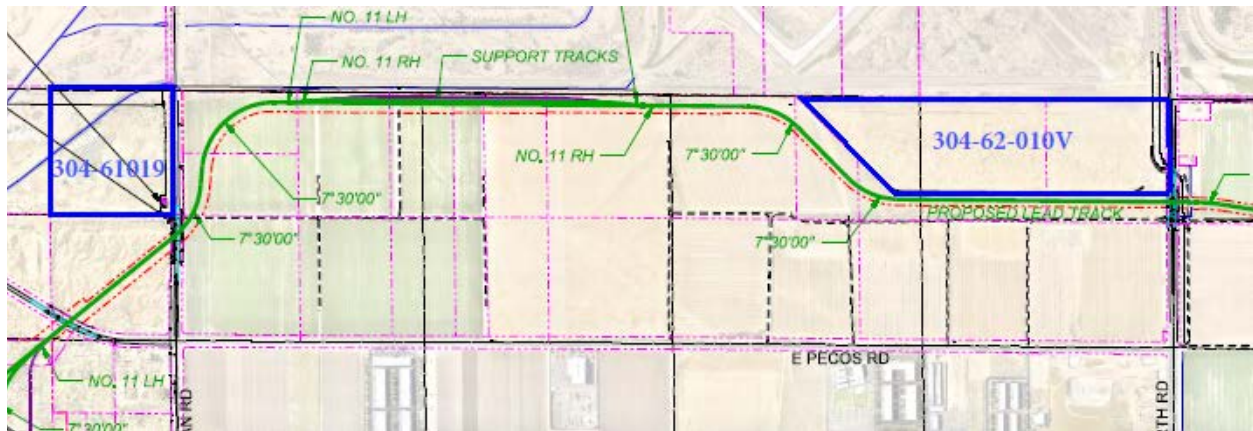


Construction or Operation Outside of UPRR ROW

As the OEA and Jacobs team continues to develop the Environmental Assessment (EA), they need to determine the Area of Potential Effects (APE) as a part of the Section 106 process. A question was posed regarding whether UPRR intends to have any construction or operating activities outside of the ROW or Temporary Construction Easements (TCEs), as shown on the current 30% plans. After careful consideration, UPRR has determined that no construction or operating activities shall be conducted outside of the ROW or TCEs.

Phoenix-Mesa Gateway Airport Authority and United States of America Property (Trust Land)

Both the Phoenix-Mesa Gateway Airport Authority (PMGAA) and the United States of America (USA) own property that abuts the ROW of the proposed PIRATE project. The PMGAA property in question is parcel #'s 304-62-010V. The USA property is parcel # 304-61019. See below for parcels highlighted in blue:



At no time during construction or operation of the proposed line will UPRR encroach on either of these properties.

Please let me know if there is any additional clarifications or information needed to assist in the continued development of the EA.

Sincerely,

Kevin Rice
Senior Manager M/W Environmental
Union Pacific Railroad