

**BUILDING AMERICA®**

May 17, 2023

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 –Two Un-surveyed Portions of APE

Dear Mr. Assenza:

As it relates to the PIRATE Industrial Lead project, with regards to the two un-surveyed areas depicted in the enclosed documents (titled Unsurveyed Not Acquired East v5.jpg & Unsurveyed Not Acquired West v5.jpg), "buffer areas", shown as highlighted in yellow and are not currently owned by Union Pacific Railroad (UPRR), UPRR will not:

- Acquire or attempt to acquire the buffer areas
- Acquire temporary construction easements on the buffer areas
- Perform any work in the buffer areas

If there is any additional information or clarification needed with regards to the buffer areas, please don't hesitate to contact me.

Sincerely,

Kevin Rice

Senior Manager M/W Environmental
Union Pacific Railroad