
Good day,

Thank you for your recent submission. Your file number is SPL-2022-00250 and it has been assigned to Alex Ryan.

A branch directory is attached.

Lisa Robinson
Regulatory Assistant
Regulatory Division, Arizona Branch
Phoenix, AZ
Los Angeles District, U.S. Army Corps of Engineers

📞 602.510.3996 Government Mobile
602.230.6958 Desk

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From: Luhnow, Glenda <Glenda.Luhnow@jacobs.com>

Sent: Friday, April 14, 2023 9:54 AM

To: Diebolt, Sarah (Sallie) CIV USARMY CESPL (USA) <Sallie.Diebolt@usace.army.mil>; Tabachnick, Alan <alan.tabachnick@stb.gov>

Cc: Assenza, Adam <adam.assenza@stb.gov>; Buckley, Maggie <Maggie.Buckley@jacobs.com>; McNeish, Sabra <Sabra.McNeish@jacobs.com>; Phoebus, Elizabeth (Betsi) <Betsi.Phoebus@jacobs.com>; Robinson, Lisa E CIV USARMY CESPL (USA) <Lisa.E.Robinson@usace.army.mil>

Subject: [URL Verdict: Neutral][Non-DoD Source] RE: SPL-2022-00250 (UPRR Pirate) UPRR PIRATE Continuing Section 106 Consultation and Survey Report Distribution

Dear Ms. Diebolt,

Good morning. This email is in follow up with communication regarding the Corps' participation in the Section 106 consultation process for Union Pacific Railroad (UP)'s PIRATE rail project, in Mesa, Maricopa County, Arizona. The Surface Transportation Board is the lead federal agency for this undertaking, and the Section 106 process is being conducted by the Board's Office of Environmental Analysis.

The Corps deferred participation in the Section 106 process for the project until UP's permit application was submitted. It is our understanding that the permit application was submitted to your office this week.

Has a Corps PM been assigned to the PIRATE project yet? We would like to initiate conversations with your PM regarding the Section 106 process when one has been assigned.

We appreciate any information you can provide. We are looking forward to working with your office on the PIRATE project.

Regards,
Glennnda Luhnnow

Glennnda Luhnnow, M.A., RPA | JACOBS | Manager/Archaeology and Cultural Resources |
C: 480-510-0830 | glennnda.luhnnow@jacobs.com
1501 West Fountainhead Parkway, Suite 401 | Tempe, Arizona 85282 | USA

From: Diebolt, Sarah (Sallie) CIV USARMY CESPL (USA) <Sallie.Diebolt@usace.army.mil>
Sent: Wednesday, October 19, 2022 9:26 AM
To: Luhnnow, Glennnda <Glennnda.Luhnnow@jacobs.com>; Tabachnick, Alan <alan.tabachnick@stb.gov>
Cc: Assenza, Adam <adam.assenza@stb.gov>; Buckley, Maggie <Maggie.Buckley@jacobs.com>; Bushey, Sabra <Sabra.Bushey@jacobs.com>; Phoebus, Elizabeth (Betsi) <Betsi.Phoebus@jacobs.com>; Robinson, Lisa E CIV USARMY CESPL (USA) <Lisa.E.Robinson@usace.army.mil>
Subject: [EXTERNAL] RE: SPL-2022-00250 (UPRR Pirate) UPRR PIRATE Continuing Section 106 Consultation and Survey Report Distribution

We have received Danielle Gosselin's letter dated October 18, 2022.

The Corps of Engineers Regulatory Branch does not have enough information to determine if we need to participate in 106 consultation for this project. The first step would be a jurisdictional determination to identify any waters of the United States within the project area.

If there are no jurisdictional waters present, then no Clean Water Act 404 permit would be required.

If a permit is required, the Corps would defer to the lead federal agency for the 106 consultation.

Until we are able to determine our involvement in the project, we will not be able to participate in the 106 MOA discussion.

Thank you.

Sallie Diebolt Branch Chief
Regulatory Division, Arizona Branch
Phoenix, AZ
Los Angeles District, U.S. Army Corps of Engineers

sallie.diebolt@usace.army.mil

Office: 602-230-6950

Government Mobile: 602-300-1761

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From: Diebolt, Sarah (Sallie) CIV USARMY CESPL (USA)

Sent: Tuesday, September 6, 2022 1:32 PM

To: 'Glennnda.Luhnow@jacobs.com' <Glennnda.Luhnow@jacobs.com>

Cc: Assenza, Adam <Adam.Assenza@stb.gov>; 'alan.tabachnick@stb.gov' <alan.tabachnick@stb.gov>; Buckley, Maggie <Maggie.Buckley@jacobs.com>; 'Sabra.Bushey@jacobs.com' <Sabra.Bushey@jacobs.com>; Phoebus, Elizabeth (Betsi) <Betsi.Phoebus@jacobs.com>; Robinson, Lisa E CIV USARMY CESPL (USA) <Lisa.E.Robinson@usace.army.mil>

Subject: RE: SPL-2022-00250 (UPRR Pirate) UPRR PIRATE Continuing Section 106 Consultation and Survey Report Distribution

Hello, we have received your correspondence regarding the APE for the subject project. At this point, the Arizona Regulatory Branch is unable to concur with the APE determination, however we usually defer such decisions to the lead federal agency.

The Regulatory process would involve determining any aquatic features that would be subject to the Corps' jurisdiction under Section 404 of the Clean Water Act and any permits that may be needed for discharges of fill material into those areas. In the absence of this information, we are not able to evaluate the APE for our agency action.

Please contact me with any questions or if you would like to discuss further.

Thank you.

Sallie Diebolt Branch Chief
Regulatory Division, Arizona Branch
Phoenix, AZ
Los Angeles District, U.S. Army Corps of Engineers
sallie.diebolt@usace.army.mil

Office: 602-230-6950

Government Mobile: 602-300-1761

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From: Luhnnow, Glennda <Glennda.Luhnnow@jacobs.com>
Sent: Thursday, September 1, 2022 1:48 PM
To: Robinson, Lisa E CIV USARMY CESPL (USA) <Lisa.E.Robinson@usace.army.mil>
Cc: Assenza, Adam <adam.assenza@stb.gov>; Tabachnick, Alan <alan.tabachnick@stb.gov>; Buckley, Maggie <Maggie.Buckley@jacobs.com>; Bushey, Sabra <Sabra.Bushey@jacobs.com>; Phoebus, Elizabeth (Betsi) <Betsi.Phoebus@jacobs.com>
Subject: [Non-DoD Source] UPRR PIRATE Continuing Section 106 Consultation and Survey Report Distribution

Dear Ms. Diebolt,

As stated in previous Section 106 consultation conducted under the National Historic Preservation Act, the Union Pacific Railroad Company intends to request authority from the Surface Transportation Board (Board) to construct and operate approximately six miles of new rail line in Maricopa County, Arizona (the proposed Pecos Industrial Rail Access and Train Extension [PIRATE] rail line).

With the attached letter, the Board's Office of Environmental Analysis (OEA) is continuing Section 106 consultation with your office and soliciting comments regarding revisions to the Area of Potential Effects for cultural resources, adequacy of a Class III survey report, National Register of Historic Places site eligibility, treatment recommendations, finding of adverse effect, and a Section 106 agreement document.

The Class III cultural resources survey report has been transmitted to you via File Transfer on behalf of OEA by Jacobs Engineering Group Inc, OEA's third-party contractor. The File Transfer document will be available for 15 days and will expire on September 15, 2022. If you are not able to access the document, or the link expires, please contact Glennda Luhnnow, Jacobs' cultural resources manager, at Glennda.Luhnnow@jacobs.com.

OEA requests your review and comment regarding the content of this letter by **Tuesday, October 4, 2022**. Please send your written comments electronically to Alan Tabachnick, OEA's Historic Preservation Specialist, at Alan.Tabachnick@stb.gov. If you have any questions or would like to discuss the proposed project in more detail, please contact Alan Tabachnick.

Thank you,
Glennda Luhnnow

Glennda Luhnnow, M.A., RPA | JACOBS | Manager/Archaeology and Cultural Resources |
C: 480-510-0830 | glennda.luhnnow@jacobs.com
1501 West Fountainhead Parkway, Suite 401 | Tempe, Arizona 85282 | USA

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