

From: Eiselt, Sunday <Sunday.Eiselt@srpmic-nsn.gov>
Sent: Thursday, June 15, 2023 10:30 AM
To: Luhnnow, Glennda; Bohnnee, Gary
Cc: Anton, Shane; Garcia-Lewis, Angela; Martinez, Martha; Buckley, Maggie; McNeish, Sabra; Powell, Kris; Phoebus, Elizabeth (Betsi)
Subject: [EXTERNAL] RE: UPRR PIRATE Continuing Section 106 Consultation: Government-to-Government Consultation
Attachments: SRPMIC THPO Response STB PIRATE TCP Consultation.pdf

Dear Glennda

Attached is the SRP-MIC response to the request for additional consultation on:

Docket No. FD 36501, Union Pacific Railroad Company – Construction and Operation Exemption – in Maricopa County, Ariz., Continuation of National Historic Preservation Act Section 106 Consultation and Request for Ongoing Government-to-Government Consultation on Traditional Cultural Places Identification and National Register of Historic Places Evaluation Study and Cultural Landscape Study

The SRP-MIC THPO has considered this request and agrees that a Government-to-Government meeting to discuss places of traditional religious and cultural importance is necessary. Please contact our office with proposed dates, time, and location for these additional consultation meetings.

Thank you

B. Sunday Eiselt Ph.D
 THPO Archaeologist
 Salt River Pima-Maricopa Indian Community
 10,005 E. Osborn Road
 Scottsdale, AZ 85256
Sunday.Eiselt@srpmic-nsn.gov
 Office: (480) 362 3347



From: Luhnnow, Glennda <Glennda.Luhnnow@jacobs.com>
Sent: Friday, June 2, 2023 10:45 AM
To: Bohnnee, Gary <Gary.Bohnee@SRPMIC-nsn.gov>
Cc: Anton, Shane <Shane.Anton@SRPMIC-nsn.gov>; Garcia-Lewis, Angela <Angela.Garcia-Lewis@SRPMIC-nsn.gov>; Martinez, Martha <Martha.Martinez@SRPMIC-nsn.gov>; Eiselt, Sunday <Sunday.Eiselt@srpmic-nsn.gov>; Buckley, Maggie <Maggie.Buckley@jacobs.com>; McNeish, Sabra <Sabra.McNeish@jacobs.com>; Powell, Kris

<Kris.Powell@jacobs.com>; Phoebus, Elizabeth (Betsi) <Betsi.Phoebus@jacobs.com>

Subject: UPRR PIRATE Continuing Section 106 Consultation: Government-to-Government Consultation

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Dear President Harvier,

As the Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) stated in previous Section 106 consultation conducted under the National Historic Preservation Act, on June 30, 2022, the Union Pacific Railroad Company (UP) filed a petition with the Board requesting authority 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).

OEA is currently conducting Government-to-Government consultation to identify any NRHP eligible properties of traditional religious and cultural importance to Native American Tribes in the APE and its vicinity. On May 26, 2023, OEA circulated a revised draft Memorandum of Agreement (MOA) to consulting parties for review. The revised draft MOA contains Stipulations to identify and evaluate specific historic properties or places within the project APE and vicinity that may have special importance to your Tribe. Accordingly, OEA requests a Government-to-Government meeting with your Tribe to discuss any concerns about the project and areas of traditional importance.

OEA appreciates your consideration to share any information you may wish to provide, and requests your response to the attached letter by July 1, 2023. We will continue to follow up with you after that date. Thank you for your continued participation in the Section 106 consultation for this project and we look forward to your response.

Regards,
Glennnda Luhnnow

Glennnda Luhnnow, M.A., RPA | JACOBS | Manager/Archaeology and Cultural Resources |
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Salt River
PIMA-MARICOPA INDIAN COMMUNITY
10,005 EAST OSBORN ROAD/SCOTTSDALE, ARIZONA 85256/ PHONE (480) 362-6325

Tribal Historic Preservation Office

TO: Danielle Gosselin
Director
Office of Environmental Analysis
Surface Transportation Board
Washington, DC 20423

DATE: 6/15/2023

FROM: Shane Anton, Tribal Historic Preservation Officer

RE: Docket No. FD 36501, Union Pacific Railroad Company – Construction and Operation Exemption – in Maricopa County, Ariz., Continuation of National Historic Preservation Act Section 106 Consultation and Request for Ongoing Government-to-Government Consultation on Traditional Cultural Places Identification and National Register of Historic Places Evaluation Study and Cultural Landscape Study

Dear Director Gosselin

The Salt River Pima-Maricopa Indian Community (SRP-MIC) Tribal Historic Preservation Office (THPO) has received your consultation documents dated June 2, 2023. On June 30, 2022, the Union Pacific Railroad Company (UP) filed a petition with the Surface Transportation Board (Board) pursuant to 49 U.S.C. § 10502 requesting authority to construct and operate approximately 6.0 miles of new rail line in Maricopa County, Arizona (the Pecos Industrial Rail Access and Train Extension [PIRATE] project) (see attached map). Before making its decision on whether to grant such authority, the Board must consider the potential environmental and historic impacts of the construction and operation of UP's proposed rail line, pursuant to the National Environmental Policy Act (42 U.S.C. §§ 4321-4370m-12), Section 106 of the National Historic Preservation Act (54 U.S.C. § 306108), the Board's environmental rules at 49 C.F.R. Part 1105, and related environmental laws. The Board continues to maintain a finding of adverse effect for this undertaking.

The Office of Environmental Analysis (OEA) is currently conducting Government-to-Government consultation to identify any NRHP eligible properties of traditional religious and cultural importance in the APE and its vicinity as per Stipulations set forth in the Memorandum of Agreement (MOA) for this project. OAE is requesting a Government-to-Government meeting to

discuss Traditional Cultural Places (TCPs) and National Register of Historic Places evaluation for historic properties that may have special importance to the Tribe.

The SRP-MIC THPO has considered this request and agrees that a Government-to-Government meeting to discuss places of traditional religious and cultural importance is necessary. Please contact our office with proposed dates, time, and location for these additional consultation meetings.

The proposed project area is within the ancestral lands of the Four Southern Tribes (Gila River Indian Community; Salt River Pima-Maricopa Indian Community; *Ak-Chin* Indian Community and the *Tohono O'Odham* Nation). The SRPMIC-THPO will continue to participate in this undertaking.

Thank you for consulting with the SRP-MIC THPO. Should you have questions and/or concerns about this project, please contact me directly at (480) 362-6331.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Anton', with a stylized flourish at the end.

Shane Anton, Tribal Historic Preservation Officer
Cultural Resources Department, SRPMIC
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