
From: Kevin Rice <kprice@up.com>
Sent: Monday, August 14, 2023 3:08 PM
To: Buckley, Maggie; Tabachnick, Alan
Cc: Assenza, Adam; Luhnnow, Glennda; Powell, Kris; Tanya Spratt; James Boles; Phoebus, Elizabeth (Betsi)
Subject: [EXTERNAL] RE: PIRATE - urgent - cultural resources damage assessment

Maggie,

I will forward the invite to them.

Thank you,

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

From: Buckley, Maggie <Maggie.Buckley@jacobs.com>
Sent: Monday, August 14, 2023 5:04 PM
To: Kevin Rice <kprice@up.com>; Tabachnick, Alan <alan.tabachnick@stb.gov>
Cc: Assenza, Adam <adam.assenza@stb.gov>; Luhnnow, Glennda <Glennda.Luhnnow@jacobs.com>; Powell, Kris <Kris.Powell@jacobs.com>; Tanya Spratt <TSPRATT@UP.COM>; James Boles <jbboles@up.com>; Phoebus, Elizabeth (Betsi) <Betsi.Phoebus@jacobs.com>
Subject: RE: PIRATE - urgent - cultural resources damage assessment

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

Kevin,

Our team on-site today met two UP representatives: Ben (local construction supervisor) and Ray (regional/west construction supervisor). Are they available to join the site visit and meeting on Thursday in order to get everyone on the same page? If so, please forward the meeting invite to them.

Thank you,

Maggie Buckley
O: 509.233.3117
M: 206.949.5955

From: Buckley, Maggie
Sent: Monday, August 14, 2023 12:18 PM
To: Kevin Rice <kprice@up.com>; Tabachnick, Alan <alan.tabachnick@stb.gov>
Cc: Assenza, Adam <adam.assenza@stb.gov>; Luhnnow, Glennda <Glennda.Luhnnow@jacobs.com>; Powell, Kris <Kris.Powell@jacobs.com>; Tanya Spratt <TSPRATT@UP.COM>; James Boles <jbboles@up.com>; Phoebus, Elizabeth

(Betsi) <Betsi.Phoebus@jacobs.com>

Subject: RE: PIRATE - urgent - cultural resources damage assessment

Kevin,

Is it feasible for the contractor to begin installing the orange construction fencing while the survey staking is in progress (following behind them as staking is completed)? Or does the staking have to be fully completed (~4 weeks out) prior to beginning installation of the fence?

Thank you,

Maggie Buckley

O: 509.233.3117

M: 206.949.5955

From: Kevin Rice <kprice@up.com>

Sent: Friday, August 11, 2023 2:11 PM

To: Buckley, Maggie <Maggie.Buckley@jacobs.com>; Tabachnick, Alan <alan.tabachnick@stb.gov>

Cc: Assenza, Adam <adam.assenza@stb.gov>; Luhnnow, Glennda <Glennda.Luhnnow@jacobs.com>; Powell, Kris <Kris.Powell@jacobs.com>; Tanya Spratt <TSPRATT@UP.COM>; James Boles <jbboles@up.com>; Phoebus, Elizabeth (Betsi) <Betsi.Phoebus@jacobs.com>

Subject: [EXTERNAL] RE: PIRATE - urgent - cultural resources damage assessment

Alan and Maggie:

I just got word from our Real Estate department that the survey staking will be starting early next week and will take approximately 4 weeks to complete.

This survey will allow us to install the orange construction fencing at the correct location. Just wanted you to be aware that they will be out there working starting next week. Otak is the company that will be completing the survey.

Let me know if you have any questions.

Kevin Rice, PE

Sr. Manager M/W Environmental

Union Pacific Railroad

(402) 544-2213

From: Kevin Rice

Sent: Friday, August 11, 2023 3:39 PM

To: Buckley, Maggie <Maggie.Buckley@jacobs.com>; Tabachnick, Alan <alan.tabachnick@stb.gov>

Cc: Assenza, Adam <adam.assenza@stb.gov>; Luhnnow, Glennda <Glennda.Luhnnow@jacobs.com>; Powell, Kris <Kris.Powell@jacobs.com>; Tanya Spratt <TSPRATT@UP.COM>; James Boles <jbboles@up.com>; Phoebus, Elizabeth (Betsi) <Betsi.Phoebus@jacobs.com>

Subject: RE: PIRATE - urgent - cultural resources damage assessment

Alan & Maggie:

Please see plan set provided by our design dept that we will use to get a fence contractor on-board to construct the entirety of the fencing on the UPRR ROW.

We understand that we need to get the phase 1 fencing (as shown in the kmz you provided) in ASAP and that is our focus right now. We will do that with a maintenance contractor as opposed to the 'phase 2' fencing (the rest of the ROW) which will be done by a fence contractor.

Note that sign spacing shown on the plans is not what I have been hearing from the STB in terms of spacing. For the sake of time, I am just providing the plan as is, and you can provide feedback for the number and spacing of the signs in the different locations and we can update the plan to reflect that.

Please provide your feedback as soon as possible and we will get the plans revised and get a contractor on board to do the work.

Thank you,

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

From: Phoebus, Elizabeth (Betsi) <Betsi.Phoebus@jacobs.com>
Sent: Thursday, August 10, 2023 4:49 PM
To: Buckley, Maggie <Maggie.Buckley@jacobs.com>; Kevin Rice <kprice@up.com>
Cc: Tabachnick, Alan <alan.tabachnick@stb.gov>; Assenza, Adam <adam.assenza@stb.gov>; Luhnnow, Glennda <Glennda.Luhnnow@jacobs.com>; Powell, Kris <Kris.Powell@jacobs.com>; Tanya Spratt <TSPRATT@UP.COM>; James Boles <jbboles@up.com>
Subject: RE: PIRATE - urgent - cultural resources damage assessment

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

Hi All – Please disregard the last email and refer to the revised table below (the stake quantity has been updated for the signs **REDACTED**)

Thank you, Betsi

From: Phoebus, Elizabeth (Betsi)
Sent: Thursday, August 10, 2023 2:42 PM
To: Buckley, Maggie <Maggie.Buckley@jacobs.com>; kprice <kprice@up.com>
Cc: Tabachnick, Alan <alan.tabachnick@stb.gov>; Assenza, Adam <adam.assenza@stb.gov>; Luhnnow, Glennda <Glennda.Luhnnow@jacobs.com>; Powell, Kris <Kris.Powell@jacobs.com>; Tanya Spratt <TSPRATT@UP.COM>; James Boles <jbboles@up.com>
Subject: RE: PIRATE - urgent - cultural resources damage assessment

Hi Kevin...

Maggie asked me to send you the quantities and location information for cultural resources protection around **REDACTED**. The attached kmz shows the areas that need to be fenced and/or signed as part of the PIRATE Phase I critical site protection. The kmz includes 5 layers: 1 layer that shows UP's R/W for reference and 4 layers showing the areas to be fenced and/or signed. Each layer includes explanatory notes and an estimate of the number of signs needed. The table below provides a summary of the quantities noted in the kmz.

Please let us know if you have questions at this time.

Thank you, Betsi

PIRATE - Phase I priority protection - CRITICAL LOCATIONS				
Location	Fencing (lf)	Signs	Stakes	Comments
Redacted				

From: Buckley, Maggie <Maggie.Buckley@jacobs.com>
Sent: Thursday, August 10, 2023 8:54 AM
To: kprice <kprice@up.com>; Phoebus, Elizabeth (Betsi) <Betsi.Phoebus@jacobs.com>
Cc: Tabachnick, Alan <alan.tabachnick@stb.gov>; Assenza, Adam <adam.assenza@stb.gov>; Luhnnow, Glennda <Glennda.Luhnnow@jacobs.com>; Powell, Kris <Kris.Powell@jacobs.com>; Tanya Spratt <TSPRATT@UP.COM>; James Boles <jbboles@up.com>
Subject: RE: PIRATE - urgent - cultural resources damage assessment

Thanks very much for clarifying, Kevin.

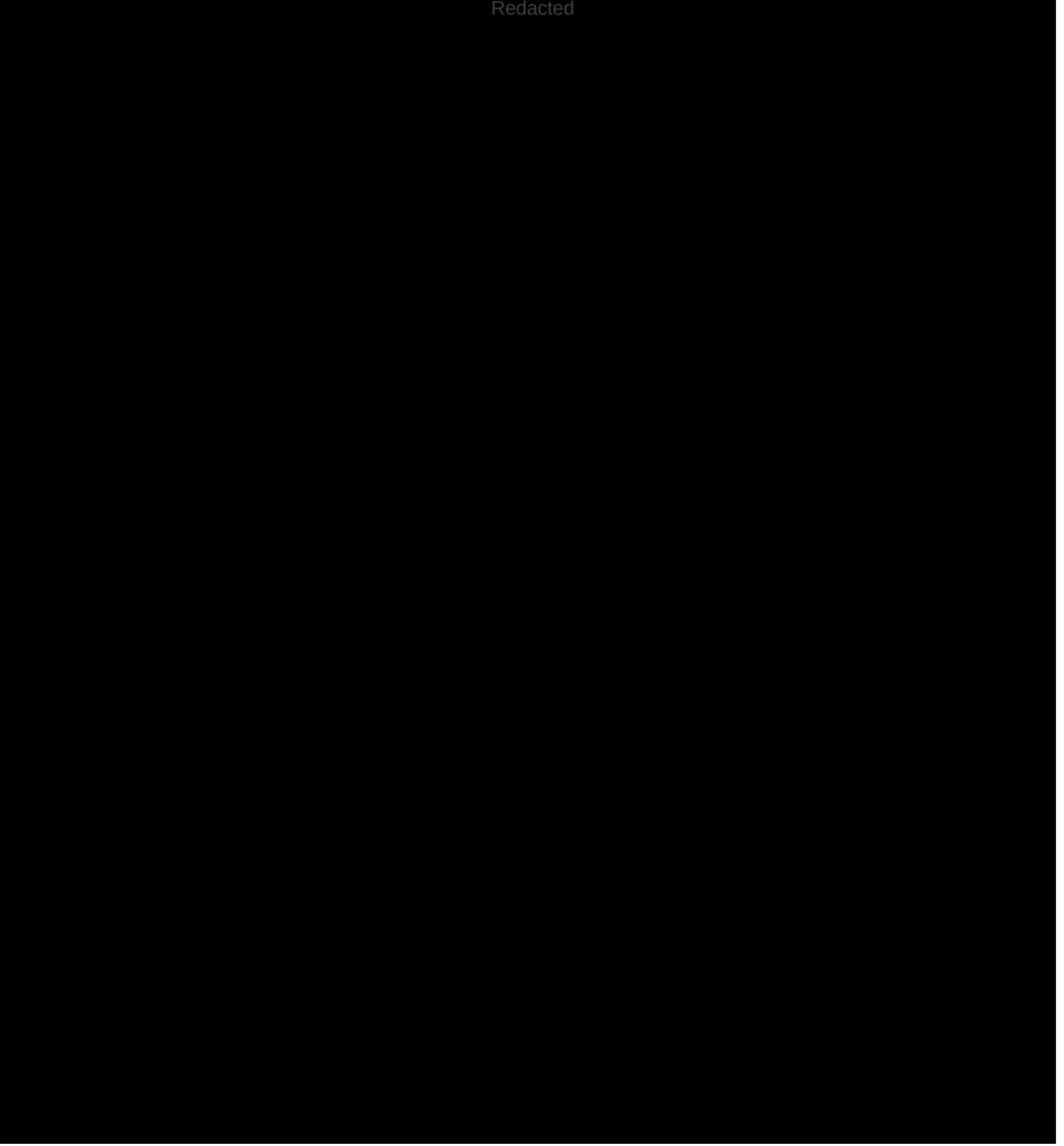
Maggie Buckley
O: 509.233.3117
M: 206.949.5955

From: Kevin Rice <kprice@up.com>
Sent: Thursday, August 10, 2023 8:35 AM
To: Buckley, Maggie <Maggie.Buckley@jacobs.com>; Phoebus, Elizabeth (Betsi) <Betsi.Phoebus@jacobs.com>
Cc: Tabachnick, Alan <alan.tabachnick@stb.gov>; Assenza, Adam <adam.assenza@stb.gov>; Luhnnow, Glennda <Glennda.Luhnnow@jacobs.com>; Powell, Kris <Kris.Powell@jacobs.com>; Tanya Spratt <TSPRATT@UP.COM>; James Boles <jbboles@up.com>
Subject: [EXTERNAL] RE: PIRATE - urgent - cultural resources damage assessment

Hi Maggie:

Sorry for the confusion, I was referring to it by the owner before Pecos Pacific. It is the development to the East side of the Wye. We noted a debris pile the appears to be on UPRR's side of the property.

Redacted





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

From: Buckley, Maggie <Maggie.Buckley@jacobs.com>
Sent: Thursday, August 10, 2023 9:39 AM
To: Kevin Rice <kprice@up.com>; Phoebus, Elizabeth (Betsi) <Betsi.Phoebus@jacobs.com>
Cc: Tabachnick, Alan <alan.tabachnick@stb.gov>; Assenza, Adam <adam.assenza@stb.gov>; Luhnnow, Glennda <Glennda.Luhnnow@jacobs.com>; Powell, Kris <Kris.Powell@jacobs.com>; Tanya Spratt <TSPRATT@UP.COM>; James Boles <jbboles@up.com>
Subject: RE: PIRATE - urgent - cultural resources damage assessment

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

Thank you Kevin. Can you please provide more information about Gilbert-Chandler Heights that you mention in Item 2c? This is not a development we were aware of. What is the location and nature of the development?

Maggie Buckley
O: 509.233.3117
M: 206.949.5955

From: Kevin Rice <kprice@up.com>
Sent: Wednesday, August 9, 2023 4:01 PM
To: Phoebus, Elizabeth (Betsi) <Betsi.Phoebus@jacobs.com>
Cc: Tabachnick, Alan <alan.tabachnick@stb.gov>; Assenza, Adam <adam.assenza@stb.gov>; Luhnnow, Glennda <Glennda.Luhnnow@jacobs.com>; Powell, Kris <Kris.Powell@jacobs.com>; Buckley, Maggie <Maggie.Buckley@jacobs.com>; Tanya Spratt <TSPRATT@UP.COM>; James Boles <jbboles@up.com>
Subject: [EXTERNAL] RE: PIRATE - urgent - cultural resources damage assessment

Betsi:

As directed, we are making progress on each of the items below. Here is the status for each item:

1. We have instructed the 3rd party landowners (Power Industrial & Greystar) **NOT** to touch the spoil piles in any way and the piles will remain on-site
2. Demobilization of material and equipment

- a. Power Industrial
 - i. They are ready to move equipment and material off [Redacted] immediately. Scheduled removal will start tomorrow, 8/10/2023 at 5am. Jacob's to meet on site
 - ii. Contact is **Tim Graves – phone # 314.941.0514**
 - iii. They are available to work from 5am to 3pm daily until the work is completed
 - iv. They are aware they must have a qualified archeologist present while doing the work
 - b. Greystar
 - i. No equipment is on-site according to Greystar
 - ii. There is a pile of gravel we believe is on their property. We are still investigating and will provide an update
 - c. Skybridge Property (just south of the airport fence-line near Support Yard) / Gilbert-Chandler Heights (East side of wye)
 - i. Potential encroachment on UPRR ROW
 - ii. UPRR is investigating and has contacted owners
 - iii. If encroachment confirmed, UPRR will coordinate removal with Jacob's archaeologist & provide update to STB
3. Protection of the Site
- a. Near Term Actions
 - i. Install 'No Trespassing' signs (see attachment for specification) [Redacted] **prior to 8/16/2023**
 1. UPRR is working to see if a local maintenance contractor can do this work
 2. UPRR is working to secure UPRR-specific signage, otherwise UPRR will utilize generic signage
 3. Jacobs is also researching the potential for sub-contracting a local contractor to perform the work prior to 8/16/23. Jacobs and UPRR will collaborate and determine which option will work best
 - ii. UPRR to provide a security service [Redacted]
 1. Security service would patrol the ROW and provide a daily report (form TBD)
 2. UPRR construction manager will check in bi-weekly on the ROW to ensure the security service is performing adequately
 - b. Long Term Actions
 - i. UPRR to install orange construction fencing and 'No-Trespassing' signs. Due to the size of the undertaking, it will take 30-45 days to begin fence installation
 1. Property survey to stake the location of the ROW (1-2 weeks)
 2. Procurement of the contractor and materials (3-4 weeks)
 3. Fence installation will include archaeological oversight by Jacobs
 4. Fence to be inspected and maintained on a regular basis
 - ii. Fence general specification
 1. *Temporary Fence: shall be a high visibility orange color, composite fence, a minimum of 42" high, supported and tightly secured to steel posts located on maximum 10' centers*
 2. Once specific material is identified, UPRR will submit to STB for approval

Let me know if you have any questions or need any additional information.

Thank you,

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

From: Phoebus, Elizabeth (Betsi) <Betsi.Phoebus@jacobs.com>
Sent: Monday, August 7, 2023 5:14 PM
To: Kevin Rice <kprice@up.com>
Cc: Tabachnick, Alan <alan.tabachnick@stb.gov>; Assenza, Adam <Adam.Assenza@stb.gov>; Luhnnow, Glennda <Glennda.Luhnnow@jacobs.com>; Powell, Kris <Kris.Powell@jacobs.com>; Buckley, Maggie <Maggie.Buckley@jacobs.com>
Subject: PIRATE - urgent - cultural resources damage assessment
Importance: High

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

Hi Kevin...

OEA has directed Jacobs to provide UP with additional guidance for the next steps in the cultural resources damage assessment process. OEA has planned an in-field meeting with OEA, the Tribes, SHPO, and Jacobs scheduled for the morning of August 16, 2023.

1. First, it is imperative that the spoils pile(s) with any materials excavated or graded during the wye disturbance remain intact. The spoils pile(s) must not be moved or touched in any way. The spoils pile(s) must stay intact and on-site.
2. Secondly, OEA requests a schedule for the demobilization of Power Industrial's and Unbound Gateway's equipment, vehicles, and materials by this Wednesday, August 9. These two demobilizations must be monitored by a qualified archaeologist. These two demobilizations must be underway or completed by the time of the in-field meeting.
3. Third, OEA requests a schedule for UP's fencing of UP's land within the APE by this Wednesday, August 9. This fencing must be monitored by a qualified archaeologist. Fencing must be underway by the time of the in-field meeting.

Thank you, Betsi

Betsi Phoebus (she/her)
Senior Environmental Planner/Project Manager
Jacobs
c 480.557.9717
betsi.phoebus@jacobs.com

NOTICE - This communication may contain confidential and privileged information that is for the sole use of the intended recipient. Any viewing, copying or distribution of, or reliance on this message by unintended recipients is strictly prohibited. If you have received this message in error, please notify us immediately by replying to the message and deleting it from your computer.

NOTICE - This communication may contain confidential and privileged information that is for the sole use of the intended recipient. Any viewing, copying or distribution of, or reliance on this message by unintended recipients is strictly prohibited. If you have received this message in error, please notify us immediately by replying to the message and deleting it from your computer.

This email and any attachments may contain information that is confidential and/or privileged for the sole use of the intended recipient. Any use, review, disclosure, copying, distribution or reliance by others, and any forwarding of this

email or its contents, without the express permission of the sender is strictly prohibited by law. If you are not the intended recipient, please contact the sender immediately, delete the e-mail and destroy all copies.

NOTICE - This communication may contain confidential and privileged information that is for the sole use of the intended recipient. Any viewing, copying or distribution of, or reliance on this message by unintended recipients is strictly prohibited. If you have received this message in error, please notify us immediately by replying to the message and deleting it from your computer.