



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

Ms. Kathryn Leonard
 State Historic Preservation Officer
 Arizona State Parks, State Historic Preservation Office
 1110 West Washington Street, Suite 100
 Phoenix, AZ 85007

September 13, 2023

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 on Archaeological Site Damage

Dear Ms. Leonard:

This Section 106 consultation letter provides all consulting parties with a summary of the current information about the archaeological site disturbances and damage that has occurred on land owned by the Union Pacific Railroad Company (UP) in the area of potential effects (APE) for the above-referenced proceeding. In addition, this letter sets out the site protection measures that UP is taking to protect against further damage. Lastly, the Surface Transportation Board's (Board's) Office of Environmental Analysis (OEA) announces that it will hold a virtual public meeting on **Wednesday, October 4, 2023, from 10:00 a.m. to 12:00 p.m.** (Arizona time), to discuss these issues further.

Background

On June 30, 2022, UP filed a petition with the 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]) (Attachment A – Project Location). 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 (NEPA) (42 U.S.C. §§ 4321-4370m-11), Section 106 of the National Historic Preservation Act (NHPA) (54 U.S.C. § 306108), the Board's environmental rules at 49 C.F.R. Part 1105, and related environmental laws.

OEA initiated consultation pursuant to Section 106 of the NHPA on April 6, 2022. During the remainder of 2022, OEA developed the APE, conducted two Class III surveys, assessed surveyed areas in the APE, made National Register of Historic Places (NRHP) eligibility determinations, and developed treatment recommendations. Beginning in January 2023 and continuing through July 2023, OEA circulated draft versions of a Memorandum of Agreement (MOA) to address the project's adverse effect finding.

On May 31, 2023, OEA issued a Draft Environmental Assessment (Draft EA) addressing potential environmental and historic impacts for public review and comment. On July 28, 2023, OEA learned that there had been significant ground disturbance and damage to archaeological resources in the APE, including within the proposed right-of-way. Such activities should not have

taken place because the environmental and historic review for this project is still ongoing, and the Board has yet to issue a decision authorizing construction and operation of the proposed rail line.

OEA promptly investigated the situation and directed UP to cease and desist and to immediately take steps to secure the right-of-way within the APE to prevent further damage. OEA notified the State Historic Preservation Officer (SHPO), the Gila River Indian Community Tribal Historic Preservation Officer (THPO), and the Salt River Pima-Maricopa Indian Community THPO of the damage on August 4, 2023. OEA notified the Hopi Tribe and the Pascua Yaqui Tribe THPOs on August 9, 2023 and had additional conversations with the Tohono O'odham Nation THPO. OEA also notified the U.S. Army Corps of Engineers on September 5, 2023.

On August 16, 2023, OEA and Jacobs Engineering Group Inc. (Jacobs), OEA's independent third-party contractor, conducted an in-person field meeting with the Gila River Indian Community THPO, Salt River Pima-Maricopa Indian Community THPO staff, Tohono O'odham Nation THPO staff, and SHPO staff. On August 17, 2023, OEA and Jacobs conducted an in-person field meeting with UP. On August 18, 2023, OEA and Jacobs presented information about the damage to the Four Southern Tribes Working Group, in a meeting hosted by the Salt River Pima-Maricopa Indian Community. Representatives of the Gila River Indian Community, the Salt River Pima-Maricopa Indian Community, the Tohono O'odham Nation, the Ak-Chin Indian Community, SHPO, the Arizona Museum of Natural History, and other historic preservation agencies and professionals attended the meeting.

On August 24, 2023, Peter Steere, the Tohono O'odham Nation THPO, requested that the EA process be put on hold until a damage assessment report is completed, and potential mitigation to address the damage and any related legal issues are resolved. Other affected tribes made similar requests at OEA's meetings (August 16 and 18, 2023). Given all of these circumstances, OEA issued a notice on August 31, 2023, announcing that issuance of a Final EA in this proceeding would be delayed until further notice.

Overview of the Board's Role and Regulatory Authority

Based on questions asked by the Four Southern Tribes (Ak-Chin Indian Community, Tohono O'odham Nation, Salt River Pima-Maricopa Indian Community, Gila River Indian Community) and SHPO at the in-field meeting on August 16, 2023, and at the Four Southern Tribes Working Group meeting on August 18, 2023, OEA is providing a short overview to clarify and explain the Board's regulatory authority and environmental and historic review process for PIRATE. Specifically, to meet the Board's obligations under NEPA and Section 106, OEA is conducting an environmental and historic review, analyzing potential environmental and historic impacts of PIRATE. In the Final EA, OEA will address all comments on the Draft EA and make final environmental and historic mitigation recommendations to the Board. The Board will then consider the entire record, including the Draft EA, the Final EA, all environmental and historic comments received, and OEA's final environmental and historic mitigation recommendations, as well as the transportation merits, in deciding whether to authorize the construction and operation of PIRATE and what mitigation to impose.

Summary of the [Redacted] in the Area of Potential Effects

As discussed in more detail in Attachment E, on July 28, 2023, Jacobs conducted a review of Google Earth imagery (dated April 2023). The review of aerial imagery identified substantial ground disturbance [Redacted]. This information was immediately shared with OEA and UP, and OEA conducted emergency meetings with UP and Jacobs on July 28th and again on July 31, 2023. At the July 28, 2023 meeting, UP stated that they had no knowledge of the disturbance within the APE.

On August 1, 2023, the Board sent UP a formal letter requesting that a number of immediate actions be taken to prevent any further disturbance on UP property in the APE (Attachment B Board Letter to UP), and Jacobs' archaeologists visited the APE to provide an initial assessment of the extent of the disturbance. On August 11, 2023, Jacobs' archaeologists investigated an additional area of disturbance observed on aerial imagery. Then on August 16, 2023, Jacobs' archaeologists observed a third-party utility contractor clearing vegetation adjacent [Redacted] in the APE.

As of the date of this letter, five areas of site damage on UP's property in the APE have been identified (Attachment C Maps of Archaeological Site Damage Areas and Attachment D Photographs of Archaeological Site Damage Areas). This damage includes sites of great significance and sensitivity to Native American Tribes. The following is a preliminary summary of the damage within each of the five areas based on the information available to date:

- **Damage Area 1.** Damage Area 1 [Redacted]. Based on the available information, Power Industrial, [Redacted] excavated a large retention basin up to 5 feet deep on UP-owned property in the APE. Adjacent to the retention basin, additional grading to 1 foot deep was also noted. Approximately 8.5 acres of UP property in the APE has been damaged. Clayco, the general contractor for Power Industrial, apparently used this area for construction staging and storage during construction of the Power Industrial development. [Redacted] During excavation of the retention basin, Clayco almost wholly removed [Redacted]. A large spoils pile is located within the retention basin [Redacted]. OEA, Jacobs, and UP are conducting additional investigations into the origin of the material in the spoils pile. OEA will share the results of these investigations with the consulting parties as soon as they are completed.
- **Damage Area 2.** Damage Area 2 is in the proposed PIRATE alignment [Redacted]. Based on the available information, Greystar, developer of the private Unbound Gateway/Gateway Grand industrial park located adjacent to and southwest of the APE, excavated a retention basin on UP-owned property [Redacted]. This basin is approximately 2 feet deep [Redacted]. In addition, excavation and grading of a drainage channel as part of the Unbound Gateway/Gateway Grand construction has occurred within the site boundary. Approximately 6.3 acres of UP property in the APE has been damaged.
- **Damage Area 3.** Damage Area 3 is in the proposed PIRATE alignment [Redacted]. This disturbance is associated [Redacted] located adjacent to the south

of UP's property and the APE. Grading to a depth of approximately 6 inches has occurred [Redacted] former two-track dirt access road has been graded and improved to a 30-foot-wide construction access road. Approximately 1.9 acres of UP's property in the APE has been damaged. Apparently, the newly disturbed area [Redacted] was used for construction storage.

- **Damage Area 4.** Damage Area 4 [Redacted] This disturbance is associated with the private Pecos Pacific development located adjacent to and east of UP-owned property and the APE. Clayco, the general contractor for Pecos Pacific development, appears to have graded to a depth of approximately 6 inches [Redacted] on UP-owned property and within the APE. Approximately 0.6 acre of UP's property in the APE has been damaged.
- **Damage Area 5.** Damage Area 5 is [Redacted] the APE. Pauley Construction, Inc., the general contractor for Lumen/Century Link, has cleared approximately 1,200 feet of brush. This work was halted by Jacobs' archaeologists on August 16, 2023. Two trucks were stopped onsite and were directed to dump their contents near where the materials were originally removed. Jacobs' archaeologists observed that the truckloads predominantly consisted of vegetation, with a very small amount of soil present. Damage in this area appears to consist of soil being moved, rather than removed [Redacted]. Surface soil has been disturbed to a depth of approximately 2 inches. Approximately 0.6 acre of UP's property in the APE has been damaged.

In sum, approximately 17.9 acres of the APE [Redacted] have been damaged. An additional 24.0 acres of UP's property in the APE [Redacted] has been disturbed. More detailed investigations into the extent of the damage and disturbance are ongoing. Major and extensive damage has occurred to AZ U:10:2(ASM). Approximately 16.0 acres [Redacted] has been damaged within the APE. Moderate damage has occurred [Redacted] Approximately 1.9 acres of this site has been damaged within the APE. OEA found no damage [Redacted] and is investigating potential damage to [Redacted] associated with recent realignment and paving [Redacted] in the APE.

Timeline

A timeline of the damage discovery and communications between OEA, UP, SHPO, the Advisory Council on Historic Preservation (ACHP), the Gila River Indian Community THPO, the Salt River Pima-Maricopa Indian Community THPO, the Tohono O'odham Nation THPO, the Pascua Yaqui Tribe THPO, and the Hopi Tribe THPO is included as Attachment E. This timeline reflects the information known by OEA to date. OEA will update the consulting parties on a regular basis as new or updated information becomes available and will schedule additional field visits with the consulting parties as appropriate.

Site Protection Measures

UP is currently implementing the following site protection measures under the oversight of OEA and Jacobs' qualified archaeologists.

- Jacobs' archaeologists monitored the demobilization of Power Industrial equipment [Redacted] between August 10 and 18, 2023. This action is complete.
- UP employed a survey contractor to survey their property boundaries. This work began on August 15, 2023, and is ongoing.
- Jacobs' archaeologists monitored the placement of signs along UP's property boundary [Redacted] between August 14 and 17, 2023. Additional signs will be placed [Redacted]
- UP has employed a security patrol (Garda World) to patrol their property as of August 17, 2023. This patrol is ongoing on a Monday–Friday schedule between 7:00 a.m. – 3:00 p.m.
- Jacobs' archaeologists started monitoring UP's installation of temporary construction fencing on August 25, 2023.
- Demobilization of equipment by subcontractors to Alcorn Construction on UP-owned property adjacent to the Pecos Gateway Industrial Complex occurred on August 25, August 31, and September 1, 2023. The demobilization on August 31 and September 1, 2023, [Redacted]
- UP has blocked the construction access road [Redacted]. Jacobs' archaeologists monitored the road blockage, which took place on August 25, 2023. UP will not allow further use of this road.
- UP has agreed to install monitored security camera stations along the right-of-way in areas that have previously been surveyed where no cultural resources have been found to be present. This will provide additional security and protection along the APE.

Upcoming Virtual Meeting

OEA is requesting your attendance at an upcoming virtual meeting on **Wednesday, October 4, 2023 from 10:00 a.m. to 12:00 p.m.** (Arizona time) to discuss the damage to archaeological sites in greater detail. The intent of this virtual meeting is to outline next steps in the Section 106 process, discuss in more detail the steps that are currently being taken to protect the sites from further damage, develop next steps for a more comprehensive damage assessment, and explore any other matters of concern.

OEA looks forward to working with all of the consulting parties on possible next steps to complete the Section 106 process. Please contact Alan Tabachnick, Alan.Tabachnick@stb.gov, with any questions or concerns. We hope you can join the October 4, 2023 virtual meeting and look forward to speaking with you then.

Sincerely,

A handwritten signature in black ink, appearing to read "Danielle Gosselin".

Danielle Gosselin
Director
Office of Environmental Analysis

Enclosures:

Attachment A – Project Location

Attachment B – Board Letter to UP (August 1, 2023)

Attachment C – Maps of Archaeological Site Damage Areas

Attachment D – Photographs of Archaeological Site Damage Areas

Attachment E – Timeline

Cc: Adam Assenza, OEA Environmental Protection Specialist, Adam.Assenza@stb.gov
Alan Tabachnick, OEA Federal Preservation Officer, Alan.Tabachnick@stb.gov
Maggie Buckley, Jacobs Project Manager, Maggie.Buckley@jacobs.com
Caroline Klebacha, Archaeological Compliance Specialist, cklebacha@azstateparks.gov

UP Pirate Vicinity Map
Maricopa County

STB Docket No. FD-36501

Legend:

- Airport
- Park
- School
- University
- Phoenix Sub Main Line Track
- Future SR 24
- Flood Control Channel
- County Boundary
- Arizona State Land
- Town of Queen Creek
- Town of Gilbert
- City of Mesa
- Former Williams Air Force Base
- Pecos Advanced Manufacturing Zone (PAMZ)
- Employment Opportunity Floating Zone
- Gateway Area Opportunity Zone

Map Labels:

- Phoenix-Mesa Gateway Airport (Former Williams Air Force Base)
- ASU Polytechnic Campus
- EVIT Power Campus
- Fuji Film
- Mitsubishi Gas Chemical
- TRW
- CMC
- Bridgestone
- Williams Field Rd
- Pecos Rd
- Germann Rd
- Queen Creek Rd
- Higley Rd
- Recker Rd
- Power Rd
- Sossaman Rd
- Hawes Rd
- Ellsworth Rd
- Crismon Rd
- Signal Butte Rd
- Maricopa Rd
- Pima Rd
- Ocotillo Rd
- Ironwood Dr
- McKenzie Rd

Scale: 0 0.5 1 2 Mile

Inset Map: Phoenix Project Location

Sources: City of Mesa, Town of Queen Creek, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc., MET/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, Maxar

ATTACHMENT B – BOARD LETTER TO UP (AUGUST 1, 2023)



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

August 1, 2023

Kevin Rice
Sr. Manager M/W Environmental
Union Pacific Railroad
1400 Douglas Street, 9th Floor
Omaha, NE 68179

RE: Docket No. FD 36501, Union Pacific Railroad Company – Construction and Operation Exemption in Maricopa County, Arizona; Recently Discovered Ground Disturbance Within the APE

Dear Mr. Rice,

As you know, the Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) is close to finishing its environmental and historic review of Union Pacific Railroad Company's (UP) proposed 6-mile rail construction in Mesa, Arizona (known as PIRATE). On Friday, July 28, 2023, OEA discovered land altering activities within the current Area of Potential Effects (APE) for the historic review of PIRATE under Section 106 of the National Historic Preservation Act, resulting in damage to sensitive archaeological sites that are eligible for listing in the National Register of Historic Places. Specifically, during analysis of current aerial photography of the project area, OEA noted that approximately six acres of land on UP property and within the APE had been graded and disturbed [REDACTED] Redacted

[REDACTED] Additional research revealed that this land is being prepared for a drainage basin tied to the Power Industrial development, which is currently under construction. OEA also identified three other possible locations within current UP property where the APE may have been disturbed. Enclosed is a map noting the locations of these disturbances.

These developments are very concerning and improper because the environmental and historic review for this project is still ongoing, and the Board has yet to issue a decision authorizing the proposed construction and operation of PIRATE. In addition, these land disturbances could end up significantly delaying completion of the historic review because a Memorandum of Agreement setting out agreed-to historic mitigation has not yet been executed. OEA plans to consult with the Section 106 consulting parties to appropriately address this issue.

Furthermore, OEA strongly recommends that UP implement the following measures immediately to protect the property within the APE from any additional disturbances while this matter remains pending:

- Contact Power Industrial and instruct them to s [Redacted] until this case is no longer pending before the Board;
- Secure UP's property within the APE and protect known archaeological sites;
- Place "Private Property/Do Not Enter" signs along UP-owned property within the APE; and
- Take appropriate steps to contact all adjacent property owners and instruct them not to undertake any construction or land disturbing activities within the APE while this case is pending before the Board.

As noted previously, OEA will be reaching out shortly to the Section 106 consulting parties to inform them of this situation and to consult with them about treatment options to address the newly discovered construction/disturbances and damage within the APE. The construction and clearing activities in [Redacted] (and possibly three other locations) while the environmental and historic processes are ongoing is very unfortunate. OEA urges UP to address this situation immediately to ensure that any current construction activities cease and that additional damage does not occur while this case is pending before the Board.

If you have any questions, please feel free to contact me at 202-245-0300 or by email at danielle.gosselin@stb.gov or Alan Tabachnick, the Board's Federal Preservation Officer, at 202-934-8469 or by email at alan.tabachnick@stb.gov.

Sincerely,



Danielle Gosselin
Director
Office of Environmental Analysis

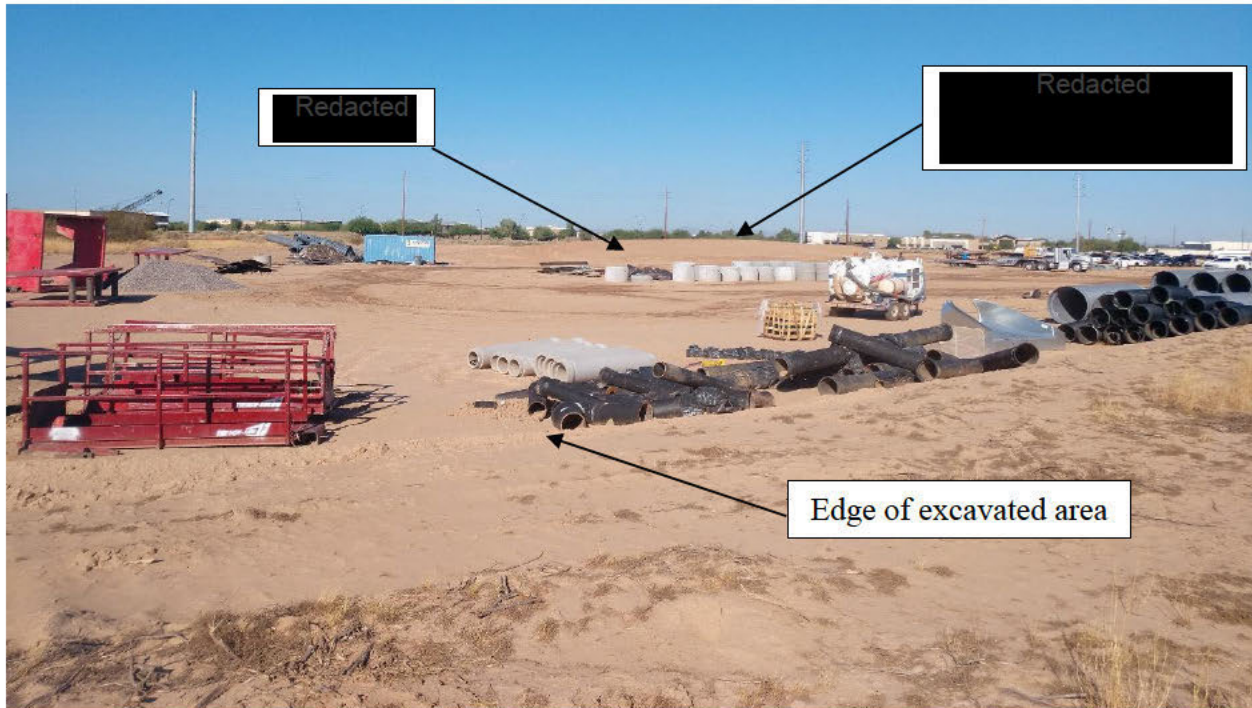
Enclosure: Map

Cc: James Boles, Vice President
Tanya Spratt, Senior General Attorney

ATTACHMENT D – PHOTOGRAPHS OF [Redacted] DAMAGE AREAS



Damage Area 1. Pre-disturbance in May 2022, showing [Redacted], view to north.



Damage Area 1. Post-disturbance in August 2023, showing [Redacted]
View to southwest shows large spoils pile, retention basin, and staging use.



Damage Area 2. Pre-disturbance in May 2023 [Redacted] along the proposed PIRATE alignment [Redacted]



Damage Area 2. Post-disturbance in August 2023 [Redacted] along the proposed PIRATE alignment [Redacted] showing retention basin cut, view to south.



Damage Area 3. Pre-disturbance in May 2022, [Redacted] **along the proposed PIRATE alignment, view to north.**



Damage Area 3. Post-disturbance in August 2023 [Redacted] **along the proposed PIRATE alignment showing grading** [Redacted] **Pipes and a water tank have been placed within UP's right-of-way. View is to east-northeast.**



Damage Area 4. Pre-disturbance in May 2022. [Redacted] view to north. Overview of existing fence partially removed by Clayco, the general contractor for the adjacent Pecos Pacific development.



Damage Area 4. Post-disturbance in August 2023, showing [Redacted] view to east-northeast. The fence has been removed.



Damage Area 5. General location pre-disturbance in May 2022, Redacted
 along the Redacted view to southeast.



Damage Area 5. Post-disturbance in August 2023 Redacted
 Redacted along the view to southwest.

ATTACHMENT E – TIMELINE

This timeline of the damage discovery and communications between OEA, UP, SHPO, ACHP, the Gila River Indian Community THPO, the Salt River Pima-Maricopa Indian Community THPO, the Tohono O’odham Nation THPO, the Pascua Yaqui Tribe’s THPO, and the Hopi Tribe’s THPO reflects the information known by OEA to date. OEA will update the consulting parties on a regular basis as new or updated information becomes available and will schedule additional field visits with the consulting parties as appropriate.

- In December 2022, Clayco, a contractor of Power Industrial, excavated a large retention basin up to five feet deep [Redacted] UP’s property and within the APE, based on an agreement with UP (in Damage Area 1). Neither OEA nor Jacobs were apprised of this construction.
- In May 2023, Derek Builders, a contractor of Grevstar (the developer of the private [Redacted] along Sossaman Road, [Redacted] on UP’s property and within the APE, based on an agreement with UP (in Damage Area 2). Neither OEA nor Jacobs were apprised of this construction.
- On July 28, 2023, OEA’s review of aerial imagery showed noticeable damage [Redacted] [Redacted] (in Damage Area 3).
- On the same day, July 28, 2023, OEA and Jacobs contacted UP and had initial discussions about this damage to find out if UP knew about the disturbances and excavations on their land.
- On August 1, 2023, the Director of OEA wrote a letter to UP outlining the damage based on the aerial imagery and requested that UP investigate the cause of the disturbance and take steps to immediately cease any further disturbance.
- On August 1, 2023, Jacobs’ archaeologists conducted an initial field assessment to document the extent of the disturbance.
- On August 2, 2023, OEA, Jacobs, and UP discussed the developments [Redacted] proposed PIRATE alignment in a meeting. At that time, OEA and Jacobs learned that UP had entered into an agreement with Power Industrial to construct a retention basin [Redacted] (within the APE). The retention basin excavated by Clayco was intended to serve Power Industrial’s temporary offsite drainage during construction.
- On August 3, 2023, OEA, Jacobs, and UP had an additional meeting and learned that UP also had entered into an agreement with Unbound Gateway to construct a retention basin in the UP right-of-way.
- On August 4, 2023, OEA notified SHPO and the Gila River Indian Community and Salt River Pima-Maricopa Indian Community Tribal Historic Preservation Officers (THPOs) of the extent of this damage and scheduled a field visit in the coming days.
- On August 7, 2023, SHPO contacted the Advisory Council on Historic Preservation (ACHP) to notify them of the site damage. ACHP subsequently contacted OEA’s Federal Preservation Officer (FPO) for a summary.
- On August 8, 2023, OEA contacted ACHP.

- On August 8, 2023, OEA, Jacobs, and UP discussed the steps UP was taking to install protective measures for the damaged sites. OEA requested that UP attend an in-person meeting on August 17, 2023, to review the damage and discuss future steps.
- On August 9, 2023, OEA's FPO was contacted by the Tohono O'odham Nation THPO, who requested a summary of the damage and an invitation to the site visit.
- On August 9, 2023, OEA notified the Pascua Yaqui Tribe and the Hopi Tribe of the site damage.
- On August 10, 2023, the Pascua Yaqui THPO contacted OEA's FPO and requested a summary of the site damage.
- On August 10, 2023, Jacobs developed an electronic data layer to document the protective measures to be implemented in the coming weeks. UP is installing the protective measures.
- On August 10, 2023, on behalf of OEA, Jacobs sent a formal invitation and agenda for the site visit (held on August 16, 2023) to the Four Southern Tribes and SHPO.
- On August 10, 2023, Jacobs (utilizing Secretary of the Interior-qualified personnel) began monitoring the demobilization of Clayco's Power Industrial equipment [Redacted]. This was completed on August 18, 2023.
- On August 10, 2023, review of aerial imagery revealed additional ground disturbance in the southeastern portion [Redacted] in Damage Area 4).
- On August 11, 2023, Jacobs assessed the newly identified damage [Redacted].
- On August 11, 2023, on behalf of OEA, Jacobs sent a formal invitation to UP for the UP site visit (held on August 17, 2023).
- On August 11, 2023, OEA contacted ACHP to further discuss the situation.
- On August 14, 2023, Jacobs met with UP's contractor for the protective measures in the field to begin installing signage on existing fences on UP's land, and to demarcate locations of interim signage.
- Signs were placed along UP's property boundary [Redacted] and the sign placement was monitored by Jacobs' archaeologists between August 14 and 17, 2023. [Redacted]
- On August 15, 2023, UP began a property boundary survey of their land in the APE. That work is ongoing.
- On August 16, 2023, Jacobs' archaeologists observed Pauley Construction, Inc., removing vegetation in UP's right-of-way [Redacted] work was stopped by Jacobs' archaeologists and UP (Damage Area 5).
- UP employed a security patrol (Garda World) to begin patrolling their property on August 17, 2023. This patrol is ongoing on a Monday–Friday schedule between 7:00 a.m. – 3:00 p.m.

- Fencing installation began on August 25, 2023, and is being monitored by Jacobs' archaeologists.
- On August 31 and September 1, 2023, demobilization of equipment associated with the Pecos Gateway Industrial Complex occurred and is complete. The demobilization was monitored by Jacobs' archaeologists.
- The access road [REDACTED] was blocked by UP on August 25, 2023. No further use of this road is allowed by UP.
- On August 23, 2023, UP, OEA, and Jacobs initiated a weekly meeting to track and confirm action items related to protective measures.
- On August 28, 2023, UP provided copies of pertinent agreements and communications with external parties.
- On September 5, 2023, OEA met with UP to discuss the situation and UP stated that it intended to be involved in trying to resolve the Section 106 issues.

OEA Letter on Continuation of National Historic Preservation Act Section 106 Consultation
Archaeological Site Damage September 13, 2023

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