



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

June 16, 2023

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

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 Historic Properties Treatment Plan

Dear Ms. Leonard:

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) (Attachments A and B). Before making its decision on whether to grant such authority, the Board must consider the potential environmental 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's Office of Environmental Analysis (OEA) initiated consultation pursuant to Section 106 of the National Historic Preservation Act on April 6, 2022. OEA continued Section 106 consultation through the fall of 2022 addressing the project Area of Potential Effects (APE), the Class III survey report, unsurveyed areas in the APE, National Register of Historic Places eligibility determinations, and treatment recommendations. Beginning in January and continuing through the spring of 2023, OEA completed a series of consultation letters and virtual meetings for developing a Memorandum of Agreement (MOA).

OEA is continuing Section 106 consultation with your office and soliciting comments regarding the treatment of historic properties, as described in the Historic Properties Treatment Plan (HPTP). The general content of the HPTP is outlined in the MOA and contains provisions to guide future steps for the resolution of adverse effects to historic properties.

HPTP Content

Based on the results of the Class III cultural resource surveys (Rainey and Stubing 2022; Powell 2023), four cultural resources sites (AZ U:10:2[ASM], AZ U:10:69[ASM], AZ U:10:152[ASM], and AZ U:10:275[ASM]) are within the APE and require further treatment. The HPTP contains the research design and methods to guide data recovery fieldwork, analysis, and reporting for these sites; a Monitoring and Discovery Plan for project cultural resources construction monitoring; and other general provisions.

In addition, it is recognized that these four sites are part of a larger cultural landscape within the Queen Creek Delta that is significant to the Four Southern Tribes (the Ak-Chin Indian Community; the Gila River Indian Community, the Salt River Pima-Maricopa Indian Community; and the Tohono O'odham Nation). The HPTP contains a general discussion for the development of a historic context study and a cultural landscape study to identify and evaluate the intangible significance of these places.

HPTP Meetings

OEA proposes to conduct a series of virtual meetings to discuss the HPTP content, address any questions, and resolve any comments. An email will be sent to you in the coming weeks to provide potential dates for the HPTP meeting schedule.

Request for Input

Please review the information contained in this letter and the HPTP and provide OEA with any comments by July 15, 2023. Thank you very much for your continued involvement and input on this project. Please feel free to contact Alan Tabachnick, OEA's Federal Preservation Officer, at Alan.Tabachnick@stb.gov with any questions about the HPTP or upcoming HPTP meetings.

Sincerely,



Danielle Gosselin
Director
Office of Environmental Analysis

Enclosures:

Attachment A – Vicinity Map
Attachment B – Project Location Map

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

References Cited:

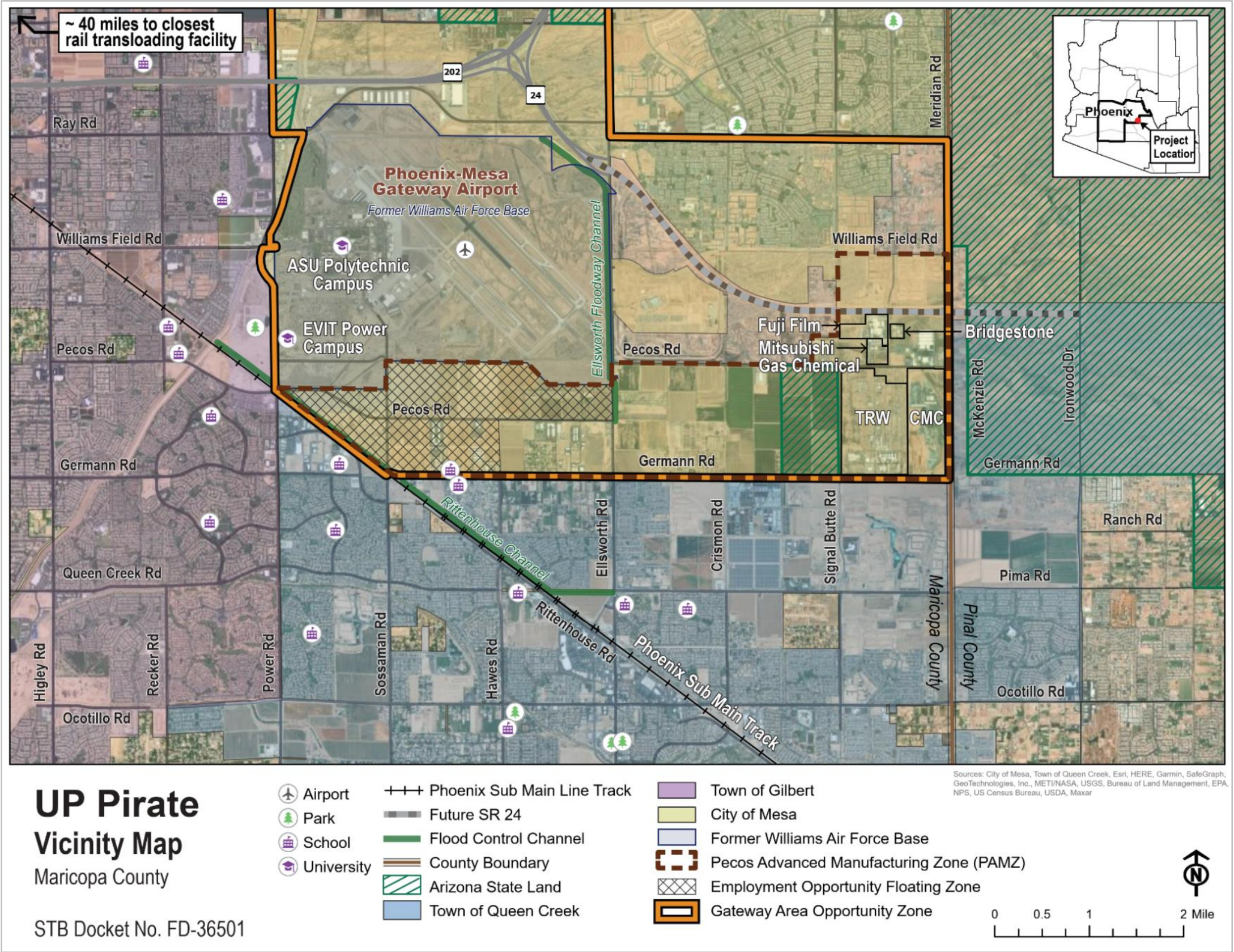
Rainey, Pamela J., and Michael Stubing

2022 *A Class III Cultural Resources Survey for the Union Pacific Railroad Company Pecos Industrial Rail Access and Train Extensions (PIRATE) Project, Mesa and Queen Creek, Maricopa County, Arizona.* Jacobs Project Report No. 2022-006. Jacobs Engineering Group Inc., Tempe, Arizona.

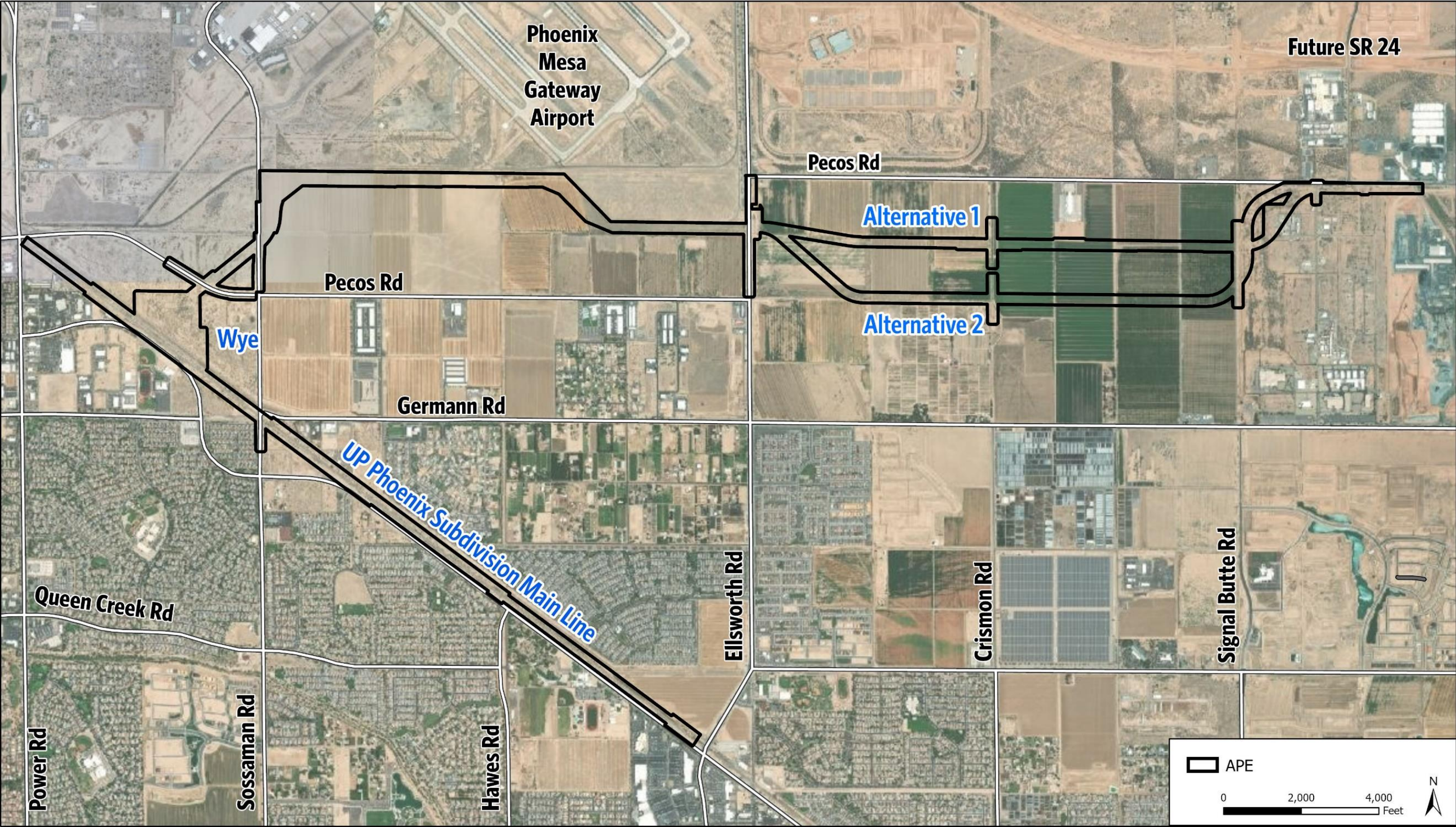
Powell, Kris

2023 *A Class III Addendum Cultural Resources Survey for the Union Pacific Railroad Company Pecos Industrial Rail Access and Train Extension (PIRATE) Project, Mesa and Queen Creek, Maricopa County, Arizona.* Jacobs Engineering Group Inc., Tempe, Arizona.

ATTACHMENT A – VICINITY MAP



ATTACHMENT B- PROJECT LOCATION MAP



10 - HPTP Draft (June 16, 2023) Distribution List		
Agency/Tribe	Contact Name	Position
Ak-Chin Indian Community	Robert Miguel	Chairman
Ak-Chin Indian Community	Elaine Peters	Him-Dak Museum Director
Arizona Museum of Natural History	Emily Early	Archaeology, Ethnology, and Art Collections
Arizona Museum of Natural History	Alison Stoltman	Director
Arizona State Land Department	Mark Edelman	Director, Planning and Engineering
Arizona State Land Department	Michael Romero	Right of Way Project Leader
Arizona State Land Department	Tiffany Grew	Archaeological Compliance Specialist
Arizona State Museum	Shannon Plummer	Arizona Antiquities Act Administrator
Arizona State Museum	Patrick Lyons	Director
U.S. Army Corps of Engineers	Sallie Diebolt	Arizona Branch Chief
U.S. Army Corps of Engineers	Alexandra Ryan	Project Manager
Federal Aviation Administration	Mike Williams	Manager
Flood Control District of Maricopa County	Michael Fulton	Director
Flood Control District of Maricopa County	Ed Raleigh	Senior Engineering Advisor
Gila River Indian Community	Stephen Roe Lewis	Governor
Gila River Indian Community	Barnaby Lewis	THPO
Gila River Indian Community	Larry Benallie, Jr.	Archaeological Compliance Specialist
Gila River Indian Community	Reylynne Williams	Cultural Resources Specialist
Gila River Indian Community	Darius Enos	Cultural Resources Specialist
Hopi Tribe	Timothy L. Nuvangyaoma	Chairman
Hopi Tribe	Stewart B. Koyiyumtewa	THPO
City of Mesa	William Jabjiniak	Economic Development Director
Mesa Historical Museum	Susan Ricci	Executive Director
Mesa Historic Preservation Office	Michelle Dahlke	Historic Preservation Supervisor
Mesa Historic Preservation Office	Mary Kopaskie-Brown	Historic Preservation Officer
Mesa Historic Preservation Office	Maura Jackson	Historic Preservation Advisor
Mescalero Apache Tribe	Eddie Martinez	President
Mescalero Apache Tribe	Holly Houghten	THPO
Pascua Yaqui Tribe	Peter Yucupicio	Chairman
Pascua Yaqui Tribe	Dr. Karl Hoerig	THPO
Phoenix-Mesa Gateway Airport	Tony Bianchi	Airport Planner
Phoenix-Mesa Gateway Airport	Carl D'Agosta	Environmental Coordinator
Town of Queen Creek	Heather Wilkey	Intergovernmental Relations Director
Town of Queen Creek	David Lipinski	Capital Improvements Director
Salt River Pima Maricopa Indian	Martin Harvier	President

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Agency/Tribe	Contact Name	Position
Community		
Salt River Pima Maricopa Indian Community	Shane Anton	THPO
Salt River Pima Maricopa Indian Community	Martha Martinez	NAGPRA Coordinator
Salt River Pima Maricopa Indian Community	Angela D. Garcia-Lewis	Cultural Preservation Supervisor
Salt River Pima Maricopa Indian Community	Sunday Eiselt	THPO Archaeologist
San Tan Historical Society	Keith Johanson	President
SHPO	Caroline Klebacha	Archaeological Compliance Specialist
SHPO	Kathryn Leonard	SHPO
SHPO	Mary-Ellen Walsh	Cultural Resources Compliance Manager
SRP	David Rousseau	President
SRP	Dan Garcia	Senior Cultural Resources Specialist
Tohono O'odham Nation	Jefford Francisco	Cultural Resources Specialist
Tohono O'odham Nation	Peter Steere	THPO
Tohono O'odham Nation	Ned Norris, Jr.	Chairman
Tonto Apache Tribe	Calvin Johnson	Chairman
Tonto Apache Tribe	Jeri DeCola	Cultural and NAGPRA Representative
Union Pacific Railroad	Kevin Rice	Senior Manager, E/W Environmental
Desert Archaeology, Inc.	Sarah Herr	President
Yavapai-Apache Nation	Tanya Lewis	Chairwoman
Yavapai-Apache Nation	Chris Coder	Tribal Archaeologist
Pueblo of Zuni	Val R Panteah	Chairman
Pueblo of Zuni	Arden Kucate	Chairman
Pueblo of Zuni	Kurt Dongoske	THPO