



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 27, 2024

Tanya Spratt
Senior General Attorney
Union Pacific Railroad
1400 Douglas Street, STOP 1580
Omaha, Nebraska 68179

Re: Docket No. FD 36501, Union Pacific Railroad Company – Construction and Operation Exemption – in Maricopa County, Ariz., Kinder Morgan Zinc Line

Dear Ms. Spratt:

As you know, the Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) learned that Kinder Morgan plans to soon install a zinc line within an existing easement across Union Pacific's (UP) property in the Area of Potential Effects (APE) for the proposed PIRATE project. Ground disturbing activities on UP property within the APE have the potential to impact significant cultural resources, including archaeological sites identified during the Section 106 historic review process for the PIRATE project.

As the project applicant before the Board, coordination and oversight of any work that includes ground disturbing activities on UP controlled property within the APE by third parties while the PIRATE project is ongoing is the responsibility of UP. Accordingly, UP should take all the steps that it can to ensure that sensitive cultural resources are avoided or fully protected during any ground disturbing activities. To the extent possible, this should include coordination with Kinder Morgan to ensure that there is appropriate monitoring of any work on UP property within the APE during this proceeding. OEA is available to consult with UP and Kinder Morgan about this issue if it would be helpful.

If you have any questions, please contact Alan Tabachnick of my staff at (202) 245-0367.

Sincerely,

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

Danielle Gosselin
Director
Office of Environmental Analysis