



**Surface Transportation Board  
Uinta Basin Railway Environmental Impact Statement  
Section 106 Consulting Parties Teleconference Notes  
June 24, 2020**

Meeting Participants

Surface Transportation Board (OEA), Office of Environmental Analysis (OEA) – Alan Tabachnick, Joshua Wayland

ICF – Colleen Davis, Debi Rogers, Randall Coleman, Jesse Lattig

U.S. Army Corps of Engineers (Corps) – Erin Hess, Nicole Fresard

Bureau of Land Management (BLM) – Nate Thomas, Amber Koski, Joe Rodarme

Utah State Historic Preservation Officer (SHPO) – Chris Merritt, Savanna Agardy

Utah Public Land Policy Coordinating Office (PLPCO) – Kris Carambelas

Utah School and Institutional Trust Lands (SITLA) – Joel Boomgarden

Utah Department of Transportation (UDOT) – Liz Robinson

Bureau of Indian Affairs – Garry Cantley

Carbon County – Casey Hopes

Duchesne County – Gregory Todd

Uintah County – Ross Watkins, Matt Cazier

Colorado Plateau Archeological Alliance – Jerry Spangler

Utah Rock Art Research Association – Troy Scotter

Seven County Infrastructure Coalition (Coalition) -- Mike McKee

HDR – Andrea Clayton, Catherine Dobbs, Kevin Keller

Jones and DeMille – Brian Barton

Venable – Amanda Crawford

SWCA – Kelly Beck

Introductions, Background, and Project Updates

- Consultation to date – OEA initiated another round of outreach to federally recognized tribes who were invited last year but from whom no formal response has been received; Alan reached out to those seven tribes via email last week and followed up this week by phone to invite participation and share that work on the draft PA document is starting. As of today, there has been no response however OEA will continue to reach out and provide informational materials, and the option to participate will remain available to them.
- Website update:
  - The Coalition filed their petition for exemption on May 29<sup>th</sup> and a link to document is available on the project website

- Cultural Resources: Notes from May 27<sup>th</sup> Consulting Party teleconference have been posted as well as the PowerPoint slides, a meeting summary, and the final version of the Coalition's archaeology report
- Same 3 alternatives and no changes

### Programmatic Agreement

- The PA will be the guideline for this project to achieve Section 106 compliance and is therefore critical to everything from this point forward. OEA outlined ideas for the draft PA at the May Consulting Party meeting; this next stage will get into the PA details.
- ACHP website provides guidance on PAs and OEA is structuring this project PA consistent with ACHP's advice. OEA is seeking comments and input on methodologies and approaches from everyone; encouraged to reach out or provide to Alan/OEA.
- Parties - Because many participating entities may have not gone through this process before, OEA reviewed different parties and roles for their benefit:
  - Signatories - have authority to amend and terminate the PA. These include OEA (Federal), Utah SHPO, Ute Tribe, and ACHP (has yet to formally agree to participate, but expected)
  - Invited signatories - may include tribes other than those currently participating. BLM and US Forest Service will also be invited.
  - Concurring Parties - do not need to sign PA for it to be valid; have no authority to amend or terminate PA; however, their input and feedback is desired to achieve the best possible PA outcome.
- Preamble (Whereases)
  - At previous CP meeting, other executed PAs were reviewed and discussed as models. This PA is for a phased Section 106 process and will take into consideration information that has already been submitted by the Coalition (e.g., architectural and archaeology reports). Additionally, an APE has already been developed.
  - The draft PA being developed will be broad enough to cover all three alternatives under consideration so that if/when any of those alternatives are licensed, this PA will be able to provide the framework and approach and allow for the Section 106 process to continue without significant changes or delays. Depending on which alternative is ultimately licensed by the Board, anticipated amendments will clarify the specific roles and responsibilities of parties that are specific to that alternative.
- Stipulations - OEA's Section 106 compliance approach is somewhat different than other PAs that were reviewed and this is reflected in the stipulations; everyone can review these in the PA draft. The Draft PA has been written from perspective of

existing work with special focus on completing survey and documentation work. There are provisions for on-going consultation with specific points along the way where OEA will be requesting comments. There are some unknowns that will be clarified if the Board licenses an alternative. The Stipulations provide a path for navigating those unknowns.

For example, each alternative has different implications for various agencies and the Ute Tribe; these implications will be laid out and addressed in the final PA including how we arrived at the final list of parties and their respective roles.

- Historic properties treatment plan – will incorporate measures for avoiding, minimizing, and mitigating adverse effects to historic properties. Completion of intensive field survey, property documentation, and extensive consultation will be needed to establish the comprehensive list of historic properties that will be included in technical reports for the licensed alternative.

#### Next Steps

- Seeking information from this group based on participants' experience and knowledge, understanding of best practices to make this PA document as effective as possible.
- OEA will review questions and comments, prepare, and post this PPT and call summary.
- OEA will finalize the draft PA and distribute to Consulting Parties.
- OEA will finalize draft identification and evaluation/effects assessment technical memo including revised APE description and distribute to Consulting Parties including detailed mapping.
- The project website continues to be updated and will likely include the above documents within the next month for everyone's review.