

**Fw: Section 106 conference call on Cedar Bayou Bridge 324X**

**Olin H. Dirks** to: Penny L. Menchey  
Cc: Mack H. Shumate

08/12/2017 12:35 PM

History: This message has been replied to.

Penny, Could you add the attached correspondence to the Quicker file for 324X? Thank you!

Olin H. Dirks  
Sr Manager Rail Line Planning  
Union Pacific Railroad  
(402) 544-3889

From: "Wayland, Joshua" <Joshua.Wayland@stb.gov>  
To: "Olin H. Dirks" <OHIRKS@up.com>, "MACKSHUMATE@UP.COM" <MACKSHUMATE@UP.COM>  
Cc: Lydia Woods <Lydia.Woods@thc.texas.gov>, "misty.barham@txdot.gov" <misty.barham@txdot.gov>, "kitty@historicbridgefoundation.com" <kitty@historicbridgefoundation.com>  
Date: 07/20/2017 01:02 PM  
Subject: FW: Section 106 conference call on Cedar Bayou Bridge

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Olin and Mack,

I received the email below from Jerry Androy at the Army Corps of Engineers, which indicates that the Corps will not be able to provide a letter as we discussed yesterday. In the absence of a letter from the Corps, my impression is that UP and TxDOT may have to revisit the order in which the regulatory steps are taken in this project. I am happy to continue to help in any way that I can, but unless THC is willing to move forward with the MOA without the Corps' involvement, then the best course of action for the Board may be to seek a no adverse effects determination for the abandonment and for TxDOT to revisit Section 106 under the Corps' jurisdiction at such time as a Corps permit is needed.

Best,

Josh Wayland  
Office of Environmental Analysis  
Surface Transportation Board  
202.245.0330

-----Original Message-----

From: Androy, Jerry L CIV USARMY CESWG (US) [mailto:Jerry.L.Androy@usace.army.mil]  
Sent: Thursday, July 20, 2017 11:15 AM  
To: Wayland, Joshua <Joshua.Wayland@stb.gov>  
Cc: Davis, Andria E CIV USARMY CESWG (US) <Andria.E.Davis@usace.army.mil>; Baggette, Kimberly S CIV USARMY CESWG (US) <Kimberly.S.Baggette@usace.army.mil>

Subject: Section 106 conference call on Cedar Bayou Bridge

Hi Joshua,

I wanted to follow on yesterday's teleconference.

I checked with my chain of command and the decision is the Corps cannot send the letter discussed. We would need to have a complete permit application in order for us to provide any response or take any official position.

Good luck and let me know if you have any other questions, Jerry Androy  
Regulatory Archeologist and Tribal Liaison U.S. Army Corps of Engineers  
2000 Fort Point Road  
Galveston, TX 77550  
(409) 766-3821  
Jerry.L.Androy@usace.army.mil

-----Original Message-----

From: Wayland, Joshua [mailto:Joshua.Wayland@stb.gov]  
Sent: Tuesday, July 18, 2017 3:08 PM  
To: Lydia Woods <Lydia.Woods@thc.texas.gov>; Olin H. Dirks <OHDIRKS@up.com>;  
MACKSHUMATE@UP.COM; Androy, Jerry L CIV USARMY CESWG (US)  
<Jerry.L.Androy@usace.army.mil>; kitty@historicbridgefoundation.com;  
misty.barham@txdot.gov  
Subject: [Non-DoD Source] RE: Section 106 conference call to discuss Cedar  
Bayou Bridge

All,

For our call tomorrow (July 19) at 3pm EDT, please use the call-in number and access code below:

CALL-IN NUMBER: 877-848-7030

ACCESS CODE: 9360576

The purpose of the call is to discuss the following items:

- \* Current status of the Surface Transportation Board's abandonment process in this case
- \* Adequacy of the draft Memorandum of Agreement to resolve adverse effects to historic properties
- \* Potential role of the Texas Department of Transportation, the Army Corps of Engineers, and the Coast Guard in the Section 106 process

Thank you all for your continued participation in the Section 106 process in this case. I look forward to speaking with you tomorrow afternoon.

Best,

Josh Wayland

Office of Environmental Analysis

Surface Transportation Board

202.245.0330

From: Wayland, Joshua  
Sent: Thursday, July 13, 2017 5:56 PM  
To: 'Lydia Woods' <Lydia.Woods@thc.texas.gov>; 'Olin H. Dirks'  
<OHDIRKS@up.com>; 'MACKSHUMATE@UP.COM' <MACKSHUMATE@UP.COM>; 'Androy, Jerry L  
CIV USARMY CESWG (US)' <Jerry.L.Androy@usace.army.mil>;  
'kitty@historicbridgefoundation.com' <kitty@historicbridgefoundation.com>;  
'misty.barham@txdot.gov' <misty.barham@txdot.gov>  
Subject: RE: Section 106 conference call to discuss Cedar Bayou Bridge

The proposed date for the call is Wednesday July 19. Apologies for the typo.

From: Wayland, Joshua  
Sent: Thursday, July 13, 2017 5:54 PM  
To: 'Lydia Woods' <Lydia.Woods@thc.texas.gov <mailto:Lydia.Woods@thc.texas.gov  
> >; 'Olin H. Dirks' <OHDIRKS@up.com <mailto:OHDIRKS@up.com> >;  
MACKSHUMATE@UP.COM <mailto:MACKSHUMATE@UP.COM> ; 'Androy, Jerry L CIV USARMY  
CESWG (US)' <Jerry.L.Androy@usace.army.mil <  
mailto:Jerry.L.Androy@usace.army.mil> >; kitty@historicbridgefoundation.com <  
mailto:kitty@historicbridgefoundation.com> ; 'misty.barham@txdot.gov'  
<misty.barham@txdot.gov <mailto:misty.barham@txdot.gov> >  
Subject: Section 106 conference call to discuss Cedar Bayou Bridge

Thank you all for getting back to me regarding your availability for a conference call to discuss the draft MOA and other issues in the Section 106 review of the proposed rail abandonment in Harris and Chambers Counties, Texas [STB Docket No. AB 33 (Sub-No. 324X)]. Based on your feedback, it looks like Wednesday July 18 would work for everyone. I am proposing 3pm EDT for the call. If this time does not work for you, please let me know right away. I will send out an email with call-in information and agenda items early next week.

Josh Wayland

Office of Environmental Analysis

Surface Transportation Board

202.245.0330