



EI-32095



Osage Nation Historic Preservation Office

HAZARA BORN KAPPA

Date: July 22, 2021

File: 2021-4582PA-6

RE: STB, Docket No. AB 183 (Sub-No. 5X), Union Railroad Company, LLC., MCR Track, Abandonment Exemption in the City of McKeesport, Allegheny County, Pennsylvania

Surface Transportation Board
Dave Navecky
Washington, D.C. 20423-0001

Dear Mr. Navecky,

The Osage Nation Historic Preservation Office (ONHPO) has evaluated your submission for the proposed STB, Docket No. AB 183 (Sub-No. 5X), Union Railroad Company, LLC., MCR Track, Abandonment Exemption in the City of McKeesport, Allegheny County, Pennsylvania. The ONHPO is not aware of, but has a general concern for, any burials (graves, mounds, cairns), prehistoric districts, sites, or objects included in or eligible for inclusion in the National Register of Historic Places (36 CFR § 800.16(l)) or that have not been evaluated pursuant to 36 CFR § 800.4(c) in consultation with the Osage Nation that may be located within the area of potential effects (APE). **If any are identified within the APE during any identification efforts conducted for the proposed project, including background research and cultural resource surveys, the Osage Nation requests to be notified and provided with all relevant CRS reports and correspondence of the State Historic Preservation Office (SHPO), or affiliated reviewing state agency, for review and comment prior to the federal agency's approval of the proposed undertaking.** The Osage Nation, however, has no concern for historic graves unaffiliated with the Osage Nation or any identified historic archaeology sites that have no known connection to the Osage Nation. **There is no need to further notify or further consult with the Osage Nation regarding any such graves or non-Osage historic sites located in the project APE.**

In accordance with the National Historic Preservation Act, (NHPA) [54 U.S.C. § 300101 et seq.] 1966, undertakings subject to the review process are referred to in 54 U.S.C. § 302706 (a), which clarifies that historic properties may have religious and cultural significance to Indian tribes. Additionally, Section 106 of NHPA requires Federal agencies to consider the effects of their actions on historic properties (36 CFR Part 800) as does the National Environmental Policy Act (43 U.S.C. 4321 and 4331-35 and 40 CFR 1501.7(a) of 1969). **If no graves, historic properties, or cultural resources, as specified above, are identified within the APE during any identification efforts conducted for the proposed project, the Osage Nation concurs that the Surface Transportation Board has fulfilled NHPA compliance by consulting with the Osage Nation Historic Preservation Office in regard to the proposed STB, Docket No. AB 183 (Sub-No. 5X), Union Railroad Company, LLC., MCR Track, Abandonment Exemption in the City of McKeesport, Allegheny County, Pennsylvania.**

If artifacts or human remains are discovered during project-related activities we ask that activities cease immediately and the Osage Nation Historic Preservation Office be contacted at 918-287-5328 within 48 hours of the discovery and prior to the resuming of project activities. Should you have any questions or need any additional information please feel free to contact me at the number listed below. Thank you for consulting with the Osage Nation on this matter.

Deseray Helton
Deseray Helton
Archaeologist