



SURFACE TRANSPORTATION BOARD
395 E Street, SW
Washington, DC 20423
Section of Environmental Analysis

July 1, 2008

Ms. Sandra Barnum
Cultural Resources Director
Department of the Army US Army - Engineer District, Omaha
106 South 15th Street
Omaha, NE 68102-1618

RE: STB Finance Docket No. 33407, Dakota, Minnesota & Eastern Railroad Corporation Construction into the Powder River Basin Project: Report for your comment

Dear Ms. Barnum:

The Surface Transportation Board's (STB) Section of Environmental Analysis (SEA) is pleased to provide you with the draft report, *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation's Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2*, SWCA Environmental Consultants, March 2008 (SHPO No. 990223006F; LBG No. SD1b¹). The report has been prepared as part of the cultural resources studies being completed to comply with the provisions of the Section 106 Programmatic Agreement (PA) and Identification (ID) Plan executed in May 2003 (amended in May 2008) pursuant to 36 CFR 800.14 (b) for the above-referenced project. We request your comments on the report pursuant to Section A.3.1 of the PA.

The enclosed report is an addendum to: *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation's Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota* (SWCA Environmental Consultants, 2007 & Archaeology Laboratory, University of South Dakota, [ARCHLAB] 2007). On October 3, 2007, the STB requested that the Dakota Minnesota & Eastern Railroad Company (DM&E) revisit archaeological sites listed and described in the above report for further testing and evaluation. Their follow up work is summarized in the enclosed addendum. As a result of these investigations, 17 sites within the area of potential effect

¹ This code refers to Louis Berger Group (LBG) Report No. SD1b. The first two letters refer to the state, "1" is the report number, and the letter indicates that this is an addendum to report 1. Please refer to both the SHPO and LBG codes in your response.

are being recommended by STB as eligible for listing in the National Register and may thus be adversely affected by the undertaking.

There are a number of sites that are described in the report as “unevaluated” for the National Register under both Criterion A and D. Most of these sites were left unevaluated pending tribal input with the thinking that they might be traditional cultural properties (TCPs), thus eligible for listing in the National Register under Criterion A. As a result, these sites were generally left untested (not excavated) pending tribal input. Consequently, the STB is particularly in need of input from you regarding these “unevaluated” sites.

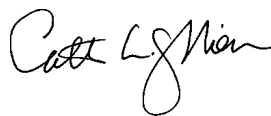
Of the “unevaluated” sites, the STB has chosen to consider stone cairns or circles as eligible for listing in the National Register under Criterion A based on previous tribal input regarding these site types. However, there are a number of other site types including quarries and artifact scatters for which tribal input is needed. **Tribal input is therefore critical for the STB to make definitive National Register eligibility recommendations and to determine project effects for unevaluated sites.** A complete listing of the archaeological sites is shown in the accompanying table.

The STB will make its final National Register evaluations pending receipt of comments from participating tribes, agencies, and input from the South Dakota Historic Preservation Officer.

Your comments and/or suggested changes regarding the report must be provided within 30 days of receiving this letter. Please send your written comments directly to David Bibler, Project Manager for the Louis Berger Group Inc. (SEA’s third-party contractor). If you have any questions or comments regarding any of the above, please feel free to contact me at 202-245-0293 (Catherine.Glidden@stb.dot.gov) or David Bibler at 319-373-3043 (dbibler@louisberger.com). Pursuant to the PA, SEA will assume that the lack of comments provided within the review period will mean your concurrence with its content and findings.

Thank you taking the time to review the enclosed report. We look forward to hearing from you.

Sincerely,



Catherine Glidden
Section of Environmental Analysis

Cc: Distribution list

Enclosure: *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation’s Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2, SWCA Environmental*

Consultants, March 2008

Report Review and Comment Form



SURFACE TRANSPORTATION BOARD
395 E Street, SW
Washington, DC 20423
Section of Environmental Analysis

July 1, 2008

Mr. Brad Johnson
Archaeologist
US Army Corps of Engineers, St. Paul District
190 Fifth Street East
Saint Paul, MN 55101-1638

RE: STB Finance Docket No. 33407, Dakota, Minnesota & Eastern Railroad Corporation Construction into the Powder River Basin Project: Report for your comment

Dear Mr. Johnson:

The Surface Transportation Board's (STB) Section of Environmental Analysis (SEA) is pleased to provide you with the draft report, *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation's Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2*, SWCA Environmental Consultants, March 2008 (SHPO No. 990223006F; LBG No. SD1b²). The report has been prepared as part of the cultural resources studies being completed to comply with the provisions of the Section 106 Programmatic Agreement (PA) and Identification (ID) Plan executed in May 2003 (amended in May 2008) pursuant to 36 CFR 800.14 (b) for the above-referenced project. We request your comments on the report pursuant to Section A.3.1 of the PA.

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There are a number of sites that are described in the report as “unevaluated” for the National Register under both Criterion A and D. Most of these sites were left unevaluated pending tribal input with the thinking that they might be traditional cultural properties (TCPs), thus eligible for listing in the National Register under Criterion A. As a result, these sites were generally left untested (not excavated) pending tribal input. Consequently, the STB is particularly in need of input from you regarding these “unevaluated” sites.

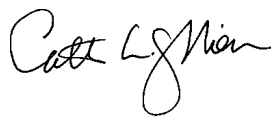
Of the “unevaluated” sites, the STB has chosen to consider stone cairns or circles as eligible for listing in the National Register under Criterion A based on previous tribal input regarding these site types. However, there are a number of other site types including quarries and artifact scatters for which tribal input is needed. **Tribal input is therefore critical for the STB to make definitive National Register eligibility recommendations and to determine project effects for unevaluated sites.** A complete listing of the archaeological sites is shown in the accompanying table.

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Section of Environmental Analysis

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Report Review and Comment Form



SURFACE TRANSPORTATION BOARD
395 E Street, SW
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Section of Environmental Analysis

July 1, 2008

Mr. Ian Ritchie
Archaeologist
Douglas Ranger District
2250 East Richards Street
Douglas, WY 82633

RE: STB Finance Docket No. 33407, Dakota, Minnesota & Eastern Railroad Corporation Construction into the Powder River Basin Project: Report for your comment

Dear Mr. Ritchie:

The Surface Transportation Board's (STB) Section of Environmental Analysis (SEA) is pleased to provide you with the draft report, *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation's Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2*, SWCA Environmental Consultants, March 2008 (SHPO No. 990223006F; LBG No. SD1b³). The report has been prepared as part of the cultural resources studies being completed to comply with the provisions of the Section 106 Programmatic Agreement (PA) and Identification (ID) Plan executed in May 2003 (amended in May 2008) pursuant to 36 CFR 800.14 (b) for the above-referenced project. We request your comments on the report pursuant to Section A.3.1 of the PA.

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There are a number of sites that are described in the report as “unevaluated” for the National Register under both Criterion A and D. Most of these sites were left unevaluated pending tribal input with the thinking that they might be traditional cultural properties (TCPs), thus eligible for listing in the National Register under Criterion A. As a result, these sites were generally left untested (not excavated) pending tribal input. Consequently, the STB is particularly in need of input from you regarding these “unevaluated” sites.

Of the “unevaluated” sites, the STB has chosen to consider stone cairns or circles as eligible for listing in the National Register under Criterion A based on previous tribal input regarding these site types. However, there are a number of other site types including quarries and artifact scatters for which tribal input is needed. **Tribal input is therefore critical for the STB to make definitive National Register eligibility recommendations and to determine project effects for unevaluated sites.** A complete listing of the archaeological sites is shown in the accompanying table.

The STB will make its final National Register evaluations pending receipt of comments from participating tribes, agencies, and input from the South Dakota Historic Preservation Officer.

Your comments and/or suggested changes regarding the report must be provided within 30 days of receiving this letter. Please send your written comments directly to David Bibler, Project Manager for the Louis Berger Group Inc. (SEA’s third-party contractor). If you have any questions or comments regarding any of the above, please feel free to contact me at 202-245-0293 (Catherine.Glidden@stb.dot.gov) or David Bibler at 319-373-3043 (dbibler@louisberger.com). Pursuant to the PA, SEA will assume that the lack of comments provided within the review period will mean your concurrence with its content and findings.

Thank you taking the time to review the enclosed report. We look forward to hearing from you.

Sincerely,



Catherine Glidden
Section of Environmental Analysis

Cc: Distribution list

Enclosure: *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation’s Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2, SWCA Environmental Consultants, March 2008*
Report Review and Comment Form



SURFACE TRANSPORTATION BOARD
395 E Street, SW
Washington, DC 20423
Section of Environmental Analysis

July 1, 2008

Ms. Alice Tratebas
Archaeologist
Bureau of Land Management
1101 Washington Blvd.
Newcastle, WY 82701

RE: STB Finance Docket No. 33407, Dakota, Minnesota & Eastern Railroad Corporation Construction into the Powder River Basin Project: Report for your comment

Dear Ms. Tratebas:

The Surface Transportation Board's (STB) Section of Environmental Analysis (SEA) is pleased to provide you with the draft report, *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation's Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2*, SWCA Environmental Consultants, March 2008 (SHPO No. 990223006F; LBG No. SD1b⁴). The report has been prepared as part of the cultural resources studies being completed to comply with the provisions of the Section 106 Programmatic Agreement (PA) and Identification (ID) Plan executed in May 2003 (amended in May 2008) pursuant to 36 CFR 800.14 (b) for the above-referenced project. We request your comments on the report pursuant to Section A.3.1 of the PA.

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There are a number of sites that are described in the report as “unevaluated” for the National Register under both Criterion A and D. Most of these sites were left unevaluated pending tribal input with the thinking that they might be traditional cultural properties (TCPs), thus eligible for listing in the National Register under Criterion A. As a result, these sites were generally left untested (not excavated) pending tribal input. Consequently, the STB is particularly in need of input from you regarding these “unevaluated” sites.

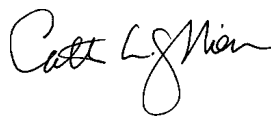
Of the “unevaluated” sites, the STB has chosen to consider stone cairns or circles as eligible for listing in the National Register under Criterion A based on previous tribal input regarding these site types. However, there are a number of other site types including quarries and artifact scatters for which tribal input is needed. **Tribal input is therefore critical for the STB to make definitive National Register eligibility recommendations and to determine project effects for unevaluated sites.** A complete listing of the archaeological sites is shown in the accompanying table.

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Catherine Glidden
Section of Environmental Analysis

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SURFACE TRANSPORTATION BOARD
395 E Street, SW
Washington, DC 20423
Section of Environmental Analysis

July 1, 2008

Mr. James Kangas
Archaeologist
Bureau of Reclamation
515 9th Street, Suite 101, Rapid City Field Office
Rapid City, SD 57701

RE: STB Finance Docket No. 33407, Dakota, Minnesota & Eastern Railroad Corporation Construction into the Powder River Basin Project: Report for your comment

Dear Mr. Kangas:

The Surface Transportation Board's (STB) Section of Environmental Analysis (SEA) is pleased to provide you with the draft report, *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation's Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2*, SWCA Environmental Consultants, March 2008 (SHPO No. 990223006F; LBG No. SD1b⁵). The report has been prepared as part of the cultural resources studies being completed to comply with the provisions of the Section 106 Programmatic Agreement (PA) and Identification (ID) Plan executed in May 2003 (amended in May 2008) pursuant to 36 CFR 800.14 (b) for the above-referenced project. We request your comments on the report pursuant to Section A.3.1 of the PA.

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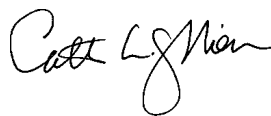
Of the “unevaluated” sites, the STB has chosen to consider stone cairns or circles as eligible for listing in the National Register under Criterion A based on previous tribal input regarding these site types. However, there are a number of other site types including quarries and artifact scatters for which tribal input is needed. **Tribal input is therefore critical for the STB to make definitive National Register eligibility recommendations and to determine project effects for unevaluated sites.** A complete listing of the archaeological sites is shown in the accompanying table.

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Catherine Glidden
Section of Environmental Analysis

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Report Review and Comment Form



SURFACE TRANSPORTATION BOARD
395 E Street, SW
Washington, DC 20423
Section of Environmental Analysis

July 1, 2008

Ms. Katry Harris
Historic Preservation Specialist
Advisory Council for Historic Preservation
1100 Pennsylvania Avenue NW, Suite 803
Washington, DC 20004

RE: STB Finance Docket No. 33407, Dakota, Minnesota & Eastern Railroad Corporation Construction into the Powder River Basin Project: Report for your comment

Dear Ms. Harris:

The Surface Transportation Board's (STB) Section of Environmental Analysis (SEA) is pleased to provide you with the draft report, *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation's Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2*, SWCA Environmental Consultants, March 2008 (SHPO No. 990223006F; LBG No. SD1b⁶). The report has been prepared as part of the cultural resources studies being completed to comply with the provisions of the Section 106 Programmatic Agreement (PA) and Identification (ID) Plan executed in May 2003 (amended in May 2008) pursuant to 36 CFR 800.14 (b) for the above-referenced project. We request your comments on the report pursuant to Section A.3.1 of the PA.

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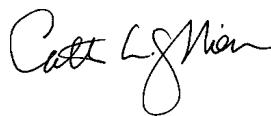
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SURFACE TRANSPORTATION BOARD
395 E Street, SW
Washington, DC 20423
Section of Environmental Analysis

July 1, 2008

Mr. Herb Jones
Government Affairs Director
Dakota, Minnesota, & Eastern Railroad
140 North Phillips Avenue
Sioux Falls, SD 57101

RE: STB Finance Docket No. 33407, Dakota, Minnesota & Eastern Railroad Corporation Construction into the Powder River Basin Project: Report for your comment

Dear Mr. Jones:

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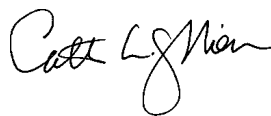
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Catherine Glidden
Section of Environmental Analysis

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SURFACE TRANSPORTATION BOARD
395 E Street, SW
Washington, DC 20423
Section of Environmental Analysis

July 1, 2008

Mr. Gary Smith
Archaeologist
Bureau of Land Management-MT Office
5001 Southgate Drive
Billings, MT 59101

RE: STB Finance Docket No. 33407, Dakota, Minnesota & Eastern Railroad Corporation Construction into the Powder River Basin Project: Report for your comment

Dear Mr. Smith:

The Surface Transportation Board's (STB) Section of Environmental Analysis (SEA) is pleased to provide you with the draft report, *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation's Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2*, SWCA Environmental Consultants, March 2008 (SHPO No. 990223006F; LBG No. SD1b⁸). The report has been prepared as part of the cultural resources studies being completed to comply with the provisions of the Section 106 Programmatic Agreement (PA) and Identification (ID) Plan executed in May 2003 (amended in May 2008) pursuant to 36 CFR 800.14 (b) for the above-referenced project. We request your comments on the report pursuant to Section A.3.1 of the PA.

The enclosed report is an addendum to: *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation's Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota* (SWCA Environmental Consultants, 2007 & Archaeology Laboratory, University of South Dakota, [ARCHLAB] 2007). On October 3, 2007, the STB requested that the Dakota Minnesota & Eastern Railroad Company (DM&E) revisit archaeological sites listed and described in the above report for further testing and evaluation. Their follow up work is summarized in the enclosed addendum. As a result of these investigations, 17 sites within the area of potential effect

⁸ This code refers to Louis Berger Group (LBG) Report No. SD1b. The first two letters refer to the state, "1" is the report number, and the letter indicates that this is an addendum to report 1. Please refer to both the SHPO and LBG codes in your response.

are being recommended by STB as eligible for listing in the National Register and may thus be adversely affected by the undertaking.

There are a number of sites that are described in the report as “unevaluated” for the National Register under both Criterion A and D. Most of these sites were left unevaluated pending tribal input with the thinking that they might be traditional cultural properties (TCPs), thus eligible for listing in the National Register under Criterion A. As a result, these sites were generally left untested (not excavated) pending tribal input. Consequently, the STB is particularly in need of input from you regarding these “unevaluated” sites.

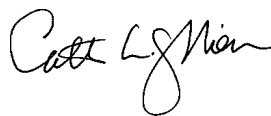
Of the “unevaluated” sites, the STB has chosen to consider stone cairns or circles as eligible for listing in the National Register under Criterion A based on previous tribal input regarding these site types. However, there are a number of other site types including quarries and artifact scatters for which tribal input is needed. **Tribal input is therefore critical for the STB to make definitive National Register eligibility recommendations and to determine project effects for unevaluated sites.** A complete listing of the archaeological sites is shown in the accompanying table.

The STB will make its final National Register evaluations pending receipt of comments from participating tribes, agencies, and input from the South Dakota Historic Preservation Officer.

Your comments and/or suggested changes regarding the report must be provided within 30 days of receiving this letter. Please send your written comments directly to David Bibler, Project Manager for the Louis Berger Group Inc. (SEA’s third-party contractor). If you have any questions or comments regarding any of the above, please feel free to contact me at 202-245-0293 (Catherine.Glidden@stb.dot.gov) or David Bibler at 319-373-3043 (dbibler@louisberger.com). Pursuant to the PA, SEA will assume that the lack of comments provided within the review period will mean your concurrence with its content and findings.

Thank you taking the time to review the enclosed report. We look forward to hearing from you.

Sincerely,



Catherine Glidden
Section of Environmental Analysis

Cc: Distribution list

Enclosure: *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation’s Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2, SWCA Environmental Consultants, March 2008*
Report Review and Comment Form

