



SURFACE TRANSPORTATION BOARD
Washington, DC 20423
Office of Environmental Analysis

February 5, 2015

Gordon Topham, Commission Chair
Sevier County Commission
250 North Main St.
Richfield, UT 84701

Dear Commissioner Topham:

Thank you for your letter dated October 3, 2014 in which your County Commission expressed an interest in consulting to address impacts to cultural resources in the Six County Association of Governments Rail Project. After consulting with a number of parties to invite participation, the Surface Transportation Board's Office of Environmental Analysis is moving forward with the development of a Programmatic Agreement (PA) in accordance with Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR 800.

Enclosed is a Draft PA with attachments (maps, list of sites potentially affected, etc.). This document addresses a full range of consultation, inventory, evaluation and mitigation issues. See below for a list of highlights from key PA stipulations.

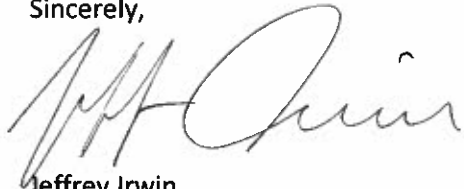
PA Stipulations Highlights

- Establishes STB as primary coordinator of consultation
- Identifies Signatories and Concurring Parties
- Ensures applicant will support survey and evaluations and mitigation planning prior to construction
- Establishes existing inventory and provides process for additional inventory, as required
- Provides for a records search to update the existing inventory with any recently identified historic properties in the APE
- Provides for evaluation of properties not in the existing inventory
- Ensures process for review and comment on survey, testing, mitigation plans by all signatories and concurring parties
- Provides for consideration of archaeological connection to the Old Spanish Trail at a particular site within the right-of-way (42SV2738)
- Calls for effect determinations as construction plans are refined and finalized
- Establishes avoidance as a preferred approach to historic properties but allows for mitigation
- Ensures a public component of any mitigation
- Identifies standards for professionals executing stipulation requirements and documentation standards for mitigation
- Calls for protective measures during construction and notes potential monitoring opportunities
- Notes permits required for archaeological work on federal and state land

- Establishes curation standards for archaeological collections
- Includes confidentiality provision for archaeological data and information sensitive to tribes
- Includes procedures for inadvertent discovery of archaeological materials and human remains or cultural items

We are sharing this Draft PA with a number of consulting parties and hope to develop an agreement satisfactory to all involved. Please review this draft document and forward any comments, questions or concerns to Jeff Irwin at 202-245-0299 or Jeffrey.irwin@stb.dot.gov. For additional information about the Board's compliance with historic preservation laws and regulations, see <http://www.stb.dot.gov/stb/environment/preservation.html>.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jeff Irwin", written in a cursive style.

Jeffrey Irwin
Environmental Protection Specialist

Enclosures