



Six County Rail Project
Jeffrey Irwin to: Betsy Chapoose

02/09/2015 04:40 PM

Ms. Chapoose,

As a follow-up to a letter sent in September of 2014 and a recent voice message I left in your office, I wanted to contact you and let you know that we are preparing a Programmatic Agreement (PA) for the Six County Association of Governments Rail Project in San Pete, Sevier and Juab Counties. After consulting with a number of folks to invite participation, we are ready to move forward with the development of a PA in accordance with Section 106 of the NHPA. In addition to the September letter, you may have seen previous correspondence on this project generated in association with the preparation of an Environmental Impact Statement, which has been progressing now for several years.

I don't think that we've heard from your tribe yet regarding this project but I want to make sure you have an opportunity to participate in the drafting of a PA. You'll find attached a Draft PA with attachments (maps, site list, APE description, NAGPRA protocol). This document addresses a full range of consultation, inventory, evaluation and mitigation issues. See below for a list of PA highlights. In addition to the PA, I attached a copy of the letter sent back in September.

Please review this draft and share any comments, concerns or suggestions that you have. I am sending this to all signatories and concurring parties. So far I've included those tribes that have indicated an interest in consultation as concurring parties. I'd be happy to add the Ute Tribe based on your input.

Thank for your time. Please feel free to contact me via email or phone (# below) and I'd be happy to answer questions.

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



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Best regards,

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