

***SURFACE TRANSPORTATION BOARD
Washington, DC 20423***

Office of Environmental Analysis

November 4, 2011

Ms. Lana Gravatt
Tribal Historic Preservation Officer
Yankton Sioux Tribe
P.O. Box 248
Marty, SD 57361

Re: Finance Docket 30186, Tongue River Railroad

Dear Ms. Gravatt:

I am writing to update you on recent developments with regard to the Tongue River Railroad Company (TRRC) rail line construction, and to reinstate the Section 106 process pursuant to Section 800.14 of the regulations (36 C.F.R. Part 800) implementing Section 106 of the National Historic Preservation Act (NHPA), 16 U.S.C. 470f.

As you may recall, we had met with the Tribes June 21-23, 2011 in Rapid City, South Dakota and had scheduled a site visit to the Wolf Mountains Battlefield National Historic Landmark. The meeting was postponed and then cancelled after we were informed that, on July 1, 2011, TRRC was sold to Tongue River Holding Company, LLC (a company consisting of three owners: BNSF, Arch Coal, and a non-rail private investment entity).

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Catherine Glidden
Surface Transportation Board
Office of Environmental Analysis
395 E St. SW
Washington, DC 20423

Thank you for your interest in this project and your participation in STB's Section 106 process. We look forward to consulting with you.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson", written in a cursive style.

Victoria Rutson
Director
Office of Environmental Analysis

Attachments: map, project description, time line

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Ms. Lana Gravatt
Tribal Historic Preservation Officer
Yankton Sioux Tribe
PO Box 248
Marty, SD 57361

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *[Signature]*

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

11/28/11

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No

RECEIVED
NOV 28 2011
MANAGEMENT

3. Service Type

☐ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

7010 3090 0000 4115 6872

***SURFACE TRANSPORTATION BOARD
Washington, DC 20423***

Office of Environmental Analysis

November 4, 2011

Mr. Curley Youpee
Historic Preservation Officer
Ft. Peck Assiniboine and Sioux Tribes
601 Court Avenue
P.O. Box 1027
Poplar, MT 59225-1027

Re: Finance Docket 30186, Tongue River Railroad

Dear Mr. Youpee:

I am writing to update you on recent developments with regard to the Tongue River Railroad Company (TRRC) rail line construction, and to reinstate the Section 106 process pursuant to Section 800.14 of the regulations (36 C.F.R. Part 800) implementing Section 106 of the National Historic Preservation Act (NHPA), 16 U.S.C. 470f.

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Surface Transportation Board
Office of Environmental Analysis
395 E St. SW
Washington, DC 20423

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Victoria Rutson
Director
Office of Environmental Analysis

Attachments: map, project description, time line

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1. Article Addressed to:

Mr. Curley Youpee
Historic Preservation Officer
Ft. Peck Assiniboinet + Sioux
Tribes
601 Court Avenue
PO. BOX 1027
Poplar, MT. 59225-1027

2. Article Number

(Transfer from service label)

7010 3090 0000 4115 6896

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

Date of Delivery

D. Is delivery address different from item 1?

☐ YesIf YES, enter delivery address below ☐ NoJudy Grebeaux on Peck Tribes
PO Box 1027 • Poplar, MT 59255

NOV 21 2011

MANAGEMENT
STB

3. Service Type

☐ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

***SURFACE TRANSPORTATION BOARD
Washington, DC 20423***

Office of Environmental Analysis

November 4, 2011

Mr. Brandon Sazue
Chairman
Crow Creek Sioux Tribe
P.O. Box 50
Ft. Thompson, SD 57339-0050

Re: Finance Docket 30186, Tongue River Railroad

Dear Mr. Sazue:

I am writing to update you on recent developments with regard to the Tongue River Railroad Company (TRRC) rail line construction, and to reinitiate the Section 106 process pursuant to Section 800.14 of the regulations (36 C.F.R. Part 800) implementing Section 106 of the National Historic Preservation Act (NHPA), 16 U.S.C. 470f.

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Surface Transportation Board
Office of Environmental Analysis
395 E St. SW
Washington, DC 20423

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Victoria Rutson
Director
Office of Environmental Analysis

Attachments: map, project description, time line

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Article Addressed to:

Mr Brandon Dazelle
Chairman
Crow Creek South Lake
P.O. Box 50
Thompson SD

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Brandon Dazelle ☐ Agent

B. Received by (Printed Name) ☐ Addressee
Brandon Dazelle

C. Date of Delivery
2/1/04

RECEIVED

2/1/04

3450000000

☐ Registered Mail

☐ Registered ☐ Return Receipt for Merchandise

4. Restricted Delivery? (Extra Fee) ☐ Yes

Article Number

(Transfer from service) 7010 3090 0000 4116 906 5

S Form 3811, February 2004 Domestic Return Receipt

102595-02-M-1540

***SURFACE TRANSPORTATION BOARD
Washington, DC 20423***

Office of Environmental Analysis

November 4, 2011

Mr. Wilmer Mesteth
Tribal Historic Preservation Officer
Oglala Sioux Tribe
P.O. Box 320
Pine Ridge, SD 57770

Re: Finance Docket 30186, Tongue River Railroad

Dear Mr. Mesteth:

I am writing to update you on recent developments with regard to the Tongue River Railroad Company (TRRC) rail line construction, and to reinstate the Section 106 process pursuant to Section 800.14 of the regulations (36 C.F.R. Part 800) implementing Section 106 of the National Historic Preservation Act (NHPA), 16 U.S.C. 470f.

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Catherine Glidden
Surface Transportation Board
Office of Environmental Analysis
395 E St. SW
Washington, DC 20423

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Sincerely,

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Victoria Rutson
Director
Office of Environmental Analysis

Attachments: map, project description, time line

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- Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

Mr. Wilmer Westeth
 Tribal Historic Preservation
 Officer Oglala Sioux Tribe
 P.O. Box 330
 Pine Ridge, SD 57770

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☐ Agent
☒ *Wilmer Westeth* ☐ Addressee
 B. Received by (Printed Name) ☐ Date of Delivery
Wilmer Westeth *11-19-71*
 D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

23

3. Service Type
☐ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.
 4. Restricted Delivery? (Extra Fee) ☐ Yes

Article Number 7010 3090 0000 4116 9506
 (Transfer from service label)

S Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

***SURFACE TRANSPORTATION BOARD
Washington, DC 20423***

Office of Environmental Analysis

November 4, 2011

Ms. Dianne Desrosiers
Tribal Historic Preservation Officer
Sisseton-Wahpeton Oyate
P.O. Box 907
Sisseton, SD 57262-0907

Re: Finance Docket 30186, Tongue River Railroad

Dear Ms. Desrosiers:

I am writing to update you on recent developments with regard to the Tongue River Railroad Company (TRRC) rail line construction, and to reinstate the Section 106 process pursuant to Section 800.14 of the regulations (36 C.F.R. Part 800) implementing Section 106 of the National Historic Preservation Act (NHPA), 16 U.S.C. 470f.

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Director
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Article Addressed to:

Ms. Dianne Desrosiers
 Tribal Historic Preservation Officer
 isseton-Wabington Dakota
 P.O. Box 907
 isseton, SD 57262-0907

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X. Allen Linn

☒ Agent
☐ Addressee

B. Received by (Printed Name)

Alicia Jones

C. Date of Delivery

11/18/11

D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☒ No

53

3. Service Type

- ☒ Certified Mail
- ☐ Registered
- ☐ Insured Mail
- ☐ Express Mail
- ☐ Return Receipt for Merchandise
- ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

Article Number 7010 3090 0000 4115 6889
 (Transfer from service label)

S Form 3811, February 2004

Domestic Return Receipt

102595-02-44-1540

***SURFACE TRANSPORTATION BOARD
Washington, DC 20423***

Office of Environmental Analysis

November 4, 2011

Mr. Anthony Morse
Tribal Historic Preservation Officer
Lower Sioux Indian Community
32469 County Highway 2
Morton, MN 56270

Re: Finance Docket 30186, Tongue River Railroad

Dear Mr. Morse:

I am writing to update you on recent developments with regard to the Tongue River Railroad Company (TRRC) rail line construction, and to reinstate the Section 106 process pursuant to Section 800.14 of the regulations (36 C.F.R. Part 800) implementing Section 106 of the National Historic Preservation Act (NHPA), 16 U.S.C. 470f.

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Article Addressed to:

Mr. Anthony Morse
 Tribal Historic Preservation Off.
 Lower Sioux Indian Comm.
 13469 County Highway 2
 Morton, MN. 56270

COMPLETE THIS SECTION ON DELIVERY

A. Signature

☐ Agent
☐ Addressee

B. Received by (Printed Name)

Anthony Morse

C. Date of Delivery

11-15-11

D. Is delivery address different from item 1? If YES, enter delivery address below:

☐ Yes
☒ No

RECEIVED
 NOV 15 2011
 MANAGEMENT
 STB

3. Service Type

- ☐ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

Article Number 7010 3090 0000 4116 9858
 (Transfer from service label)

US Form 3811, February 2004

Domestic Return Receipt

102596-02-M-1540

***SURFACE TRANSPORTATION BOARD
Washington, DC 20423***

Office of Environmental Analysis

November 4, 2011

Ms. Darlene Conrad
Tribal Historic Preservation Officer
Northern Arapaho Tribe
P.O. Box 396
Fort Washakie, WY 82514

Re: Finance Docket 30186, Tongue River Railroad

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Office of Environmental Analysis
395 E St. SW
Washington, DC 20423

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Article Addressed to:

Is Darlene Conrad
 Tribal Historic Preservation Office
 Northern Arapaho Tribe
 20. Box 396
 Fort Washakie, WY 82514

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☒ Agent ☐ Addressee

B. Received by (Printed Name) ☒ Addressee

C. Date of Delivery

NOV 14 2011

3. Service Type S-813

☐ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

Article Number 7010 3090 0000 4115 4878
 (Transfer from service label)

S Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

***SURFACE TRANSPORTATION BOARD
Washington, DC 20423***

Office of Environmental Analysis

November 4, 2011

Mr. Franky Jackson
Tribal Historic Preservation Officer
Santee Sioux Tribe of Nebraska
108 Spirit Lake Avenue West
Niobrara, NE 68760

Re: Finance Docket 30186, Tongue River Railroad

Dear Mr. Jackson:

I am writing to update you on recent developments with regard to the Tongue River Railroad Company (TRRC) rail line construction, and to reinitiate the Section 106 process pursuant to Section 800.14 of the regulations (36 C.F.R. Part 800) implementing Section 106 of the National Historic Preservation Act (NHPA), 16 U.S.C. 470f.

As you may recall, we had met with the Tribes June 21-23, 2011 in Rapid City, South Dakota and had scheduled a site visit to the Wolf Mountains Battlefield National Historic Landmark. The meeting was postponed and then cancelled after we were informed that, on July 1, 2011, TRRC was sold to Tongue River Holding Company, LLC (a company consisting of three owners: BNSF, Arch Coal, and a non-rail private investment entity).

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One of the subjects that we would like to discuss with you during the consultation process is how you feel about the STB moving forward with a Programmatic Agreement on Tongue River I alone. Also, be aware that construction of this alignment would be much shorter and would not affect the Wolf Mountains Battlefield National Historic Landmark.

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We look forward to consulting with you. Please advise us if you no longer wish to participate in Section 106 consultations for this project. We welcome any general comments you may have regarding STB's Section 106 review process for this project, including our planned time line. Please contact Catherine Glidden at 202-245-0293 or gliddenc@stb.dot.gov with any questions or comments. Mail deliveries may be addressed to:

Catherine Glidden
Surface Transportation Board
Office of Environmental Analysis
395 E St. SW
Washington, DC 20423

Thank you for your interest in this project and your participation in STB's Section 106 process. We look forward to consulting with you.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson".

Victoria Rutson
Director
Office of Environmental Analysis

Attachments: map, project description, time line

- 1. Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- 2. Print your name and address on the reverse so that we can return the card to you.
- 3. Attach this card to the back of the mailpiece, or on the front if space permits.

Article addressed to:

Mr. Frank Jackson
 Tribal Historic Reorganization Office
 Santee Sioux Tribe of Nebraska
 108 Spirit Lake Ave West
 Sio, Nebraska, NE 68760

A. Signature ☐ Agent ☐ Addressee
Del Castillo

B. Received by (Printed Name) ☐ Date of Delivery
Del Castillo

D. Is delivery address different from item 1? ☐ Yes ☐ No
 If YES, enter delivery address below:

MON 14 2011

3. Service Type

- ☐ Certified Mail
- ☐ Registered
- ☐ Insured Mail
- ☐ Express Mail
- ☐ Restricted Mail for Merchandise

4. Restricted Delivery? (Extra fee) ☐ Yes ☐ No

MANAGEMENT
 SIB

Article Number
 (Transfer from service label)

S Form 3811, August 2001 Domestic Return Receipt

102595-02-M-1540

***SURFACE TRANSPORTATION BOARD
Washington, DC 20423***

Office of Environmental Analysis

November 4, 2011

Mr. Leonard Wabasha
Cultural Committee
Shakopee Mdewakanton Sioux
Community of Minnesota
2330 Sioux Trail NW
Prior Lake, MN 55372

Re: Finance Docket 30186, Tongue River Railroad

Dear Mr. Wabasha:

I am writing to update you on recent developments with regard to the Tongue River Railroad Company (TRRC) rail line construction, and to reinitiate the Section 106 process pursuant to Section 800.14 of the regulations (36 C.F.R. Part 800) implementing Section 106 of the National Historic Preservation Act (NHPA), 16 U.S.C. 470f.

As you may recall, we had met with the Tribes June 21-23, 2011 in Rapid City, South Dakota and had scheduled a site visit to the Wolf Mountains Battlefield National Historic Landmark. The meeting was postponed and then cancelled after we were informed that, on July 1, 2011, TRRC was sold to Tongue River Holding Company, LLC (a company consisting of three owners: BNSF, Arch Coal, and a non-rail private investment entity).

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Catherine Glidden
Surface Transportation Board
Office of Environmental Analysis
395 E St. SW
Washington, DC 20423

Thank you for your interest in this project and your participation in STB's Section 106 process. We look forward to consulting with you.

Sincerely,



Victoria Rutson
Director
Office of Environmental Analysis

Attachments: map, project description, time line

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:
 Mr. Leonard Wabasha
 Lakota Comm. the
 Shakopee Mdewakanton
 Sioux
 Community of Minnesota
 2330 Sioux Trail NW
 Prior Lake, MN 55372

Article Number 7010 3090 0000 4116 9483
 (Transfer from service label)

US Form 3811, August 2001 Domestic Return Receipt

102595-02-M-1540

A. Signature ☐ Agent
 [Signature] ☐ Addressee

B. Received by (Printed Name) ☐ Date of Delivery
 LDE Rogers 11/14/11

C. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

NOV 21 2011

3. Service Type
☐ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

***SURFACE TRANSPORTATION BOARD
Washington, DC 20423***

Office of Environmental Analysis

November 4, 2011

Ms. Waste'Win Young
Tribal Historic Preservation Officer
Standing Rock Sioux Tribe
P.O. Box D
Ft. Yates, ND 58538-0522

Re: Finance Docket 30186, Tongue River Railroad

Dear Ms. Young:

I am writing to update you on recent developments with regard to the Tongue River Railroad Company (TRRC) rail line construction, and to reinstate the Section 106 process pursuant to Section 800.14 of the regulations (36 C.F.R. Part 800) implementing Section 106 of the National Historic Preservation Act (NHPA), 16 U.S.C. 470f.

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Catherine Glidden
Surface Transportation Board
Office of Environmental Analysis
395 E St. SW
Washington, DC 20423

Thank you for your interest in this project and your participation in STB's Section 106 process. We look forward to consulting with you.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson".

Victoria Rutson
Director
Office of Environmental Analysis

Attachments: map, project description, time line

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Waste 'Win Young'
Tribal Historic Reservation
Standing Rock Sioux Tribe
P.O. Box D
Ft Yates, ND
58538-0527

COMPLETE THIS SECTION ON DELIVERY

A. Signature

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? If YES, enter delivery address below:

☐ Agent
☐ Addressee
☐ Yes
☐ No

RECEIVED
NOV 21 2011

3. Service Type

☐ Certified Mail ☐ **MANAGEMENT**
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

7010 3090 0000 4115 6827

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

***SURFACE TRANSPORTATION BOARD
Washington, DC 20423***

Office of Environmental Analysis

November 4, 2011

Mr. Perry Brady
Tribal Historic Preservation Officer
Three Affiliated Tribes (MHA Nation)
404 Frontage Road
New Town, ND 58763

Re: Finance Docket 30186, Tongue River Railroad

Dear Mr. Brady:

I am writing to update you on recent developments with regard to the Tongue River Railroad Company (TRRC) rail line construction, and to reinstate the Section 106 process pursuant to Section 800.14 of the regulations (36 C.F.R. Part 800) implementing Section 106 of the National Historic Preservation Act (NHPA), 16 U.S.C. 470f.

As you may recall, we had met with the Tribes June 21-23, 2011 in Rapid City, South Dakota and had scheduled a site visit to the Wolf Mountains Battlefield National Historic Landmark. The meeting was postponed and then cancelled after we were informed that, on July 1, 2011, TRRC was sold to Tongue River Holding Company, LLC (a company consisting of three owners: BNSF, Arch Coal, and a non-rail private investment entity).

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Catherine Glidden
Surface Transportation Board
Office of Environmental Analysis
395 E St. SW
Washington, DC 20423

Thank you for your interest in this project and your participation in STB's Section 106 process. We look forward to consulting with you.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson", written in a cursive style.

Victoria Rutson
Director
Office of Environmental Analysis

Attachments: map, project description, time line

SENDER: COMPLETE THIS SECTION

1. Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
2. Print your name and address on the reverse so that we can return the card to you.
3. Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

Mr. Perry Brady
 Tribal Historic Preservation Officer
 (MHA Station)
 404 Frontage Road
 Kew Town, ND 58763

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☐ Agent
 Lisa Bruce ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

RECEIVED
 21

3. Service Type

- ☐ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

Article Number 7010 3090 0000 4115 6834
 (Transfer from serv)

PS Form 3811, August 2001 Domestic Return Receipt

102585-02-M-1540

***SURFACE TRANSPORTATION BOARD
Washington, DC 20423***

Office of Environmental Analysis

November 4, 2011

The Blackfeet Nation
John Murray, THPO
620 All Chief Road
Box 850
Browning, MT 59417

Re: Finance Docket 30186, Tongue River Railroad

Dear Mr. Murray:

I am writing to update you on recent developments with regard to the Tongue River Railroad Company (TRRC) rail line construction, and to reinstate the Section 106 process pursuant to Section 800.14 of the regulations (36 C.F.R. Part 800) implementing Section 106 of the National Historic Preservation Act (NHPA), 16 U.S.C. 470f.

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Catherine Glidden
Surface Transportation Board
Office of Environmental Analysis
395 E St. SW
Washington, DC 20423

Thank you for your interest in this project and your participation in STB's Section 106 process. We look forward to consulting with you.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson", written in a cursive style.

Victoria Rutson
Director
Office of Environmental Analysis

Attachments: map, project description, time line

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

The Blackfeet Nation
John Murray, THPO
220 All Chief Road
Box 850
Browning, MT 59417

Article Number
(Transfer from service label)

7010 3090 0000 4115 6841

S Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature



☐ Agent
☐ Addressee

B. Received by (Printed Name)

Carl J. Petersen

C. Date of Delivery
11-14-11

D. Is delivery address different from item 1? ☐ Yes ☐ No

If YES, enter delivery address below:

NOV 21 2011

3. Service Type

- ☐ Certified Mail ☐ Express Mail
- ☐ Registered ☐ Return Receipt for Merchandise
- ☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes ☐ No

***SURFACE TRANSPORTATION BOARD
Washington, DC 20423***

Office of Environmental Analysis

November 4, 2011

Ms. Dana Dupris
Acting Tribal Historic Preservation Officer
Cheyenne River Sioux Tribe
P.O. Box 590
Eagle Butte, SD 57625

Re: Finance Docket 30186, Tongue River Railroad

Dear Ms. Dupris:

I am writing to update you on recent developments with regard to the Tongue River Railroad Company (TRRC) rail line construction, and to reinstate the Section 106 process pursuant to Section 800.14 of the regulations (36 C.F.R. Part 800) implementing Section 106 of the National Historic Preservation Act (NHPA), 16 U.S.C. 470f.

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Catherine Glidden
Surface Transportation Board
Office of Environmental Analysis
395 E St. SW
Washington, DC 20423

Thank you for your interest in this project and your participation in STB's Section 106 process. We look forward to consulting with you.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson", written in a cursive style.

Victoria Rutson
Director
Office of Environmental Analysis

Attachments: map, project description, time line

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

Ms. Dana Dupuis
Sisseton Indian Reservation
P.O. Box 590
Sisseton, SD 57625

Article Number
(Transfer from service label)

7010 3090 0000 4115 6858

S Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Wendell Williams

☐ Agent
☐ Addressee

B. Received by (Printed Name)

Wendell Williams

C. Date of Delivery

11-14-11

D. Is delivery address different from item 1? If YES, enter delivery address below:

☐ Yes
☐ No

RECEIVED

NOV 14 2011

3. Service Type

SIB

☐ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

***SURFACE TRANSPORTATION BOARD
Washington, DC 20423***

Office of Environmental Analysis

November 4, 2011

Mr. Sam Allen
Economic Development
Flandreau Santee Sioux
P.O. Box 283
Flandreau, SD 57028

Re: Finance Docket 30186, Tongue River Railroad

Dear Mr. Allen:

I am writing to update you on recent developments with regard to the Tongue River Railroad Company (TRRC) rail line construction, and to reinstate the Section 106 process pursuant to Section 800.14 of the regulations (36 C.F.R. Part 800) implementing Section 106 of the National Historic Preservation Act (NHPA), 16 U.S.C. 470f.

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Catherine Glidden
Surface Transportation Board
Office of Environmental Analysis
395 E St. SW
Washington, DC 20423

Thank you for your interest in this project and your participation in STB's Section 106 process. We look forward to consulting with you.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson".

Victoria Rutson
Director
Office of Environmental Analysis

Attachments: map, project description, time line

ENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

Mr. Sam Allen
Economic Development
Landreau Sante Sioux
P.O. Box 383
Landreau, SD 57038

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☒ Agent ☐ Addressee
B. Received by (Printed Name) C. Date of Delivery
L. M. M. 11-14-11

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

RECEIVED

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered Mail ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes

Article Number 7030 3090 0000 4116 9841
(Transfer from service label)

S Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

***SURFACE TRANSPORTATION BOARD
Washington, DC 20423***

Office of Environmental Analysis

November 4, 2011

Mr. Russell Eagle Bear
Tribal Historic Preservation Officer
Rosebud Sioux Tribe
P.O. Box 658
Rosebud, SD 57570

Re: Finance Docket 30186, Tongue River Railroad

Dear Mr. Eagle Bear:

I am writing to update you on recent developments with regard to the Tongue River Railroad Company (TRRC) rail line construction, and to reinstate the Section 106 process pursuant to Section 800.14 of the regulations (36 C.F.R. Part 800) implementing Section 106 of the National Historic Preservation Act (NHPA), 16 U.S.C. 470f.

As you may recall, we had met with the Tribes June 21-23, 2011 in Rapid City, South Dakota and had scheduled a site visit to the Wolf Mountains Battlefield National Historic Landmark. The meeting was postponed and then cancelled after we were informed that, on July 1, 2011, TRRC was sold to Tongue River Holding Company, LLC (a company consisting of three owners: BNSF, Arch Coal, and a non-rail private investment entity).

TRRC has now advised us that it does not intend, at this time, to construct the southern portion (south of Ashland area) of the rail line that was approved by the Surface Transportation Board (STB) in Tongue River II and Tongue River III. Rather, TRRC has told us that it currently plans to construct only the rail line approved by STB in Tongue River I. The Tongue River I rail line would extend from Miles City to two termination points just past Ashland at the Montco Mine and Otter Creek tracts. Enclosed please find a map and description of the Tongue River I rail line recently sent to us by TRRC.

One of the subjects that we would like to discuss with you during the consultation process is how you feel about the STB moving forward with a Programmatic Agreement on Tongue River I alone. Also, be aware that construction of this alignment would be much shorter and would not affect the Wolf Mountains Battlefield National Historic Landmark.

Also enclosed to this letter is a proposed schedule with milestones. We would like to hold a tribal consultation meeting (weather permitting) early next year, possibly in Rapid City. Again, the timing and location of the meeting are things that we need to discuss as a group. We would extend invitations for all Section 106 consulting parties to participate. As part of our consultation efforts, we intend to invite comment from all the consulting parties with an eye toward drafting an appropriate new Programmatic Agreement that would address the concerns of all the consulting parties.

We look forward to consulting with you. Please advise us if you no longer wish to participate in Section 106 consultations for this project. We welcome any general comments you may have regarding STB's Section 106 review process for this project, including our planned time line. Please contact Catherine Glidden at 202-245-0293 or gliddenc@stb.dot.gov with any questions or comments. Mail deliveries may be addressed to:

Catherine Glidden
Surface Transportation Board
Office of Environmental Analysis
395 E St. SW
Washington, DC 20423

Thank you for your interest in this project and your participation in STB's Section 106 process. We look forward to consulting with you.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson", with a stylized, cursive script.

Victoria Rutson
Director
Office of Environmental Analysis

Attachments: map, project description, time line

SENDER: COMPLETE THIS SECTION

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Article Addressed to:
 Mr. Russell Eagle Bear
 Sibal Historic Reservation Office
 Rosebud Sioux Tribe
 P.O. Box 658
 Rosebud, SD 57570

Article Number (Transfer from service label) 7010 3090 0000 4115 6902

US Form 3811, August 2001 Domestic Return Receipt

102595-02-M-1540

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***SURFACE TRANSPORTATION BOARD
Washington, DC 20423***

Office of Environmental Analysis

November 4, 2011

Mr. Scott Larsen
Board Member
Upper Sioux Community
P.O. Box 147
Granite Falls, MN 56241-0147

Re: Finance Docket 30186, Tongue River Railroad

Dear Mr. Larsen:

I am writing to update you on recent developments with regard to the Tongue River Railroad Company (TRRC) rail line construction, and to reinitiate the Section 106 process pursuant to Section 800.14 of the regulations (36 C.F.R. Part 800) implementing Section 106 of the National Historic Preservation Act (NHPA), 16 U.S.C. 470f.

As you may recall, we had met with the Tribes June 21-23, 2011 in Rapid City, South Dakota and had scheduled a site visit to the Wolf Mountains Battlefield National Historic Landmark. The meeting was postponed and then cancelled after we were informed that, on July 1, 2011, TRRC was sold to Tongue River Holding Company, LLC (a company consisting of three owners: BNSF, Arch Coal, and a non-rail private investment entity).

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Catherine Glidden
Surface Transportation Board
Office of Environmental Analysis
395 E St. SW
Washington, DC 20423

Thank you for your interest in this project and your participation in STB's Section 106 process. We look forward to consulting with you.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson", written in a cursive style.

Victoria Rutson
Director
Office of Environmental Analysis

Attachments: map, project description, time line

ENDER: COMPLETE THIS SECTION

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Article Addressed to:
 Mr. Scott Larsen
 Card Member
 Pper Sioux Community
 P.O. Box 147
 Granite Falls, MN
 56241-0147

COMPLETE THIS SECTION ON DELIVERY

Signature Scott Larsen ☒ Agent ☐ Addressee
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