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CG
FD 33407

SURFACE TRANSPORTATION BOARD
395 E Street, SW
Washington, DC 20423-0001
Section of Environmental Analysis

April 9, 2009

Mr. Richard Currit
Historic Preservation Specialist
Department of State Parks & Cultural Resources State Historic Preservation Office
2301 Central Avenue
Cheyenne, Wyoming 82002

RE: **STB Finance Docket No. 33407, Dakota, Minnesota & Eastern Railroad Corporation Construction into the Powder River Basin: Request for Review and Comment on Three Cultural Resource Inventory Reports (SHPO File# 0608JRD008)**

Dear Mr. Currit:

The Surface Transportation Board (STB) is pleased to submit the following three reports for your review and comment in accordance with the Section 106 Programmatic Agreement (PA) regarding the Powder River Basin Expansion Project (Project), Finance Docket No. 33407:

- *A Class III Cultural Resource Inventory of Eight Portions of Dakota, Minnesota, and Eastern Railroad Corporation's Powder River Basin Expansion Project, Segments 1 and 2, Campbell, Niobrara, and Weston Counties, Wyoming (LBG-WY1);*
- *A Class III Cultural Resource Inventory of the Seven Remaining Portions of Dakota, Minnesota, and Eastern Railroad Corporation's Powder River Basin Expansion Project, Segments 1 and 2, Campbell, Niobrara, and Weston Counties, Wyoming (LBG-WY1a);*
- *A Class III Cultural Resource Inventory of Dakota, Minnesota, and Eastern Railroad Corporation's Powder River Basin Expansion Project, Segments 3 and 4, Campbell and Converse Counties, Wyoming (LBG-WY2).*

The above reports present the results of Class III cultural resources investigations conducted in 2006 and 2007 by TRC Mariah Associates, Inc. for Segments 1 and 2 of the Project's new construction right-of-way (ROW) and by ACR Consultants, Inc. and SWCA Environmental Consultants for Segments 3 and 4. Together with the three wetland mitigation sites previously reviewed by your office on June 4, 2008, the four construction ROW segments

described in these reports represent the entire Area of Potential Effects (APE) for direct effects for portions of the project area located within the state of Wyoming.

The inventory surveys resulted in the identification of 111 archaeological sites and 72 isolated archaeological resources within the APE for direct effects (see attached site table). STB has applied the National Register of Historic Places (National Register) evaluation criteria to these properties in accordance with the terms of the PA and 36 CFR 800.4 (c)(1) and hereby requests your concurrence with the following determinations of eligibility:

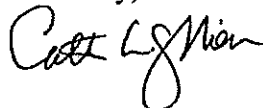
- Sixty-nine (69) of the 111 identified archaeological sites and all 72 isolated archaeological resources located within the project's APE for direct effects are determined not eligible for listing in the National Register;
- Eight (8) sites located within the project's APE for direct effects have been fully evaluated and are recommended eligible for listing in the National Register: sites 48CA1568, 48CA1570, and 48CA4975 are evaluated eligible under Criteria A and B; sites 48CA325 and 48WE1080 are evaluated eligible under Criterion C; and sites 48CO2618, 48CO960/49CO961, and 48WE1381 are evaluated eligible under Criterion D.

We have included Wyoming state inventory forms for all 77 evaluated sites and all 72 isolated resources. Per your request, these forms have been separated from the survey reports.

Thirty-four (34) archaeological sites located within the APE for direct effects remain unevaluated for listing on the National Register under one or more evaluation criteria (see attached site table). We do not request your feedback of those sites at this time. STB will address the eligibility of the unevaluated sites in one or more addendum reports for your review and comment at a future date. Further analysis regarding the potential for buried archaeological sites within the construction ROW and indirect effects to historic properties that may be located outside the construction ROW will also be included in the addendum report(s) (as summarized in our December 24, 2008 letter to you and attached again here for your convenience). I have also included applicable report comment letters from the Army Corps of Engineers and Forest Service for your information.

In accordance with the PA, you have sixty (60) days from receipt of this letter to provide us with your comment. If you have any questions regarding this matter, please contact me at (202) 245-0293 or by email Catherine.Glidden@stb.dot.gov.

Sincerely,



Catherine L. Glidden
Section of Environmental Analysis

Enclosures: Survey Reports (3)
December 24, 2008 Letter
Agency Review Comments
 US Forest Service Correspondence dated 9/11/07; 10/2/07; 12/14/07;
 3/24/08; & 8/1/08 (2)
 US Corps of Engineers Correspondence dated 9/13/07
List of Evaluated Archaeological Sites (149; includes 77 Sites and 72 Isolated
Resources)
List of Unevaluated Archaeological Sites (34)
Wyoming Cultural Properties Forms (77)
Wyoming Isolated Resource Forms (72)

**COMPILED LIST OF EVALUATED PROPERTIES
POWDER RIVER BASIN EXPANSION PROJECT
WYOMING NEW BUILD SEGMENTS 1, 2, 3, AND 4**

Site or Isolated Resources Number	MP	Report Code	Property Description and Location within Direct Impact APE	NR Eligibility ¹ Determination ¹	Likely Impact to Site/Effect
48CA1682	791.4	WY1	Prehistoric Lithic Scatter (67 artifacts) & Historic Foundation & Artifact Scatter (6 artifacts). 60% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CA1683	790.8	WY1	Prehistoric Lithic Scatter (50+ artifacts). 5% within APE	Not Eligible	Direct Physical Impact/ No Effect
48NO0388	741.4	WY1	Historic Water Well and Artifact Scatter (9 artifacts). 100% within APE	Not Eligible	Direct Physical Impact/ No Effect
48NO0470	741.1	WY1	Historic Structural Remains and Artifact Scatter Structural Remains (200+ artifacts). 40% within APE	Not Eligible	Direct Physical Impact/ No Effect
48WE1080	755.3	WY1	Historic (8), Depression and Artifact Scatter (700+ artifacts). 45% within APE; 20% within Cut Area	Eligible Criterion C	Direct Physical Impact/ Adverse Effect
48WE1084	762.5	WY1	Prehistoric Lithic Scatter (5 artifacts) & Historic Find (1). 100% within APE	Not Eligible	Direct Physical Impact/ No Effect
48WE1087	761.4	WY1	Prehistoric Lithic Scatter (2 artifacts). 100% within APE	Not Eligible	Direct Physical Impact/ No Effect
48WE1089	770.0	WY1	Historic Well Pad and Artifact Scatter (250+ artifacts). 100% within APE	Not Eligible	Direct Physical Impact/ No Effect
48WE1347	785.6	WY1	Prehistoric Lithic Scatter (60+ artifacts). 70% within APE	Not Eligible	Direct Physical Impact/ No Effect
48WE1348	766.9	WY1	Prehistoric Lithic Scatter (2 artifacts) & Historic Well, Foundation, Cellar, and Artifact Scatter (200+ artifacts). 40% within APE	Not Eligible	Direct Physical Impact/ No Effect
48WE1350	762.4	WY1	Historic Carlson Ditch (1915). 1% within APE	Not Eligible	Direct Physical Impact/ No Effect

¹ All National Register criteria were applied.

Site or Isolated Resources Number	MP	Report Code	Property Description and Location within Direct Impact APE	NR Eligibility Determination ¹	Likely Impact to Site/Effect
48WE1352	752.9	WY1	Prehistoric Rock-Filled Depression, Metate & Biface	Isolated Resources Not Eligible	No Effect
IR-NF-01	740.1	WY1	Prehistoric Artifacts (3)	Isolated Resources Not Eligible	No Effect
IR-NF-02	753.5	WY1	Prehistoric Artifact (1) & Historic Artifacts (24)	Isolated Resources Not Eligible	No Effect
IR-NF-03	784.1	WY1	Prehistoric Artifacts (10)	Isolated Resources Not Eligible	No Effect
IR-NF-04	783.2	WY1	Prehistoric Artifacts (8)	Isolated Resources Not Eligible	No Effect
IR-NF-05	784.5	WY1	Prehistoric Artifacts (7)	Isolated Resources Not Eligible	No Effect
IR-NF-06	785.7	WY1	Prehistoric Artifacts (3)	Isolated Resources Not Eligible	No Effect
IR-NF-07	759.5	WY1	Prehistoric Artifacts (2)	Isolated Resources Not Eligible	No Effect
IR-NF-08	762.3	WY1	Prehistoric Artifacts (2)	Isolated Resources Not Eligible	No Effect
IR-NF-09	765.5	WY1	Prehistoric Artifacts (2)	Isolated Resources Not Eligible	No Effect
IR-NF-10	771.3	WY1	Prehistoric Artifacts (2)	Isolated Resources Not Eligible	No Effect
IR-NF-11	754.6	WY1	Prehistoric Artifact (1)	Isolated Resources Not Eligible	No Effect
IR-NF-12	762.7	WY1	Prehistoric Artifact (1)	Isolated Resources Not Eligible	No Effect
IR-NF-13	764.6	WY1	Prehistoric Artifact (1)	Isolated Resources Not Eligible	No Effect
IR-NF-14	760.4	WY1	Prehistoric Artifact (1)	Isolated Resources Not Eligible	No Effect

Site or Isolated Resources Number	MP	Report Code	Property Description and Location within Direct Impact APE	NR Eligibility Determination ¹	Likely Impact to Site/Effect
IR-NF-15	789.9	WY1	Historic Artifacts (18+)	Isolated Resources Not Eligible	No Effect
48NO0387	738.8	WY1a	Prehistoric Lithic Scatter (14 artifacts) & Historic Artifact Scatter (5 artifacts). 5% within APE	Not Eligible	Direct Physical Impact/ No Effect
48NO0477	746.8	WY1a	Prehistoric Lithic Scatter (230+ artifacts). 45% of site within APE	Not Eligible	Direct Physical Impact/ No Effect
48WE1075	752.8	WY1a	Prehistoric Lithic Scatter (5) & Historic Insulator (1) 40% within APE	Not Eligible	Direct Physical Impact/ No Effect
48WE1088	751.3	WY1a	Prehistoric Lithic Scatter (4) & Historic Buildings, Dugouts, Foundation, Depression, and Artifact Scatter (200+ artifacts). 20% within APE	Not Eligible	Direct Physical Impact/ No Effect
48WE1376	767.1	WY1a	Historic Building Remains (7) Well, Corrals (2), and Artifact Scatter (100+ artifacts). 10% of site within APE	Not Eligible	Direct Physical Impact/ No Effect
48WE1377	765.1	WY1a	Historic Dugouts (2) and Artifact Scatter (200+ artifacts). 35% within APE	Not Eligible	Direct Physical Impact/ No Effect
48WE1378	787.3	WY1a	Prehistoric Lithic Scatter (44+ artifacts). 100% within APE	Not Eligible	Direct Physical Impact/ No Effect
48WE1379	781.6	WY1a	Prehistoric Lithic Scatter (16 artifacts). 5% within APE	Not Eligible	Direct Physical Impact/ No Effect
48WE1380	777.7	WY1a	Prehistoric Lithic Scatter (19 artifacts). 20% within APE	Not Eligible	Direct Physical Impact/ No Effect
48WE1381	777.8	WY1a	Prehistoric Artifact Scatter (64+ artifacts). 35% of site within APE; 5% within Fill Area	Eligible Criterion D	Direct Physical Impact/ Adverse Effect
48WE1382	776.8	WY1a	Historic Dugouts (2) and Artifact Scatter (30+ artifacts). 100% within APE	Not Eligible	Direct Physical Impact/ No Effect
IR-AD-01	743.3	WY1a	Prehistoric Artifacts (2)	Isolated Resources Not Eligible	No Effect
IR-AD-02	742.5	WY1a	Historic Artifacts (2)	Isolated Resources Not Eligible	No Effect

Site or Isolated Resources Number	MP	Report Code	Property Description and Location within Direct Impact APE	NR Eligibility Determination¹	Likely Impact to Site/Effect
IR-MN-01	780.5	WY1a	Historic Artifacts (40+)	Isolated Resources Not Eligible	No Effect
IR-MN-02	779.9	WY1a	Prehistoric Artifact (1)	Isolated Resources Not Eligible	No Effect
IR-MN-03	772.9	WY1a	Prehistoric Artifact (1)	Isolated Resources Not Eligible	No Effect
IR-MN-04	787.3	WY1a	Prehistoric Artifacts (2)	Isolated Resources Not Eligible	No Effect
IR-MN-05	775.2	WY1a	Prehistoric Artifacts (2)	Isolated Resources Not Eligible	No Effect
IR-MN-06	778.6	WY1a	Prehistoric Artifact (1)	Isolated Resources Not Eligible	No Effect
IR-NF-16	787.1	WY1a	Prehistoric Artifact (1)	Isolated Resources Not Eligible	No Effect
IR-NF-17	788.0	WY1a	Prehistoric Artifacts (3)	Isolated Resources Not Eligible	No Effect
IR-NF-18	782.7	WY1a	Historic Artifacts (9)	Isolated Resources Not Eligible	No Effect
IR-NF-24	749.6	WY1a	Prehistoric Artifacts (3)	Isolated Resources Not Eligible	No Effect
IR-NF-25	749.7	WY1a	Prehistoric Artifacts (4)	Isolated Resources Not Eligible	No Effect
IR-NF-26	750.0	WY1a	Prehistoric Artifacts (3)	Isolated Resources Not Eligible	No Effect
IR-NF-27	750.7	WY1a	Prehistoric Artifacts (2)	Isolated Resources Not Eligible	No Effect
IR-NF-28	751.1	WY1a	Prehistoric Artifacts (6)	Isolated Resources Not Eligible	No Effect
IR-NF-29	751.7	WY1a	Prehistoric Artifact (1)	Isolated Resources Not Eligible	No Effect

Site or Isolated Resources Number	MP	Report Code	Property Description and Location within Direct Impact APE	NR Eligibility Determination ¹	Likely Impact to Site/Effect
IR-NF-30	739.2	WY1a	Prehistoric Artifacts (3)	Isolated Resources Not Eligible	No Effect
IR-NF-31	739.3	WY1a	Prehistoric Artifacts (3)	Isolated Resources Not Eligible	No Effect
IR-NF-32	739.5	WY1a	Prehistoric Artifact (1)	Isolated Resources Not Eligible	No Effect
IR-NF-33	739.9	WY1a	Prehistoric Artifacts (4)	Isolated Resources Not Eligible	No Effect
IR-NF-34	744.2	WY1a	Historic Artifacts (3)	Isolated Resources Not Eligible	No Effect
IR-NF-35	744.1	WY1a	Prehistoric Artifacts (8)	Isolated Resources Not Eligible	No Effect
48CA0032	815.1	WY2	Historic Stone Circle/Natural Outcrop, Dugout, Hearth, and Artifact Scatter (78+ artifacts). 90% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CA0204/ 48CA1720	8.0	WY2	Prehistoric Lithic Scatter (70 artifacts) & Historic Artifact Scatter (200+ artifacts). 10% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CA0325	827.8	WY2	Historic Structures and Artifact Scatter (100+ artifacts). 25% within APE; 20% in Fill Area	Eligible Criterion C	Direct Physical Impact/ Adverse Effect
48CA0342	827.7	WY2	Prehistoric Lithic Scatter (# not reported). 100% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CA1409	13.4	WY2	Prehistoric Lithic Scatter (# not reported). 20% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CA1568	822.7	WY2	Historic Road: Deadwood Road. 1% within APE; <1% in Fill Area	Eligible Criteria A & B	Direct Physical Impact/ Adverse Effect
48CA1570	822.7 and 828.5	WY2	Historic Trail: Sawyers' 1865 and 1866 Expeditions. 1% within APE at each location; <1% in Fill Area	Eligible Criteria A & B	Direct Physical Impact/ Adverse Effect
48CA1685	814.7	WY2	Prehistoric Lithic Scatter (11 artifacts) & Historic Artifact Scatter (2 artifacts). 0% within APE	Not Eligible	No Direct Physical Impact/ No Effect

Site or Isolated Resources Number	MP	Report Code	Property Description and Location within Direct Impact APE	NR Eligibility Determination ¹	Likely Impact to Site/Effect
48CA1819	9.7	WY2	Prehistoric Lithic Scatter (2 artifacts) & Historic Foundations (2), Dugout, Depression and Artifact Scatter (63+ artifacts). 50% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CA2242	828.4	WY2	Prehistoric Lithic Scatter (5 artifacts). 100% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CA2641	801.8	WY2	Historic Foundation, Depressions (2) and Artifact Scatter (11 artifacts). 100% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CA3503	802.7	WY2	Prehistoric Lithic Scatter (12 artifacts). 100% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CA3504	802.4	WY2	Prehistoric Lithic Scatter (2 artifacts) & Historic Artifact Scatter (5 artifacts). 40% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CA3505	798.5	WY2	Historic Artifact Scatter (36 artifacts). 80% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CA3506	798.2	WY2	Prehistoric Lithic Scatter (24 artifacts). 100% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CA3512	802.9	WY2	Prehistoric Lithic Scatter (10 artifacts). 90% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CA3513	803.1	WY2	Prehistoric Lithic Scatter (3 artifacts). 100% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CA3521	821.9	WY2	Prehistoric Lithic Scatter (25 artifacts). 60% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CA3526	823.1	WY2	Modern Well Pad and Historic Artifact Scatter (5 artifacts). 40% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CA3528	822.6	WY2	Prehistoric Lithic Scatter (5 artifacts). 100% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CA3641	807.5	WY2	Prehistoric Lithic Scatter (19 artifacts) & Historic Artifact Scatter (2 artifacts). 30% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CA3642	808.8	WY2	Prehistoric Lithic Scatter (9 artifacts) & Historic Artifact Findspot (1). 100% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CA3643	808.3	WY2	Prehistoric Lithic Scatter (5 artifacts). 50% within APE	Not Eligible	Direct Physical Impact/ No Effect

Site or Isolated Resources Number	MP	Report Code	Property Description and Location within Direct Impact APE	NR Eligibility ¹ Determination ¹	Likely Impact to Site/Effect
48CA3644	810.1	WY2	Prehistoric Lithic Scatter (2 artifacts). 100% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CA3645	811.1	WY2	Historic Artifact Scatter (18 artifacts). 100% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CA3646	812.0	WY2	Prehistoric Lithic Scatter (29 artifacts) & Historic Artifact Scatter (4 artifacts). 100% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CA3647	811.6	WY2	Prehistoric Lithic Scatter (34 artifacts) & Historic Artifact Scatter (15+ artifacts). 70% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CA3648	813.2	WY2	Prehistoric Lithic Scatter (7 artifacts). 100% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CA3649	812.8	WY2	Prehistoric Lithic Scatter (19 artifacts) & Historic Artifact Scatter (11 artifacts). 100% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CA3656	9.9	WY2	Historic Cement Spring Box. 30% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CA3661	1.4	WY2	Prehistoric Lithic Scatter (55 artifacts). 70% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CA3662	2.0	WY2	Prehistoric Lithic Scatter (23 artifacts) & Historic Artifact Scatter (6 artifacts). 40% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CA3663	2.2	WY2	Prehistoric Lithic Scatter (5 artifacts) & Historic Artifact Scatter (4 artifacts). 80% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CA3779	794.5	WY2	Historic Stone Cairn. 100% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CA4975	822.7	WY2	Historic Trail: General Crook's 1876 Belle Fourche Scout Route. 1% within APE; 1% in Fill Area	Eligible Criteria A & B	Direct Physical Impact/ Adverse Effect
48CA5519	796.5	WY2	Prehistoric Scraper & Historic Artifact Scatter (29 artifacts). 98% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CA6450	812.8	WY2	Prehistoric Lithic Scatter (16 artifacts) & Historic Artifact Scatter (4 artifacts). 85% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CA6452	794.9	WY2	Prehistoric Lithic Scatter (131 artifacts) & Historic Artifact Scatter (6 artifacts). 70% within APE	Not Eligible	Direct Physical Impact/ No Effect

Site or Isolated Resources Number	MP	Report Code	Property Description and Location within Direct Impact APE	NR Eligibility Determination ¹	Likely Impact to Site/Effect
48CA6504	12.6	WY2	Historic Inscription. 100% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CA6505	12.4	WY2	Prehistoric Lithic Scatter (50 artifacts). 85% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CA6506	793.3	WY2	Prehistoric Lithic Scatter (19 artifacts) & Historic Artifact Scatter (20 artifacts). 35% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CA6703	794.2	WY2	Prehistoric Lithic Scatter (11 artifacts). 100% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CO0148/ 48CO2631	21.8	WY2	Prehistoric Lithic Scatter (52 artifacts). Outside of APE	Not Eligible	No Direct Physical Impact/ No Effect
48CO0427	21.7	WY2	Prehistoric Hearth and Lithic Scatter (18 artifacts). 10% within APE.	Not Eligible	Direct Physical Impact/ No Effect
48CO0634	17.9	WY2	Prehistoric Hearths (2). 50% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CO0960/ 48CO961	17.0	WY2	Prehistoric Lithic Scatter (160+ artifacts). 30% within APE; 0% in Cut & Fill Areas	Eligible Criterion D	Direct Physical Impact/ Adverse Effect
48CO2618	17.3	WY2	Prehistoric Hearths (4) & Lithic Scatter (1500+ artifacts). Outside of APE	Eligible Criterion D	No Direct Physical Impact/ No Effect
48CO2620	17.4	WY2	Prehistoric Lithic Scatter (74 artifacts). 85% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CO2623	19.4	WY2	Prehistoric Lithic Scatter (30 artifacts). 25% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CO2630	21.0	WY2	Prehistoric Lithic Scatter (15 artifacts). 10% within APE.	Not Eligible	Direct Physical Impact/ No Effect
48CO2716	16.7	WY2	Prehistoric Lithic Scatter (28 artifacts). 40% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CO2852	15.0	WY2	Prehistoric Lithic Scatter (5 artifacts). 40% within APE	Not Eligible	Direct Physical Impact/ No Effect
48CO2992	16.5	WY2	Hearth (unknown affiliation). 100% within APE	Not Eligible	Direct Physical Impact/ No Effect

Site or Isolated Resources Number	MP	Report Code	Property Description and Location within Direct Impact APE	NR Eligibility Determination ¹	Likely Impact to Site/Effect
IR02	817.2	WY2	Prehistoric Artifact (1) & Historic Artifacts (8)	Isolated Resources Not Eligible	No Effect
IR03	815.2	WY2	Prehistoric Artifact (1)	Isolated Resources Not Eligible	No Effect
IR04	815.3	WY2	Prehistoric Artifacts (2)	Isolated Resources Not Eligible	No Effect
IR05	814.5	WY2	Historic Artifacts (6)	Isolated Resources Not Eligible	No Effect
IR06	815.0	WY2	Prehistoric Artifact (1)	Isolated Resources Not Eligible	No Effect
IR10	811.4	WY2	Prehistoric Artifact (1)	Isolated Resources Not Eligible	No Effect
IR12	809.8	WY2	Prehistoric Artifacts (3)	Isolated Resources Not Eligible	No Effect
IR13	809.4	WY2	Prehistoric Artifact (1)	Isolated Resources Not Eligible	No Effect
IR15	807.5	WY2	Prehistoric Artifacts (2)	Isolated Resources Not Eligible	No Effect
IR16	806.7	WY2	Prehistoric Artifact (1)	Isolated Resources Not Eligible	No Effect
IR17	805.3	WY2	Historic Artifact (1)	Isolated Resources Not Eligible	No Effect
IR18	804.4	WY2	Prehistoric Artifact (1)	Isolated Resources Not Eligible	No Effect
IR19	14.2	WY2	Prehistoric Artifacts (7)	Isolated Resources Not Eligible	No Effect
IR21	12.2	WY2	Prehistoric Artifacts (2)	Isolated Resources Not Eligible	No Effect
IR22	12.3	WY2	Prehistoric Artifacts (7)	Isolated Resources Not Eligible	No Effect

Site or Isolated Resources Number	MP	Report Code	Property Description and Location within Direct Impact APE	NR Eligibility Determination ¹	Likely Impact to Site/Effect
IR23	9.8	WY2	Prehistoric Artifact (1)	Isolated Resources Not Eligible	No Effect
IR24	9.6	WY2	Prehistoric Artifact (1)	Isolated Resources Not Eligible	No Effect
IR25	8.4	WY2	Prehistoric Artifact (1)	Isolated Resources Not Eligible	No Effect
IR26	6.3	WY2	Prehistoric Artifacts (3)	Isolated Resources Not Eligible	No Effect
IR27	2.6	WY2	Historic Artifact (1)	Isolated Resources Not Eligible	No Effect
IR28	4.9	WY2	Historic Artifacts (5)	Isolated Resources Not Eligible	No Effect
IR32	793.0	WY2	Prehistoric Artifact (1)	Isolated Resources Not Eligible	No Effect
IR33	792.4	WY2	Prehistoric Artifact (1)	Isolated Resources Not Eligible	No Effect
IR34	792.2	WY2	Prehistoric Artifacts (6)	Isolated Resources Not Eligible	No Effect
IR35	791.8	WY2	Prehistoric Artifact (1)	Isolated Resources Not Eligible	No Effect
IR36	796.1	WY2	Prehistoric Artifacts (6)	Isolated Resources Not Eligible	No Effect
IR38	804.0	WY2	Prehistoric Artifact (1)	Isolated Resources Not Eligible	No Effect
IR39	803.9	WY2	Prehistoric Artifact (1)	Isolated Resources Not Eligible	No Effect
IR40	803.9	WY2	Prehistoric Artifact (1)	Isolated Resources Not Eligible	No Effect
IR43	795.2	WY2	Prehistoric Artifact (1)	Isolated Resources Not Eligible	No Effect

Site or Isolated Resources Number	MP	Report Code	Property Description and Location within Direct Impact APE	NR Eligibility Determination ¹	Likely Impact to Site/Effect
IR44	794.8	WY2	Prehistoric Artifacts (4) Outside of APE	Isolated Resources Not Eligible	No Effect
IR45	794.9	WY2	Prehistoric Artifacts (6) Outside of APE	Isolated Resources Not Eligible	No Effect
IR46	816.8	WY2	Prehistoric Artifact (1)	Isolated Resources Not Eligible	No Effect
IRA	795.3	WY2	Prehistoric Artifact (1)	Isolated Resources Not Eligible	No Effect

**COMPILED LIST OF UNEVALUATED PROPERTIES
POWDER RIVER BASIN EXPANSION PROJECT
WYOMING NEW BUILD SEGMENTS 1, 2, 3, AND 4**

Property	MP	Report Code	Property Description	Consultant's Eligibility Recommendation	STB's Recommendation
48WE1280	767.9	WY1	Prehistoric Stone Circles (2) and Lithic Scatter (3 artifacts)	Unevaluated. Recommends Native American Consultation and Subsurface Testing.	Additional Native American Consultation and Subsurface Testing to Resolve Eligibility Under Criteria A, B, C, & D.
48WE0761	757.5	WY1a	Prehistoric Stone Circles (2) and Lithic Scatter (4 artifacts)	Not Eligible Criterion D. Recommends Native American Consultation to Resolve Eligibility Under Criteria A, B, and C.	Additional Native American Consultation and Subsurface Testing to Resolve Eligibility Under Criteria A, B, C, & D.
48CA0097	796.3	WY2	Prehistoric Stone Circles ("Several") and Lithic Scatter (14 artifacts)	Not Eligible. Site Not Relocated.	Potentially Eligible Monitor During Construction.
48CA0098	796.7	WY2	Prehistoric Stone Circle and Stone Cairn	Not Eligible. Site Not Relocated.	Potentially Eligible Monitor During Construction.
48CA0109	819.5	WY2	Prehistoric Lithic Scatter (4 artifacts)	Not Eligible. Site Not Relocated.	Potentially Eligible Monitor During Construction.
48CA1406/ 48CA1719	13.0	WY2	Prehistoric Stone Circles (2) and Lithic Scatter (27 artifacts) & Historic Artifact Scatter (73+ artifacts)	Prehistoric Component: Not Eligible under Criterion D. Recommends Native American Consultation to Resolve Eligibility Under Criterion A. Historic Component: Not Eligible Under Criterion D.	Prehistoric Component: Not Eligible Under Criteria B, C, and D, But Additional Native American Consultation to Resolve Eligibility Under Criterion A. Historic Component: Not Eligible Under Any Criteria and No Further Work.
48CA1490/ 48CO0726	13.6 to 14.0	WY2	Prehistoric Campsite, Stone Circles (6), Stone Cairn, Stone Alignments (2), Hearths (7), and Lithic Scatter (243 artifacts)	Eligible under Criteria C and D. Recommends Native American Consultation to Resolve Eligibility Under Criterion A. SHPO Concurs Eligible Criterion D.	Eligible under Criteria C and D, But Not Eligible Under Criterion B. Additional Native American Consultation to Resolve Eligibility Under Criterion A

Property	MP	Report Code	Property Description	Consultant's Eligibility Recommendation	STB's Recommendation
48CA1528/ 48CA2879/ 48CA2880	7.7 to 8.1	WY2	Prehistoric Stone Circles (3), Stone Arc, and Lithic Scatter (31 artifacts)	Not Eligible Under Criterion D. Recommends Native American Consultation to Resolve Eligibility under Criterion A.	Not Eligible Under Criteria B, C, or D. Additional Native American Consultation to Resolve Eligibility Under Criterion A.
48CA1618/ 48CA3654	10.1	WY2	Prehistoric Hunting/Butchering Camp, Lithic Scatter (16 artifacts) & Historic Artifact Scatter (10+ artifacts) (Considered with Nearby Sites 3653 & 3653 to be a Driveline/Hunting Camp)	Prehistoric Component: Eligible under Criterion D. Recommends Native American Consultation to Resolve Eligibility Under Criterion A. Historic Component: Not Eligible.	Prehistoric Component: Eligible Under Criterion D, But Not Eligible Under Criteria B and C. Additional Native American Consultation to Resolve Eligibility Under Criterion A. Historic Component: Not Eligible Under Any Criteria and No Further Work.
48CA1709	797.3	WY2	Prehistoric Stone Circles (11), Stone Alignment, Hearth & Lithic Scatter (4 artifacts)	Eligible under Criteria C and D. Recommends Native American Consultation to Resolve Eligibility Under Criterion A.	Eligible under Criteria C and D, But Not Eligible under Criterion B. Additional Native American Consultation to Resolve Eligibility Under Criterion A.
48CA0211	5.2	WY2	Prehistoric Stone Circles (12), Stone Cairns (2), and Driveline Alignment, and Lithic Scatter (4 artifacts) & Historic Artifact Scatter (200+ artifacts) (One Stone Circle is Possible Eagle Trap/Vision Quest Feature)	Prehistoric Component: Eligible Under Criteria A & D. Recommends Native American Consultation to Assess Status as Potential TCP. Historic Component: Non-Contributing.	Prehistoric Component: Eligible Under Criterion D, But Not Eligible Under Criteria B and C. Additional Native American Consultation to Resolve Eligibility Under Criterion A. Historic Component: Not Eligible under Any Criteria and No Further Work.
48CA1692	810.7	WY2	Prehistoric Lithic Scatter (9 artifacts)	Not Eligible. Site Not Relocated.	Potentially Eligible Monitor During Construction.

Property	MP	Report Code	Property Description	Consultant's Eligibility Recommendation	STB's Recommendation
48CA1862	11.7	WY2	Prehistoric Petroglyph and Possible Stone Circle & Historic Inscription, Alcove, Hearth, and Depressions (2)	Not Eligible. (Stone Circle, Alcove, Hearth, and Depressions Not Relocated and No Artifacts).	Prehistoric Component: Not Eligible Under Criteria B and C. Testing to Resolve Eligibility Under Criterion D. Native American Consultation to Resolve Eligibility Under Criterion A. Historic Component: Not Eligible Under Any Criteria and No Further Work.
48CA2291	827.6	WY2	Prehistoric Stone Circle	Unevaluated. Recommends Native American Consultation.	Additional Native American Consultation and Subsurface Testing to Resolve Eligibility Under Criteria A, B, C, & D.
48CA3508	796.8	WY2	Prehistoric Stone Cairns (3) and Lithic Scatter (8 artifacts) (Misidentified in Report as an Historic Site)	Not Eligible under Criterion D. Recommends Native American Consultation to Evaluate for Criterion A.	Not Eligible under Criteria B, C, or D. Additional Native American Consultation to Resolve Eligibility Under Criterion A.
48CA3510	828.0	WY2	Prehistoric or Historic Stone Cairn	Not Eligible. SWCA Suggests that Cairn is Modern Because of Degree of Sedimentation & Modern Debris.	Not Eligible Under Criteria B, C, or D. Additional Native American Consultation to Resolve Eligibility Under Criterion A.
48CA3517	804.2	WY2	Prehistoric Stone Circles (12), Cairn & Lithic Scatter (2 artifacts)	Not Eligible under Criteria C and D. Unevaluated for Criterion A. Recommends Native American Consultation.	Not Eligible Under Criteria B, C, or D. Additional Native American Consultation to Resolve Eligibility Under Criterion A.
48CA3519	804.7	WY2	Prehistoric Lithic Scatter (4 artifacts)	Not Eligible. Site Not Relocated.	Potentially Eligible Monitor During Construction.
48CA3523	822.0	WY2	Protohistoric Artifact Scatter (16 artifacts) & Historic Artifact Scatter (2 artifacts)	Not Eligible.	Not Eligible Under Criteria B and C. Additional Testing to Resolve Eligibility Under Criterion D. Additional Native American Consultation to Resolve Eligibility Under Criterion A.

Property	MP	Report Code	Property Description	Consultant's Eligibility Recommendation	STB's Recommendation
48CA3527	823.9	WY2	Prehistoric Stone Circles (6) and Lithic Scatter (3 artifacts)	Not Eligible under Criterion D. Recommends Native American Consultation to Evaluate for Criterion A.	Not Eligible under Criteria B, C or D. Additional Native American Consultation to Resolve Eligibility Under Criterion A
48CA3638	797.3	WY2	Prehistoric Stone Circle, Stone Cairn and Lithic Scatter (2 artifacts)	Not Eligible. Site Not Relocated	Potentially Eligible Monitor During Construction.
48CA3652	10.5	WY2	Prehistoric Stone Cairn and Stone Alignment	Not Eligible Under Criteria B, C, or D. Recommends Native American Consultation to Evaluate for Criterion A.	Not Eligible Under Criteria B, C or D. Additional Native American Consultation to Resolve Eligibility Under Criterion A.
48CA3653	10.4	WY2	Prehistoric Stone Cairns (3) and Lithic Scatter (2 Flakes) (Not Relocated by SWCA. USFS & SWCA Not Sure Whether Cairns are Cultural or Natural)	Not Eligible Under Criterion D. Recommends Native American Consultation to Evaluate for Criterion A.	Not Eligible Under Criteria B, C or D. Additional Native American Consultation to Resolve Eligibility Under Criterion A.
48CA3655	10.0	WY2	Prehistoric Stone Cairns (3) & Modern Survey Stakes (2) Which are Outside the Site Boundary	Although No Evidence Found by ACR/ SWCA, They Concur with USFS and SHPO that Site Remain Unevaluated for Criterion A Pending Additional Consultation and Research	Not Eligible Under Criteria B, C or D. Additional Native American Consultation to Resolve Eligibility Under Criterion A.
48CA3657	9.2	WY2	Prehistoric Lithic Scatter (3 artifacts)	Not Eligible. Site Not Relocated.	Potentially Eligible Monitor During Construction.
48CA3658	8.7	WY2	Prehistoric Lithic Scatter (3 artifacts) & Historic Artifact Scatter (8 artifacts)	Not Eligible. Site Not Relocated. May Have Been Destroyed.	Potentially Eligible Monitor During Construction.
48CA3659	6.9	WY2	Prehistoric Lithic Scatter (5 artifacts)	Not Eligible. Site Not Relocated.	Potentially Eligible Monitor During Construction.
48CA3664	2.3	WY2	Prehistoric Lithic Scatter (17 artifacts) & Historic Artifact Scatter (7 artifacts)	Not Eligible.	Prehistoric Component: Unevaluated for Criterion D, But Not Eligible Under Criteria A, B, or C. Historic Component: Not Eligible Under Any Criteria and No Further Work.

Property	MP	Report Code	Property Description	Consultant's Eligibility Recommendation	STB's Recommendation
48CA3781	794.7	WY2	Prehistoric Stone Circles (25), Cairns (4), Stone Alignments (3), Hearth, Rock Panel, Rock Crawl Space, and Lithic Scatter (60+ artifacts) & Historic Inscription Panels (11) (Trade Beads Suggest Site is Probably Historic Native American)	Prehistoric Component: Eligible Under Criteria C and D. Recommends Native American Consultation to Evaluate for Criterion A. Historic Component: Eligible Under Criterion D.	Prehistoric Component: Eligible Under Criteria C and D, But Not Eligible Under Criterion B. Additional Native American Consultation to Resolve Eligibility Under Criterion A. Historic Component: Eligible Under Criterion D, But Not Eligible Under Criteria A, B and C.
48CA5490/ 48CA5491	5.5 to 5.8	WY2	Prehistoric Stone Circle & Lithic Scatter (64 artifacts) & Historic Depressions (4), Stone Walkway and Artifact Scatter (170+ artifacts) (Historic Homestead Lies Outside of Project APE)	Prehistoric Component: Eligible Under Criterion D. Stone Circle is Outside ROW so Reviewing Agencies Will Need to Determine Native American Consultation is Needed to Evaluate for Criterion A. Historic Component: Not Eligible Under Criteria A, B, C and D.	Prehistoric Component: Eligible Under Criterion D, But Not Eligible Under Criteria B and C. Additional Native American Consultation to Resolve Eligibility Under Criterion A. Historic Component: Unevaluated for Criterion D. Needs Testing.
48CA6123	6.6	WY2	Prehistoric Stone Circles (7), Hearths (2) & Lithic Scatter (390 artifacts) & Historic Artifact Scatter (27 artifacts)	Prehistoric Component: Eligible Under Criteria C and D. Recommends Native American Consultation to Evaluate for Criterion A. Historic Component: Non-contributing as the Site is Not Eligible Under Criteria A, B, C, and D.	Prehistoric Component: Eligible Under Criteria C and D, But Not Eligible Under Criteria B. Additional Native American Consultation to Resolve Eligibility Under Criterion A. Historic Component: Not Eligible Under Any Criteria and No Further Work.
48CA6451	795.5	WY2	Prehistoric Stone Cairn and Lithic Scatter (146 artifacts)	Not Eligible. Suggest Stone Cairn is Historic Because of Moderate Sedimentation & Presence of 1 Wood Fragment.	Not Eligible Under Criteria B, C, or D. Additional Native American Consultation to Resolve Eligibility Under Criterion A.
48CA6453	795.2	WY2	Prehistoric Alignment of Stone Cairns (7) and Isolated Artifact	Eligible under Criterion D. Recommends Native American Consultation to Evaluate for Criterion A.	Eligible Under Criterion D, But Not Eligible Under Criteria B and C. Additional Native American Consultation to Resolve Eligibility Under Criterion A.

Property	MP	Report Code	Property Description	Consultant's Eligibility Recommendation	STB's Recommendation
48CA6704	3.7	WY2	Prehistoric Stone Circles (9) and Cairns (6)	Not Eligible under Criterion C, But Unevaluated Under Criteria A, C and D. Recommends Native American Consultation to Evaluate for Criterion A.	Additional Native American Consultation and Subsurface Testing to Resolve Eligibility Under Criteria A, B, C, & D.

CG- EI-3169

LJSDA United States
Department of
Agriculture

Forest
Service

Medicine Bow-Routt National
Forests and Thunder Basin
National Grassland

Douglas Ranger District
2250 East Richards Street
Douglas, WY 82633-8922
<http://www.fs.fed.us/r2/mbr>

File Code: 2360-2

Date: September 11, 2007

Catherine Glidden
Environmental Protection Specialist
Surface Transportation Board
1925 K Street, NW
Washington, DC 20423

WYI

Dear Ms. Glidden,

Thank you for your letter of August 31, 2007 regarding the STB Finance Docket No. 33407 and the pursuant TRC Mariah Associates Inc. Draft Report of April 2007. Regarding the 30 day review request, we cannot at this time meet the timeframe and respectfully request additional time to complete our review of the draft report.

This delay would allow time for tribal responses to be gathered. If you could provide the tribal responses on site eligibility and the adherence of the survey to the Programmatic Agreement for cultural resources to us, our review would be greatly enhanced.

If you have any questions or concerns, please contact Ian Ritchie at 307-358-4690.

Sincerely,

Misty A. Hays

MISTY A. HAYS
Deputy District Ranger

cc: "Richard Currit", Herb Jones, DME





United States
Department of
Agriculture

Forest
Service

Medicine Bow - Routt National
Forests and Thunder Basin
National Grassland

FI-3193 CG
Douglas Ranger District
2250 East Richards Street
Douglas, WY 82633-8922
<http://www.fs.fed.us/r2/mbr>

WY1

File Code: 2360-2

Date: October 2, 2007

Catherine Glidden
Environmental Protection Specialist
Section of Environmental Analysis
Surface Transportation Board
Washington, DC 20423

Dear Ms. Glidden,

The Forest Service has reviewed the Draft Report for Segments 1 and 2 by TRC Mariah for the STB PRB Expansion (Docket No. 33407) and this provides our comments:

1. The report notes that the work done was only for the ROW corridor and does not address indirect effects in the rest of the Area of Potential Effect (APE). As a result our comments are limited to the subset of the APE described in the report. We look forward to taking part in the development of how the remainder of the APE will be addressed.
2. Does the route surveyed match the final design plans, or is the route immutably fixed?
3. We look forward to a chance to review the report once tribal consultation has been taken into account. For example consideration of the eligibility of 48WE 1280 may be clarified based on the results of tribal consultation.
4. We concur with the evaluation of 48WE 1080 and will be interested in the development of mitigation measures (treatment).
5. The report maps show several sites, 48WE1075, 48WE1076 and 48WE1079 for example, which are not addressed in the report. What is the status of these sites?
6. We provisionally concur with the remaining determinations of eligibility, pending a field visit of two sites (48WE1347, 48WE1349) and the results of tribal consultation.

Sincerely,

/s/Misty A. Hays
MISTY A. HAYS
Deputy District Ranger



080324_USFS Email Comment (WY1)

From: Ian Ritchie [iritchie@fs.fed.us]
Sent: Monday, March 24, 2008 5:57 PM
To: Bibler, David
Cc: Ian Ritchie
Subject: Fw: Report Review for Wyoming

Dave,

My comments from before seem to still be relevant: forwarded message below and also my previous letter regarding the E-W line in Wyoming, key comments in that letter apply to the entire route: i.e. comments on the survey of only a portion of the APE, etc.

For sites needing tribal consultation we still are unable to make an agency determination on eligibility until tribes have responded.

For 48CA3781, while I realize the potential for graves is a difficult topic, the site form should spell out why this particular site is seen as having the potential for burials, when there are few such sites known in this area. Is it feature types or the presence of rock art? Are certain parts of the site likely to contain such locales and other areas unlikely?
The site form should spell out why the recorders avoided testing the site.

I can work up a formal letter for our comments, but I'm trying to meet your timeline for review. For the SD side we still need a hard copy of that report and some time for review.

I'm a bit surprised that every photo is labelled "image has not been altered". Couldn't there be a statement that "no photos have been altered unless otherwise stated"? Is this a standard from another State that has been applied to this report? It simply appears to add to the paper being used and the bulk of the final report (and perhaps a shrinking of the image size).

Thanks,

Ian

----- Forwarded by Ian Ritchie/R2/USDAFS on 03/24/2008 04:40 PM -----

Ian
Ritchie/R2/USDAFS

12/14/2007 10:44
AM

"Bibler, David"
<dbibler@louisberger.com>

To

cc

Ian Ritchie/R2/USDAFS@FSNOTES,
Michael.Madson@hdrinc.com

Subject
TRC report on N-S portion of line
in Wyoming(Document link: Ian
Ritchie)

Dave,

080324_USFS Email Comment (WY1)

HDR sent us a compendium report for National Forest System lands in Wyoming and SD. This morning you mentioned that you are reviewing a Wyoming report by TRC, presumably the N-S line. I have some draft comments on the N-S segment and they follow here. Please note that the sites mentioned in the text below are on the N-S route:

"We have received the summary report for the DME PRB Expansion Cultural Resource Inventory on National Forest System (NFS) Lands in SD and WY.

The report contains a thorough summary of the cultural resource findings to date along the proposed rail line on NFS Lands. There are some information gaps that should be filled for final reporting and some additions if this report is to be used in SHPO consultation for test boring projects.

For sites having rock art and historic inscriptions, like 48CA1862 and 48CA3781, there need to be sketches or enhanced photos detailing the inscriptions since the inscriptions cannot be made out from the photos in the report. For example, from a brief review at a minimum of 48CA3781, features 9, 18, 19 and 25 in the report for 48CA3781 do not have transcriptions or sketches. For another example, Feature 5, an historic inscription, needs a drawing showing the inscription and incised border (because the inscription is more than the words, but is also graphic representation of the author that includes not only the text style but elements of design).

Also the Tables for 48CA3781 are confusing. Tables 13-15 are listed as descriptions of prehistoric features and some discussions follow using those feature numbers, next Table 20 says it is a feature description for the entire site, in which it appears that features from Tables 13-15 are renumbered and then subsequently discussed. The Tables needs to be clearly labeled as to if they are current feature numbers or previous recording feature number, or perhaps a differentiated feature number system should be used for the recent recording so there is no confusion in site form and report discussions whether the feature number being discussed is from from the two recordings.

Also the report does not clearly demonstrate which features/portions of sites will be affected by railroad construction. For example which features of 48CA3781 will be directly impacted by railroad construction and the ROW fence? Perhaps a shaded sketch map showing which portions will be inside the proposed ROW fence would be useful. Lastly, what are the effects to the remaining portions of the site?

On the sketch maps, is the ROW only shown on sites recommended eligible for the NRHP? For examples, the sketch maps for 48CA6504 as well as 48CA3655 (and others) appear to show the centerline of the proposed route but do not show the width of the ROW (page 220 and others) and one cannot tell from the sketch if the site will be impacted or destroyed by railroad construction.

If this report is intended to assist with SHPO consultation on permit applications for preliminary studies, there will need to be additions. For Wyoming the State project summary table and site summary tables will need to be part of the report."

Mike - I'm including you as a cc on this message to get the comments to you quickly - I'm still waiting to see if the Nebraska (Buffalo Gap NG) has additional comments - so I'll get the letter out to you in January if there are further comments. I'm out from this afternoon until Jan 7.

If either of you do need to reach me in the next 3 weeks, you can ring my cell at 307-760-4524

Thanks,

Ian

080801_USFS Email Comment (WY1)

From: Ian Ritchie [iritchie@fs.fed.us]
Sent: Friday, August 01, 2008 11:18 AM
To: Bibler, David
Cc: Misty A Hays; Ian Ritchie
Subject: Re:Evaluating sites on Thunder Basin and Buffalo Gap National Grasslands

Dave,

I was able to go to the field with Geoff Jones of Archaeophysics on the 19th. With his remote sensing gear we evaluated the potential of 48WE1347 and determined that both 48WE1347 and 48WE1349 would be excellent candidates for remote sensing to locate buried hearth and other magnetic features.

48WE1347 was field evaluated with a fluxgate gradiometer. The site generally has a low magnetic background and where there is some scoria on the site the gradiometer responded appropriately, providing some confidence that the method will work on the site.

Usually the work is conducted with the gradiometer to locate magnetic anomalies and then the anomalies are tested with a metal detector to see if they are caused by metal. Then the remaining anomalies are tested/excavated to see if they are archaeological features.

Geoff and GCM had just finished with a site about 8 miles to the west were they were 8/8 in finding prehistoric features with this method (not to mention the reports I've cited earlier).

With using this method for 48WE1347 and 48WE1349, we should also have the sites on the North/south Wyoming line evaluated/tested in this manner. In conjunction with this work, sites on Buffalo Gap also need to be evaluated to see if this method could prove fruitful.

Sincerely,

Ian Ritchie
Archaeologist
Thunder Basin National Grassland, Douglas Ranger District

080801_USFS Email Comment #2 (WY1)

From: Ian Ritchie [iritchie@fs.fed.us]
Sent: Friday, August 01, 2008 11:31 AM
To: Bibler, David
Cc: Misty A Hays; Ian Ritchie
Subject: Re: DME PA implementation, inventory related to indirect effects within the APE

Dave,

The PA for the DME recognizes that the railroad will have indirect effects including at least both auditory and visual effects. My comments in reviewing reports have asked when the inventory would be conducted. The inventory needs to be conducted and should start now so we can evaluate the effects to sites for the project under the PA.

Currently the known sacred sites and Traditional Cultural Properties and many NR eligible sites involve stone features and occur on ridgetops in the Thunder Basin National Grassland (TBNG). Somewhat less is known on the Buffalo Gap National Grassland (BGNG) but there are stone feature sites there as well in some locations.

The inventory should include ridgetops and prominences within the visual and auditory effect ranges from the railroad, recording sites and evaluating the effect of the railroad upon their integrity and setting. This of course would include file searches of surrounding terrain that is within the APE (but outside the direct footprint of the railroad, for which this work has already occurred) and inventory of the appropriate landforms on both TBNG and BGNG.

Sincerely,

Ian Ritchie
Archaeologist
Thunder Basin National Grassland, Douglas Ranger District

Ep. 33407

EI-3168

WYI

ACOE - Omaha District



"Barnum, Sandra V
NWO"
<Sandra.V.Barnum@n
wo02.usace.army.mil>

To <Catherine.Glidden@stb.dot.gov>

cc

bcc

09/13/2007 08:38 AM

Subject Class III Powder River Expansion

Not Eligible
(X) on current

P/A + E

Hello again Cathy,

I have reviewed the draft report entitled "A Class III Cultural Resource Inventory of Eight Portions of Dakota, Minnesota, and Eastern Railroad Corporation's Powder River Basin Expansion Project, Segments 1 and 2, Campbell, Niobrara, and Weston Counties, Wyoming. It is unfortunate that so many landowners refused access to additional portions of the proposed route. I concur with the contractor recommendations of National Register eligibility for the sites that were accessible.

Thanks,
Sandy

Sandra V. Barnum
Cultural Resources Specialist
U.S. Army Corps of Engineers
Omaha District
(402)221-4895
(402)221-4886 FAX

Bibler, David

WYla

Agency Response

From: Ian Ritchie [iritchie@fs.fed.us]
Sent: Friday, December 14, 2007 11:45 AM
To: Bibler, David
Cc: Ian Ritchie; Michael.Madson@hdrinc.com
Subject: TRC report on N-S portion of line in Wyoming

Dave,

HDR sent us a compendium report for National Forest System lands in Wyoming and SD. This morning you mentioned that you are reviewing a Wyoming report by TRC, presumably the N-S line. I have some draft comments on the N-S segment and they follow here. Please note that the sites mentioned in the text below are on the N-S route:

"We have received the summary report for the DME PRB Expansion Cultural Resource Inventory on National Forest System (NFS) Lands in SD and WY.

The report contains a thorough summary of the cultural resource findings to date along the proposed rail line on NFS Lands. There are some information gaps that should be filled for final reporting and some additions if this report is to be used in SHPO consultation for test boring projects.

For sites having rock art and historic inscriptions, like 48CA3781, there need to be sketches or enhanced photos detailing the inscriptions since the inscriptions cannot be made out from the photos in the report. For example, from a brief review at a minimum, features 9, 18, 19 and 25 in the report for 48CA3781 do not have transcriptions or sketches. For another example, Feature 5, an historic inscription, needs a drawing showing the inscription and incised border (because the inscription is more than the words, but is also graphic representation of the author that includes not only the text style but elements of design).

Also the Tables for 48CA3781 are confusing. Tables 13-15 are listed as descriptions of prehistoric features and some discussions follow using those feature numbers, next Table 20 says it is a feature description for the entire site, in which it appears that features from Tables 13-15 are renumbered and then subsequently discussed. The Tables needs to be clearly labeled as to if they are current feature numbers or previous recording feature number, or perhaps a differentiated feature number system should be used for the recent recording so there is no confusion in site form and report discussions whether the feature number being discussed is from from the two recordings.

Also the report does not clearly demonstrate which features/portions of sites will be affected by railroad construction. For example which features of 48CA3781 will be directly impacted by railroad construction and the ROW fence? Perhaps a shaded sketch map showing which portions will be inside the proposed ROW fence would be useful. Lastly, what are the effects to the remaining portions of the site?

On the sketch maps, is the ROW only shown on sites recommended eligible for the NRHP? For examples, the sketch maps for 48CA6504 as well as 48CA3655 (and others) appear to show the centerline of the proposed route but do not show the width of the ROW (page 220 and others) and one cannot tell from the sketch if the site will be impacted or destroyed by railroad construction.

If this report is intended to assist with SHPO consultation on permit applications for preliminary studies, there will need to be additions. For Wyoming the State project summary table and site summary tables will need to be part of the report."

Dave, as we discussed, I'm not sure I'll get this letter to HDR until January, so if you are making comments on the report that includes these sites, please include the comments if possible to give the proponent as much time as possible to make the additions/changes.

Mike - I'm including you as a cc on this message to get the comments to you quickly - I'm still waiting to see if the Nebraska (Buffalo Gap NG) has additional comments - so I'll

get the letter out to you in January if there are further comments. I'm out from this afternoon until Jan 7.

If either of you do need to reach me in the next 3 weeks, you can ring my cell at 307-760-4524

Thanks,

Ian