

EO-1380

CG

Catherine Glidden/STB

01/05/2010 12:11 PM

To Paige.HoskinsonOlson@state.sd.us, RCURRI@state.wy.us

cc rwithrow@louisberger.com, Alan.Stanfill@hdrinc.com

bcc

Subject Fw: DM&E Assessment of Visual Effects/Deeply Buried Sites
- Comment Period

Paige and Richard,

Our 30 day comment period for tribes and agencies for the Visual Impact Assessment and Deeply Buried Sites reports (mailed to you on November 12, 2009) expired as of December 18, 2009. To date, we have received no comments.

We request that you begin your formal review period for these reports as of today and provide your comments within 60 days (March 6, 2010).

I know that both of you had some concerns regarding the Visual Impacts Assessment, in particular. Randy Withrow and Alan Stanfill will be in touch with you within the next day or so to discuss your concerns and to address them as appropriate.

Best Regards,

Catherine Glidden
Section of Environmental Analysis
Surface Transportation Board
Washington, DC 20423
(202) 245-0293

----- Forwarded by Catherine Glidden/STB on 01/05/2010 11:15 AM -----

Catherine Glidden/STB

12/09/2009 05:07 PM

To <Paige.HoskinsonOlson@state.sd.us>

cc Jason.Haug@state.sd.us, Jay.Vogt@state.sd.us,
RCURRI@state.wy.us, rwithrow@louisberger.com

Subject RE: DM&E Assessment of Visual Effects/Deeply Buried Sites



Hi Paige,

I have forwarded your concerns on to DM&E and HDR. We are having a conference call tomorrow and will include this along with our other agenda items.

I'll get back to you and Richard regarding our next steps for resolving your concerns. As I said to you on the phone, it may be prudent for us to make some changes to the document before we begin our 60 day review period with you.

Cathy

<Paige.HoskinsonOlson@state.sd.us> wrote on 12/09/2009 12:11:25 PM:

> Hi Cathy,

>

> I have not had the opportunity to review the proposal for the
> Identification and Evaluation of Deeply Buried Archaeological Sites,
> but I do share Richard's concerns about the Assessment of Visual
> Effects document. We can not concur with the recommendations. The
> methodology fails to take into consideration the differing property
> types. In addition, the document doesn't make an effective argument
> to support the recommendations.
>
> Thanks,
>
> Paige Hoskinson Olson
> Review and Compliance Coordinator
> South Dakota State Historical Society
> 900 Governors Drive
> Pierre SD 57501
> (605) 773-6004
>
> -----Original Message-----
> From: Richard Currit [mailto:RCURRI@state.wy.us]
> Sent: Monday, December 07, 2009 11:16 AM
> To: Catherine.Glidden@stb.dot.gov
> Cc: Hoskinson Olson, Paige; mary hopkins
> Subject: Re: DM&E Assessment of Visual Effects/Deeply Buried Sites

> Hi Catherine,
>
> While I am waiting to start a full review of these documents per A.
> 3.2 of the PA, I did give them a quick glance and wanted to give you
> a heads up.
>
> In the Assessment of Visual Effects document, Table 1.1, the Effect
> Recommendation for historic properties located in the Middle Ground,
> 1/4-3 miles from the ROW, is a "No Adverse Effect". We do not
> concur with this determination, and are not sure where it came from.
> Whether or not historic properties within this distance will be
> adversely affected is dependent on the property type and it's visibility
> etc.
>
> Also, In the proposal for the Identification and Evaluation of
> Deeply Buried Archaeological Sites, as I have noted before the State
> of Wyoming does NOT agree with the ACHP that burial of
> archaeological sites is not an adverse effect. Indeed, we firmly
> consider this to be an adverse effect.
>
> (as an aside, the statement in the document that "The Advisory
> Council on Historic Preservation (ACHP) has determined that the
> placement of fill over deeply buried archaeological sites situated
> below the construction zone is not an adverse effect for purposes of
> Section 106....." is, in fact, incorrect. The document from the
> ACHP indicates that the loss of access from archeological research
> is not an adverse effect (a position we disagree with) and does not
> mention the "construction zone". In fact, Section 29 of that same
> document requires that the APE also be defined vertically based on
> scientific and engineering analysis. It further indicates that this
> analysis needs to take into account compaction and changes in
> chemical composition. Both of these potential adverse effects my
> extend well below the "construction zone".)
>
> I just wanted to make you aware that a very cursory glance over the
> documents had identified these issues. Hopefully the documents will

> be revised based on the tribal and federal agency comments and we
> will not need to raise them at a later date.

>

> Sincerely,

>

>

> Richard L. Currit

> Senior Archaeologist

> Wyoming State Historic Preservation Office

> 307-777-5497

> rcurri@state.wy.us