



Sent to tribes and federal
agencies

EO-1128

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

June 6, 2008

Mr. Gordon L. Yellowman
Historic Preservation Officer
Cheyenne and Arapaho Tribes of Oklahoma
P.O. Box 145
Concho, OK 73022

RE: STB Finance Docket No. 33407, Dakota, Minnesota & Eastern Railroad Corporation Construction into the Powder River Basin Project: Report for your comment

Dear Mr. Yellowman:

The Surface Transportation Board's (Board) Section of Environmental Analysis (SEA) is pleased to provide you with the draft report, *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation's Powder River Basin Expansion Project Corridor, PRC Segment 1, Haakon, Jones and Stanley Counties, South Dakota, Volumes 1 & 2*, Archeology Laboratory, Augustana College (ALAC), February 2008 (SHPO No. 990223006F; LBG No. SD3a¹). The report has been prepared as part of the cultural resources studies being completed to comply with the provisions of the Section 106 Programmatic Agreement (PA) and Identification (ID) Plan executed in May 2003 (amended in May 2008) pursuant to 36 CFR 800.14 (b) for the above-referenced project. We request your comments on the report to include National Register eligibility recommendations and other items as stipulated in the PA.

The enclosed two volume report is an addendum to: *A Level I & II Evaluation of Cultural Resources for 317 miles of Railroad Reconstruction from the Minnesota Border to Wall, South Dakota* (Burns and McDonnell 1999). Volume 1 contains the cultural resources report and Volume 2 contains the report appendices. The report includes our recommendations regarding National Register eligibility for the identified sites. The Board will make its final National Register evaluations pending receipt of comments

¹ This code refers to Louis Berger Group Report No. SD3a. The first two letters refer to the state, "3" is the report number, and the letter indicates that this is an addendum to report "3". Please refer to both the SHPO and LBG codes in your response.

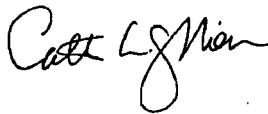
from participating tribes, agencies, and input from the South Dakota Historic Preservation Officer.

The fieldwork summarized in the report was conducted in August through September, 2007 and consisted of approximately 33 miles of additional right-of-way taking, barrow areas, and a 30 meter buffer bordering the proposed takings and barrow areas. The Area of Potential Effect surveyed for the current investigation comprised approximately 670 acres (1655.6 hectares). The surveys resulted in the identification of eleven new archaeological sites, and two historic bridges.

Your comments and/or suggested changes regarding the report must be provided within 30 days of receiving this letter. Please send your written comments directly to David Bibler, Project Manager for the Louis Berger Group Inc. (SEA's third-party contractor). If you have any questions or comments regarding any of the above, please feel free to contact me at 202-245-0293 (Catherine.Glidden@stb.dot.gov) or David Bibler at 319-373-3043 (dbibler@louisberger.com). Pursuant to the PA, SEA will assume that the lack of comments provided within the review period will mean your concurrence with its content and findings.

Thank you taking the time to review the enclosed report. We look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read "Catherine Glidden".

Catherine Glidden
Section of Environmental Analysis

Cc: distribution list
Enclosure: ALAC (Draft Report, February 2008)
Report Review and Comment Form

Report Review & Comment Form

Powder River Basin Expansion Project

Report Information

Report Title:	<i>A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation's Powder River Basin Expansion Project Corridor, PRC Segment 1, Haakon, Jones and Stanley Counties, South Dakota, Volumes 1&2. February 2008 (SD3a)</i>
Author(s):	Augustana Laboratory, Augustana College, L.A. Hannus, A.A. Buhta & J.M. Kruse
Project Segment:	New Build Segment
Date Submitted for Review:	June 6, 2008
Please Return By:	July 6, 2008

List of Identified Resources within APE

Site #	Site Type	STB Recommends Eligibility	Tribe Recommends		
			Eligibility		
			Eligible	Not Eligible	Further Study
39ST2003	Railroad	Eligible			
39ST302	Isolated find	Not Eligible			
39JN2003	Railroad	Eligible			
39JN4	Occupation	Eligible			
39JN9	Nonfarm ruins	Eligible			
39JN10	Nonfarm ruins/ Artifact scatter	Eligible			
39JN11	Isolated Find	Not Eligible			
39HK79	Nonfarm ruins	Not Eligible			
39ST84	Artifact scatter	Eligible			
39ST303	Isolated find	Not Eligible			
39ST306	Farmstead/ Artifact scatter	Not Eligible			
39JN8	Artifact scatter	Not Eligible			
39HK50	Foundation	Not Eligible			
39ST351	Artifact scatter	Not Eligible			
39ST352	Artifact scatter	Not Eligible			
39ST353	Artifact scatter	Eligible			
39ST354	Artifact scatter/ Cemetery	Eligible			
39JN41	Townsite	Eligible			
39JN43	Artifact scatter	Not Eligible			
39JN42	Artifact scatter	Not Eligible			
39JN9	Nonfarm ruins	Not Eligible			
39HK102	Artifact scatter	Not Eligible			

Site #	Site Type	STB Recommends	Tribe Recommends		
			Eligibility		
		Eligibility	Eligible	Not Eligible	Further Study
39HK103	Artifact scatter/ Nonfarm ruins	Eligible			
39HK104	Artifact scatter	Not Eligible			
30HK105	Foundation/ Artifact scatter	Not Eligible			
JN00000046	Bridge	Not Eligible			
JN00000045	Bridge	Not Eligible			

*If Tribe recommends eligibility, please specify which criteria apply.

Additional Comments (attach separate documentation if needed)

Signature: _____ Date: _____

Printed Name: _____ Title: _____

Return Completed Form to:

Dave Bibler
The Louis Berger Group
950 50th Street
Marion, IA 52302-3853