



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

EO-1995

Office of Environmental Analysis

December 10, 2012

Conrad Fisher
Tribal Historic Preservation Officer
Northern Cheyenne Tribe
P.O. Box 128
Lame Deer, MT 59043

RE: Docket No. FD 30186, Tongue River Railroad Company, Inc.—Rail Construction and Operation—in Custer, Powder River and Rosebud Counties, Montana.

Dear Mr. Fisher:

The Office of Environmental Analysis (OEA) appreciates your ongoing involvement in the Section 106 consultations for the proposed Tongue River railroad. Thank you for hosting, a meeting on November 16, 2012 with Cathy Glidden of my staff to discuss a revised project proposed by Tongue River Railroad Company, Inc. (TRRC) to the Surface Transportation Board (Board) on October 16, 2012. As currently proposed, TRRC's rail line would be constructed and operated between Miles City to two ending points; one near the site of the previously planned Montco mine and another at the proposed Otter Creek mine, a distance of approximately 83 miles (see attached map). None of the potential alternatives currently under consideration would enter the Northern Cheyenne Indian Reservation; however, one of the potential alternatives would be located along the eastern side of the Tongue River (see the attached map.) More information is available on the Board's website at http://www.stb.dot.gov/stb/environment/key_cases.html, and on the project website at <http://www.tonguerivereis.com>.

The purpose of this letter is to formally and respectfully invite the Northern Cheyenne Tribe to continue to be a Consulting Party on TRRC's rail line under Section 106 of the National Historic Preservation Act (NHPA). As requested in the February 10, 2012, letter from former President Spang, the Board also intends to initiate government-to-government consultation with the Northern Cheyenne Tribe, but that consultation will be formally initiated in a separate letter to the new president, John Robinson.

OEA looks forward to consulting with you and other tribal representatives. We have already initiated the Section 106 process with the Montana State Historic Preservation Officer (SHPO) and are in the process of identifying other consulting parties, including the tribes mentioned in the February 10 letter.

As before, Cathy will be OEA's point of contact at 202-245-0293 (gliddenc@stb.dot.gov). You can also contact Rick Starzak with ICF International (our third party contractor) at 213-627-5376 ext. 222 (richard.starzak@icfi.com). Please feel free to contact Cathy or Rick anytime.

We look forward to consulting with you and all tribal representatives on this revised undertaking.

Very truly yours,

Victoria Rutson
Director
Office of Environmental Analysis

Attachments: Map of Potential Alternatives

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