



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

July 1, 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 (STB) 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, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2*, SWCA Environmental Consultants, March 2008 (SHPO No. 990223006F; LBG No. SD1b¹). 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 pursuant to Section A.3.1 of the PA.

The enclosed report is an addendum to: *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation's Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota* (SWCA Environmental Consultants, 2007 & Archaeology Laboratory, University of South Dakota, [ARCHLAB] 2007). On October 3, 2007, the STB requested that the Dakota Minnesota & Eastern Railroad Company (DM&E) revisit archaeological sites listed and described in the above report for further testing and evaluation. Their follow up work is summarized in the enclosed addendum. As a result of these investigations, 17 sites within the area of potential effect

¹ This code refers to Louis Berger Group (LBG) Report No. SD1b. The first two letters refer to the state, "1" is the report number, and the letter indicates that this is an addendum to report 1. Please refer to both the SHPO and LBG codes in your response.

are being recommended by STB as eligible for listing in the National Register and may thus be adversely affected by the undertaking.

There are a number of sites that are described in the report as “unevaluated” for the National Register under both Criterion A and D. Most of these sites were left unevaluated pending tribal input with the thinking that they might be traditional cultural properties (TCPs), thus eligible for listing in the National Register under Criterion A. As a result, these sites were generally left untested (not excavated) pending tribal input. Consequently, the STB is particularly in need of input from you regarding these “unevaluated” sites.

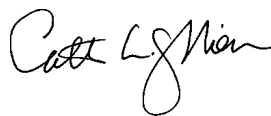
Of the “unevaluated” sites, the STB has chosen to consider stone cairns or circles as eligible for listing in the National Register under Criterion A based on previous tribal input regarding these site types. However, there are a number of other site types including quarries and artifact scatters for which tribal input is needed. **Tribal input is therefore critical for the STB to make definitive National Register eligibility recommendations and to determine project effects for unevaluated sites.** A complete listing of the archaeological sites is shown in the accompanying table.

The STB will make its final National Register evaluations pending receipt of comments from participating tribes, agencies, and input from the South Dakota Historic Preservation Officer.

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,



Catherine Glidden
Section of Environmental Analysis

Cc: Distribution list

Enclosure: *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation’s Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2, SWCA Environmental Consultants, March 2008*
Report Review and Comment Form



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Section of Environmental Analysis

July 1, 2008

Ms. Donna Rae Petersen
Acting Tribal Historic Preservation Officer
Cheyenne River Lakota Tribe
P.O. Box 590
Eagle Butte, SD 57625

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

Dear Ms. Petersen:

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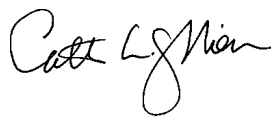
Of the “unevaluated” sites, the STB has chosen to consider stone cairns or circles as eligible for listing in the National Register under Criterion A based on previous tribal input regarding these site types. However, there are a number of other site types including quarries and artifact scatters for which tribal input is needed. **Tribal input is therefore critical for the STB to make definitive National Register eligibility recommendations and to determine project effects for unevaluated sites.** A complete listing of the archaeological sites is shown in the accompanying table.

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July 1, 2008

Mr. Jimmy Arterberry
NAGPRA Coordinator
Comanche Tribe of Oklahoma
P.O. Box 908
Lawton, OK 73502

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

Dear Mr. Arterberry:

The Surface Transportation Board's (STB) 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, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2*, SWCA Environmental Consultants, March 2008 (SHPO No. 990223006F; LBG No. SD1b³). 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 pursuant to Section A.3.1 of the PA.

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There are a number of sites that are described in the report as “unevaluated” for the National Register under both Criterion A and D. Most of these sites were left unevaluated pending tribal input with the thinking that they might be traditional cultural properties (TCPs), thus eligible for listing in the National Register under Criterion A. As a result, these sites were generally left untested (not excavated) pending tribal input. Consequently, the STB is particularly in need of input from you regarding these “unevaluated” sites.

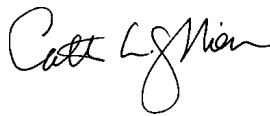
Of the “unevaluated” sites, the STB has chosen to consider stone cairns or circles as eligible for listing in the National Register under Criterion A based on previous tribal input regarding these site types. However, there are a number of other site types including quarries and artifact scatters for which tribal input is needed. **Tribal input is therefore critical for the STB to make definitive National Register eligibility recommendations and to determine project effects for unevaluated sites.** A complete listing of the archaeological sites is shown in the accompanying table.

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Catherine Glidden
Section of Environmental Analysis

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Section of Environmental Analysis

July 1, 2008

Ms Reed Tidzump
Director, Cultural Services
Eastern Shoshone Tribe
P.O. Box 1008
Ft. Washakie, WY 82514

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

Dear Ms Tidzump:

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There are a number of sites that are described in the report as “unevaluated” for the National Register under both Criterion A and D. Most of these sites were left unevaluated pending tribal input with the thinking that they might be traditional cultural properties (TCPs), thus eligible for listing in the National Register under Criterion A. As a result, these sites were generally left untested (not excavated) pending tribal input. Consequently, the STB is particularly in need of input from you regarding these “unevaluated” sites.

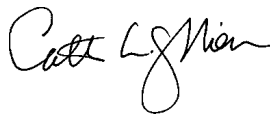
Of the “unevaluated” sites, the STB has chosen to consider stone cairns or circles as eligible for listing in the National Register under Criterion A based on previous tribal input regarding these site types. However, there are a number of other site types including quarries and artifact scatters for which tribal input is needed. **Tribal input is therefore critical for the STB to make definitive National Register eligibility recommendations and to determine project effects for unevaluated sites.** A complete listing of the archaeological sites is shown in the accompanying table.

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

July 1, 2008

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

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

Dear Mr. Allen:

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Of the “unevaluated” sites, the STB has chosen to consider stone cairns or circles as eligible for listing in the National Register under Criterion A based on previous tribal input regarding these site types. However, there are a number of other site types including quarries and artifact scatters for which tribal input is needed. **Tribal input is therefore critical for the STB to make definitive National Register eligibility recommendations and to determine project effects for unevaluated sites.** A complete listing of the archaeological sites is shown in the accompanying table.

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Section of Environmental Analysis

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

July 1, 2008

Mr. Curley Youpee
Historic Preservation Officer
Ft. Peck Assiniboine and Sioux Tribes
601 Court Avenue, P.O. Box 1027
Poplar, MT 59255-1027

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

Dear Mr. Youpee:

The Surface Transportation Board's (STB) 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, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2*, SWCA Environmental Consultants, March 2008 (SHPO No. 990223006F; LBG No. SD1b⁶). 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 pursuant to Section A.3.1 of the PA.

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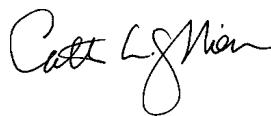
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395 E Street, SW
Washington, DC 20423
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July 1, 2008

Mr. William Quakenbush
Tribal Historic Preservation Officer
Ho-Chunk Nation
P.O. Bo 667
Black River Falls, WI 54615

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

Dear Mr. Quakenbush:

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July 1, 2008

Mr. Dewey Tsonetokey
NAGPRA Office
Kiowa Tribe of Oklahoma
Route 3, P.O. Box 470
Carnegie, OK 73015

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

Dear Mr. Tsonetokey:

The Surface Transportation Board's (STB) 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, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2*, SWCA Environmental Consultants, March 2008 (SHPO No. 990223006F; LBG No. SD1b⁸). 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 pursuant to Section A.3.1 of the PA.

The enclosed report is an addendum to: *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation's Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota* (SWCA Environmental Consultants, 2007 & Archaeology Laboratory, University of South Dakota, [ARCHLAB] 2007). On October 3, 2007, the STB requested that the Dakota Minnesota & Eastern Railroad Company (DM&E) revisit archaeological sites listed and described in the above report for further testing and evaluation. Their follow up work is summarized in the enclosed addendum. As a result of these investigations, 17 sites within the area of potential effect

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are being recommended by STB as eligible for listing in the National Register and may thus be adversely affected by the undertaking.

There are a number of sites that are described in the report as “unevaluated” for the National Register under both Criterion A and D. Most of these sites were left unevaluated pending tribal input with the thinking that they might be traditional cultural properties (TCPs), thus eligible for listing in the National Register under Criterion A. As a result, these sites were generally left untested (not excavated) pending tribal input. Consequently, the STB is particularly in need of input from you regarding these “unevaluated” sites.

Of the “unevaluated” sites, the STB has chosen to consider stone cairns or circles as eligible for listing in the National Register under Criterion A based on previous tribal input regarding these site types. However, there are a number of other site types including quarries and artifact scatters for which tribal input is needed. **Tribal input is therefore critical for the STB to make definitive National Register eligibility recommendations and to determine project effects for unevaluated sites.** A complete listing of the archaeological sites is shown in the accompanying table.

The STB will make its final National Register evaluations pending receipt of comments from participating tribes, agencies, and input from the South Dakota Historic Preservation Officer.

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,



Catherine Glidden
Section of Environmental Analysis

Cc: Distribution list

Enclosure: *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation’s Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2, SWCA Environmental Consultants, March 2008*
Report Review and Comment Form



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

July 1, 2008

Mr. Scott Jones
Cultural Resources Director
Lower Brule Sioux Tribe
187 Oyate Circle
Lower Brule, SD 57548

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

Dear Mr. Jones:

The Surface Transportation Board's (STB) 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, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2*, SWCA Environmental Consultants, March 2008 (SHPO No. 990223006F; LBG No. SD1b⁹). 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 pursuant to Section A.3.1 of the PA.

The enclosed report is an addendum to: *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation's Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota* (SWCA Environmental Consultants, 2007 & Archaeology Laboratory, University of South Dakota, [ARCHLAB] 2007). On October 3, 2007, the STB requested that the Dakota Minnesota & Eastern Railroad Company (DM&E) revisit archaeological sites listed and described in the above report for further testing and evaluation. Their follow up work is summarized in the enclosed addendum. As a result of these investigations, 17 sites within the area of potential effect

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are being recommended by STB as eligible for listing in the National Register and may thus be adversely affected by the undertaking.

There are a number of sites that are described in the report as “unevaluated” for the National Register under both Criterion A and D. Most of these sites were left unevaluated pending tribal input with the thinking that they might be traditional cultural properties (TCPs), thus eligible for listing in the National Register under Criterion A. As a result, these sites were generally left untested (not excavated) pending tribal input. Consequently, the STB is particularly in need of input from you regarding these “unevaluated” sites.

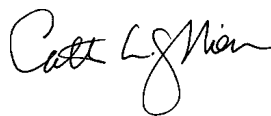
Of the “unevaluated” sites, the STB has chosen to consider stone cairns or circles as eligible for listing in the National Register under Criterion A based on previous tribal input regarding these site types. However, there are a number of other site types including quarries and artifact scatters for which tribal input is needed. **Tribal input is therefore critical for the STB to make definitive National Register eligibility recommendations and to determine project effects for unevaluated sites.** A complete listing of the archaeological sites is shown in the accompanying table.

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Sincerely,



Catherine Glidden
Section of Environmental Analysis

Cc: Distribution list

Enclosure: *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation’s Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2, SWCA Environmental Consultants, March 2008*
Report Review and Comment Form



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

July 1, 2008

Ms. Pamela Halverson
Tribal Historic Preservation Officer
Lower Sioux Community
39527 Res. Hwy 1, Box 308
Morton, MN 56270

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

Dear Ms. Halverson:

The Surface Transportation Board's (STB) 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, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2*, SWCA Environmental Consultants, March 2008 (SHPO No. 990223006F; LBG No. SD1b¹⁰). 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 pursuant to Section A.3.1 of the PA.

The enclosed report is an addendum to: *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation's Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota* (SWCA Environmental Consultants, 2007 & Archaeology Laboratory, University of South Dakota, [ARCHLAB] 2007). On October 3, 2007, the STB requested that the Dakota Minnesota & Eastern Railroad Company (DM&E) revisit archaeological sites listed and described in the above report for further testing and evaluation. Their follow up work is summarized in the enclosed addendum. As a result of these investigations, 17 sites within the area of potential effect

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There are a number of sites that are described in the report as “unevaluated” for the National Register under both Criterion A and D. Most of these sites were left unevaluated pending tribal input with the thinking that they might be traditional cultural properties (TCPs), thus eligible for listing in the National Register under Criterion A. As a result, these sites were generally left untested (not excavated) pending tribal input. Consequently, the STB is particularly in need of input from you regarding these “unevaluated” sites.

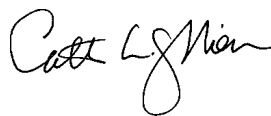
Of the “unevaluated” sites, the STB has chosen to consider stone cairns or circles as eligible for listing in the National Register under Criterion A based on previous tribal input regarding these site types. However, there are a number of other site types including quarries and artifact scatters for which tribal input is needed. **Tribal input is therefore critical for the STB to make definitive National Register eligibility recommendations and to determine project effects for unevaluated sites.** A complete listing of the archaeological sites is shown in the accompanying table.

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

Sincerely,



Catherine Glidden
Section of Environmental Analysis

Cc: Distribution list

Enclosure: *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation’s Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2, SWCA Environmental Consultants, March 2008*
Report Review and Comment Form



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

July 1, 2008

Mr. David Grignon
Tribal Historic Preservation Officer
Menominee Indian Tribe of Wisconsin
P.O. Box 910
Keshena, WI 54135

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

Dear Mr. Grignon:

The Surface Transportation Board's (STB) 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, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2*, SWCA Environmental Consultants, March 2008 (SHPO No. 990223006F; LBG No. SD1b¹¹). 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 pursuant to Section A.3.1 of the PA.

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There are a number of sites that are described in the report as “unevaluated” for the National Register under both Criterion A and D. Most of these sites were left unevaluated pending tribal input with the thinking that they might be traditional cultural properties (TCPs), thus eligible for listing in the National Register under Criterion A. As a result, these sites were generally left untested (not excavated) pending tribal input. Consequently, the STB is particularly in need of input from you regarding these “unevaluated” sites.

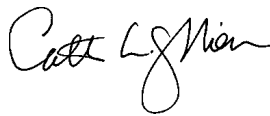
Of the “unevaluated” sites, the STB has chosen to consider stone cairns or circles as eligible for listing in the National Register under Criterion A based on previous tribal input regarding these site types. However, there are a number of other site types including quarries and artifact scatters for which tribal input is needed. **Tribal input is therefore critical for the STB to make definitive National Register eligibility recommendations and to determine project effects for unevaluated sites.** A complete listing of the archaeological sites is shown in the accompanying table.

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

Sincerely,



Catherine Glidden
Section of Environmental Analysis

Cc: Distribution list

Enclosure: *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation’s Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2, SWCA Environmental Consultants, March 2008*
Report Review and Comment Form



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

July 1, 2008

Ms. Jo Ann White
Historic Preservation Officer
Northern Arapaho Tribe
P.O. Box 1182
Fort Washakie, WY 82514

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

Dear Ms. White:

The Surface Transportation Board's (STB) 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, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2*, SWCA Environmental Consultants, March 2008 (SHPO No. 990223006F; LBG No. SD1b¹²). 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 pursuant to Section A.3.1 of the PA.

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Of the “unevaluated” sites, the STB has chosen to consider stone cairns or circles as eligible for listing in the National Register under Criterion A based on previous tribal input regarding these site types. However, there are a number of other site types including quarries and artifact scatters for which tribal input is needed. **Tribal input is therefore critical for the STB to make definitive National Register eligibility recommendations and to determine project effects for unevaluated sites.** A complete listing of the archaeological sites is shown in the accompanying table.

The STB will make its final National Register evaluations pending receipt of comments from participating tribes, agencies, and input from the South Dakota Historic Preservation Officer.

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Catherine Glidden
Section of Environmental Analysis

Cc: Distribution list

Enclosure: *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation’s Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2, SWCA Environmental Consultants, March 2008*
Report Review and Comment Form



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

July 1, 2008

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

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

Dear Mr. Fisher:

The Surface Transportation Board's (STB) 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, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2*, SWCA Environmental Consultants, March 2008 (SHPO No. 990223006F; LBG No. SD1b¹³). 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 pursuant to Section A.3.1 of the PA.

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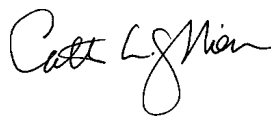
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Sincerely,



Catherine Glidden
Section of Environmental Analysis

Cc: Distribution list

Enclosure: *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation’s Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2, SWCA Environmental*

Consultants, March 2008

Report Review and Comment Form



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

July 1, 2008

Mr. Joyce Whiting
Historic Preservation Officer
Oglala Lakota Tribe
P.O. Box 2070
Pine Ridge, SD 57770

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

Dear Mr. Whiting:

The Surface Transportation Board's (STB) 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, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2*, SWCA Environmental Consultants, March 2008 (SHPO No. 990223006F; LBG No. SD1b¹⁴). 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 pursuant to Section A.3.1 of the PA.

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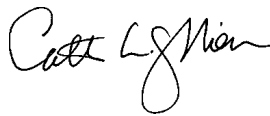
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Sincerely,



Catherine Glidden
Section of Environmental Analysis

Cc: Distribution list

Enclosure: *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation’s Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2, SWCA Environmental Consultants, March 2008*
Report Review and Comment Form



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

July 1, 2008

Mr. Tony Provost
NAGPRA Coordinator
Omaha Tribe of Nebraska
P.O. Box 368
Macy, NE 68039

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

Dear Mr. Provost:

The Surface Transportation Board's (STB) 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, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2*, SWCA Environmental Consultants, March 2008 (SHPO No. 990223006F; LBG No. SD1b¹⁵). 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 pursuant to Section A.3.1 of the PA.

The enclosed report is an addendum to: *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation's Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota* (SWCA Environmental Consultants, 2007 & Archaeology Laboratory, University of South Dakota, [ARCHLAB] 2007). On October 3, 2007, the STB requested that the Dakota Minnesota & Eastern Railroad Company (DM&E) revisit archaeological sites listed and described in the above report for further testing and evaluation. Their follow up work is summarized in the enclosed addendum. As a result of these investigations, 17 sites within the area of potential effect

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are being recommended by STB as eligible for listing in the National Register and may thus be adversely affected by the undertaking.

There are a number of sites that are described in the report as “unevaluated” for the National Register under both Criterion A and D. Most of these sites were left unevaluated pending tribal input with the thinking that they might be traditional cultural properties (TCPs), thus eligible for listing in the National Register under Criterion A. As a result, these sites were generally left untested (not excavated) pending tribal input. Consequently, the STB is particularly in need of input from you regarding these “unevaluated” sites.

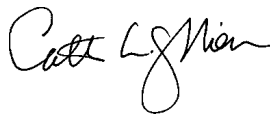
Of the “unevaluated” sites, the STB has chosen to consider stone cairns or circles as eligible for listing in the National Register under Criterion A based on previous tribal input regarding these site types. However, there are a number of other site types including quarries and artifact scatters for which tribal input is needed. **Tribal input is therefore critical for the STB to make definitive National Register eligibility recommendations and to determine project effects for unevaluated sites.** A complete listing of the archaeological sites is shown in the accompanying table.

The STB will make its final National Register evaluations pending receipt of comments from participating tribes, agencies, and input from the South Dakota Historic Preservation Officer.

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,



Catherine Glidden
Section of Environmental Analysis

Cc: Distribution list

Enclosure: *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation’s Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2, SWCA Environmental Consultants, March 2008*
Report Review and Comment Form



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

July 1, 2008

Ms Alice Alexander
Historic Preservation Officer
Pawnee Nation of Oklahoma
P.O. Box 470
Pawnee, OK 74058

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

Dear Ms Alexander:

The Surface Transportation Board's (STB) 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, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2*, SWCA Environmental Consultants, March 2008 (SHPO No. 990223006F; LBG No. SD1b¹⁶). 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 pursuant to Section A.3.1 of the PA.

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There are a number of sites that are described in the report as “unevaluated” for the National Register under both Criterion A and D. Most of these sites were left unevaluated pending tribal input with the thinking that they might be traditional cultural properties (TCPs), thus eligible for listing in the National Register under Criterion A. As a result, these sites were generally left untested (not excavated) pending tribal input. Consequently, the STB is particularly in need of input from you regarding these “unevaluated” sites.

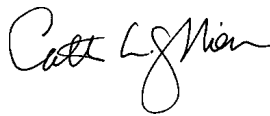
Of the “unevaluated” sites, the STB has chosen to consider stone cairns or circles as eligible for listing in the National Register under Criterion A based on previous tribal input regarding these site types. However, there are a number of other site types including quarries and artifact scatters for which tribal input is needed. **Tribal input is therefore critical for the STB to make definitive National Register eligibility recommendations and to determine project effects for unevaluated sites.** A complete listing of the archaeological sites is shown in the accompanying table.

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

Sincerely,



Catherine Glidden
Section of Environmental Analysis

Cc: Distribution list

Enclosure: *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation’s Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2, SWCA Environmental Consultants, March 2008*
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SURFACE TRANSPORTATION BOARD
395 E Street, SW
Washington, DC 20423
Section of Environmental Analysis

July 1, 2008

Mr. Gary Robinette
Historic Preservation Officer
Ponca Tribe of Nebraska
P.O. Box 288
Niobrara, NE 68760

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

Dear Mr. Robinette:

The Surface Transportation Board's (STB) 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, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2*, SWCA Environmental Consultants, March 2008 (SHPO No. 990223006F; LBG No. SD1b¹⁷). 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 pursuant to Section A.3.1 of the PA.

The enclosed report is an addendum to: *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation's Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota* (SWCA Environmental Consultants, 2007 & Archaeology Laboratory, University of South Dakota, [ARCHLAB] 2007). On October 3, 2007, the STB requested that the Dakota Minnesota & Eastern Railroad Company (DM&E) revisit archaeological sites listed and described in the above report for further testing and evaluation. Their follow up work is summarized in the enclosed addendum. As a result of these investigations, 17 sites within the area of potential effect

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There are a number of sites that are described in the report as “unevaluated” for the National Register under both Criterion A and D. Most of these sites were left unevaluated pending tribal input with the thinking that they might be traditional cultural properties (TCPs), thus eligible for listing in the National Register under Criterion A. As a result, these sites were generally left untested (not excavated) pending tribal input. Consequently, the STB is particularly in need of input from you regarding these “unevaluated” sites.

Of the “unevaluated” sites, the STB has chosen to consider stone cairns or circles as eligible for listing in the National Register under Criterion A based on previous tribal input regarding these site types. However, there are a number of other site types including quarries and artifact scatters for which tribal input is needed. **Tribal input is therefore critical for the STB to make definitive National Register eligibility recommendations and to determine project effects for unevaluated sites.** A complete listing of the archaeological sites is shown in the accompanying table.

The STB will make its final National Register evaluations pending receipt of comments from participating tribes, agencies, and input from the South Dakota Historic Preservation Officer.

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,



Catherine Glidden
Section of Environmental Analysis

Cc: Distribution list

Enclosure: *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation’s Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2, SWCA Environmental Consultants, March 2008*
Report Review and Comment Form



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

July 1, 2008

Mr. Marc Mogan
Cultural Committee
Prairie Island Indian Community
5636 Sturgeon Lake Road
Welch, MN 55089

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

Dear Mr. Mogan:

The Surface Transportation Board's (STB) 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, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2*, SWCA Environmental Consultants, March 2008 (SHPO No. 990223006F; LBG No. SD1b¹⁸). 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 pursuant to Section A.3.1 of the PA.

The enclosed report is an addendum to: *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation's Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota* (SWCA Environmental Consultants, 2007 & Archaeology Laboratory, University of South Dakota, [ARCHLAB] 2007). On October 3, 2007, the STB requested that the Dakota Minnesota & Eastern Railroad Company (DM&E) revisit archaeological sites listed and described in the above report for further testing and evaluation. Their follow up work is summarized in the enclosed addendum. As a result of these investigations, 17 sites within the area of potential effect

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are being recommended by STB as eligible for listing in the National Register and may thus be adversely affected by the undertaking.

There are a number of sites that are described in the report as “unevaluated” for the National Register under both Criterion A and D. Most of these sites were left unevaluated pending tribal input with the thinking that they might be traditional cultural properties (TCPs), thus eligible for listing in the National Register under Criterion A. As a result, these sites were generally left untested (not excavated) pending tribal input. Consequently, the STB is particularly in need of input from you regarding these “unevaluated” sites.

Of the “unevaluated” sites, the STB has chosen to consider stone cairns or circles as eligible for listing in the National Register under Criterion A based on previous tribal input regarding these site types. However, there are a number of other site types including quarries and artifact scatters for which tribal input is needed. **Tribal input is therefore critical for the STB to make definitive National Register eligibility recommendations and to determine project effects for unevaluated sites.** A complete listing of the archaeological sites is shown in the accompanying table.

The STB will make its final National Register evaluations pending receipt of comments from participating tribes, agencies, and input from the South Dakota Historic Preservation Officer.

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

Sincerely,



Catherine Glidden
Section of Environmental Analysis

Cc: Distribution list

Enclosure: *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation’s Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2, SWCA Environmental Consultants, March 2008*
Report Review and Comment Form



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

July 1, 2008

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

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

Dear Mr. Eagle Bear:

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Of the “unevaluated” sites, the STB has chosen to consider stone cairns or circles as eligible for listing in the National Register under Criterion A based on previous tribal input regarding these site types. However, there are a number of other site types including quarries and artifact scatters for which tribal input is needed. **Tribal input is therefore critical for the STB to make definitive National Register eligibility recommendations and to determine project effects for unevaluated sites.** A complete listing of the archaeological sites is shown in the accompanying table.

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

Sincerely,



Catherine Glidden
Section of Environmental Analysis

Cc: Distribution list

Enclosure: *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation’s Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2, SWCA Environmental Consultants, March 2008*
Report Review and Comment Form



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

July 1, 2008

Mr. Robert Campbell
Treasurer
Santee Sioux Tribe of Nebraska
108 Spirit Lake Avenue West
Niobrara, NE 68760

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

Dear Mr. Campbell:

The Surface Transportation Board's (STB) 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, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2*, SWCA Environmental Consultants, March 2008 (SHPO No. 990223006F; LBG No. SD1b²⁰). 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 pursuant to Section A.3.1 of the PA.

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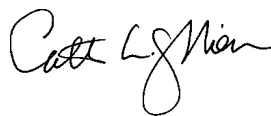
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Sincerely,



Catherine Glidden
Section of Environmental Analysis

Cc: Distribution list

Enclosure: *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation’s Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2, SWCA Environmental Consultants, March 2008*
Report Review and Comment Form



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

July 1, 2008

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

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

Dear Mr. Wabasha:

The Surface Transportation Board's (STB) 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, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2*, SWCA Environmental Consultants, March 2008 (SHPO No. 990223006F; LBG No. SD1b²¹). 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 pursuant to Section A.3.1 of the PA.

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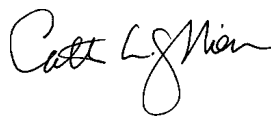
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Thank you taking the time to review the enclosed report. We look forward to hearing from you.

Sincerely,



Catherine Glidden
Section of Environmental Analysis

Cc: Distribution list

Enclosure: *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation’s Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2, SWCA Environmental Consultants, March 2008*
Report Review and Comment Form



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

July 1, 2008

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

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

Dear Ms. Desrosiers:

The Surface Transportation Board's (STB) 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, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2*, SWCA Environmental Consultants, March 2008 (SHPO No. 990223006F; LBG No. SD1b²²). 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 pursuant to Section A.3.1 of the PA.

The enclosed report is an addendum to: *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation's Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota* (SWCA Environmental Consultants, 2007 & Archaeology Laboratory, University of South Dakota, [ARCHLAB] 2007). On October 3, 2007, the STB requested that the Dakota Minnesota & Eastern Railroad Company (DM&E) revisit archaeological sites listed and described in the above report for further testing and evaluation. Their follow up work is summarized in the enclosed addendum. As a result of these investigations, 17 sites within the area of potential effect

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are being recommended by STB as eligible for listing in the National Register and may thus be adversely affected by the undertaking.

There are a number of sites that are described in the report as “unevaluated” for the National Register under both Criterion A and D. Most of these sites were left unevaluated pending tribal input with the thinking that they might be traditional cultural properties (TCPs), thus eligible for listing in the National Register under Criterion A. As a result, these sites were generally left untested (not excavated) pending tribal input. Consequently, the STB is particularly in need of input from you regarding these “unevaluated” sites.

Of the “unevaluated” sites, the STB has chosen to consider stone cairns or circles as eligible for listing in the National Register under Criterion A based on previous tribal input regarding these site types. However, there are a number of other site types including quarries and artifact scatters for which tribal input is needed. **Tribal input is therefore critical for the STB to make definitive National Register eligibility recommendations and to determine project effects for unevaluated sites.** A complete listing of the archaeological sites is shown in the accompanying table.

The STB will make its final National Register evaluations pending receipt of comments from participating tribes, agencies, and input from the South Dakota Historic Preservation Officer.

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,



Catherine Glidden
Section of Environmental Analysis

Cc: Distribution list

Enclosure: *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation’s Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2, SWCA Environmental Consultants, March 2008*
Report Review and Comment Form



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

July 1, 2008

Mr. William Ambrose Littleghost
Cultural Committee
Spirit Lake Tribe
P.O. Box 359
Ft. Totten, ND 58335

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

Dear Mr. Ambrose Littleghost:

The Surface Transportation Board's (STB) 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, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2*, SWCA Environmental Consultants, March 2008 (SHPO No. 990223006F; LBG No. SD1b²³). 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 pursuant to Section A.3.1 of the PA.

The enclosed report is an addendum to: *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation's Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota* (SWCA Environmental Consultants, 2007 & Archaeology Laboratory, University of South Dakota, [ARCHLAB] 2007). On October 3, 2007, the STB requested that the Dakota Minnesota & Eastern Railroad Company (DM&E) revisit archaeological sites listed and described in the above report for further testing and evaluation. Their follow up work is summarized in the enclosed addendum. As a result of these investigations, 17 sites within the area of potential effect

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are being recommended by STB as eligible for listing in the National Register and may thus be adversely affected by the undertaking.

There are a number of sites that are described in the report as “unevaluated” for the National Register under both Criterion A and D. Most of these sites were left unevaluated pending tribal input with the thinking that they might be traditional cultural properties (TCPs), thus eligible for listing in the National Register under Criterion A. As a result, these sites were generally left untested (not excavated) pending tribal input. Consequently, the STB is particularly in need of input from you regarding these “unevaluated” sites.

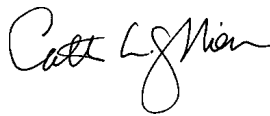
Of the “unevaluated” sites, the STB has chosen to consider stone cairns or circles as eligible for listing in the National Register under Criterion A based on previous tribal input regarding these site types. However, there are a number of other site types including quarries and artifact scatters for which tribal input is needed. **Tribal input is therefore critical for the STB to make definitive National Register eligibility recommendations and to determine project effects for unevaluated sites.** A complete listing of the archaeological sites is shown in the accompanying table.

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

Sincerely,



Catherine Glidden
Section of Environmental Analysis

Cc: Distribution list

Enclosure: *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation’s Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2, SWCA Environmental Consultants, March 2008*
Report Review and Comment Form



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

July 1, 2008

Mr. Tim Mentz, Sr.
Tribal Historic Preservation Officer
Standing Rock Sioux Tribe
P.O. Box D
Ft. Yates, ND 58538-0522

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

Dear Mr. Mentz, Sr.:

The Surface Transportation Board's (STB) 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, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2*, SWCA Environmental Consultants, March 2008 (SHPO No. 990223006F; LBG No. SD1b²⁴). 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 pursuant to Section A.3.1 of the PA.

The enclosed report is an addendum to: *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation's Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota* (SWCA Environmental Consultants, 2007 & Archaeology Laboratory, University of South Dakota, [ARCHLAB] 2007). On October 3, 2007, the STB requested that the Dakota Minnesota & Eastern Railroad Company (DM&E) revisit archaeological sites listed and described in the above report for further testing and evaluation. Their follow up work is summarized in the enclosed addendum. As a result of these investigations, 17 sites within the area of potential effect

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are being recommended by STB as eligible for listing in the National Register and may thus be adversely affected by the undertaking.

There are a number of sites that are described in the report as “unevaluated” for the National Register under both Criterion A and D. Most of these sites were left unevaluated pending tribal input with the thinking that they might be traditional cultural properties (TCPs), thus eligible for listing in the National Register under Criterion A. As a result, these sites were generally left untested (not excavated) pending tribal input. Consequently, the STB is particularly in need of input from you regarding these “unevaluated” sites.

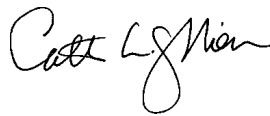
Of the “unevaluated” sites, the STB has chosen to consider stone cairns or circles as eligible for listing in the National Register under Criterion A based on previous tribal input regarding these site types. However, there are a number of other site types including quarries and artifact scatters for which tribal input is needed. **Tribal input is therefore critical for the STB to make definitive National Register eligibility recommendations and to determine project effects for unevaluated sites.** A complete listing of the archaeological sites is shown in the accompanying table.

The STB will make its final National Register evaluations pending receipt of comments from participating tribes, agencies, and input from the South Dakota Historic Preservation Officer.

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,



Catherine Glidden
Section of Environmental Analysis

Cc: Distribution list

Enclosure: *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation’s Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2, SWCA Environmental Consultants, March 2008*
Report Review and Comment Form



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

July 1, 2008

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

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

Dear Mr. Brady:

The Surface Transportation Board's (STB) 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, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2*, SWCA Environmental Consultants, March 2008 (SHPO No. 990223006F; LBG No. SD1b²⁵). 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 pursuant to Section A.3.1 of the PA.

The enclosed report is an addendum to: *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation's Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota* (SWCA Environmental Consultants, 2007 & Archaeology Laboratory, University of South Dakota, [ARCHLAB] 2007). On October 3, 2007, the STB requested that the Dakota Minnesota & Eastern Railroad Company (DM&E) revisit archaeological sites listed and described in the above report for further testing and evaluation. Their follow up work is summarized in the enclosed addendum. As a result of these investigations, 17 sites within the area of potential effect

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are being recommended by STB as eligible for listing in the National Register and may thus be adversely affected by the undertaking.

There are a number of sites that are described in the report as “unevaluated” for the National Register under both Criterion A and D. Most of these sites were left unevaluated pending tribal input with the thinking that they might be traditional cultural properties (TCPs), thus eligible for listing in the National Register under Criterion A. As a result, these sites were generally left untested (not excavated) pending tribal input. Consequently, the STB is particularly in need of input from you regarding these “unevaluated” sites.

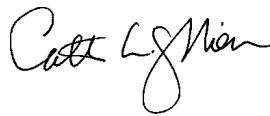
Of the “unevaluated” sites, the STB has chosen to consider stone cairns or circles as eligible for listing in the National Register under Criterion A based on previous tribal input regarding these site types. However, there are a number of other site types including quarries and artifact scatters for which tribal input is needed. **Tribal input is therefore critical for the STB to make definitive National Register eligibility recommendations and to determine project effects for unevaluated sites.** A complete listing of the archaeological sites is shown in the accompanying table.

The STB will make its final National Register evaluations pending receipt of comments from participating tribes, agencies, and input from the South Dakota Historic Preservation Officer.

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,



Catherine Glidden
Section of Environmental Analysis

Cc: Distribution list

Enclosure: *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation’s Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2, SWCA Environmental Consultants, March 2008*
Report Review and Comment Form



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

July 1, 2008

Mr. Brady Grant
Tribal Historic Preservation Officer
Turtle Mountain Band of Chippewa
P.O. Box 900
Belcourt, ND 58316

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

Dear Mr. Grant:

The Surface Transportation Board's (STB) 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, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2*, SWCA Environmental Consultants, March 2008 (SHPO No. 990223006F; LBG No. SD1b²⁶). 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 pursuant to Section A.3.1 of the PA.

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There are a number of sites that are described in the report as “unevaluated” for the National Register under both Criterion A and D. Most of these sites were left unevaluated pending tribal input with the thinking that they might be traditional cultural properties (TCPs), thus eligible for listing in the National Register under Criterion A. As a result, these sites were generally left untested (not excavated) pending tribal input. Consequently, the STB is particularly in need of input from you regarding these “unevaluated” sites.

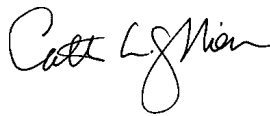
Of the “unevaluated” sites, the STB has chosen to consider stone cairns or circles as eligible for listing in the National Register under Criterion A based on previous tribal input regarding these site types. However, there are a number of other site types including quarries and artifact scatters for which tribal input is needed. **Tribal input is therefore critical for the STB to make definitive National Register eligibility recommendations and to determine project effects for unevaluated sites.** A complete listing of the archaeological sites is shown in the accompanying table.

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Sincerely,



Catherine Glidden
Section of Environmental Analysis

Cc: Distribution list

Enclosure: *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation’s Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2, SWCA Environmental Consultants, March 2008*
Report Review and Comment Form



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

July 1, 2008

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

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

Dear Mr. Larsen:

The Surface Transportation Board's (STB) 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, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2*, SWCA Environmental Consultants, March 2008 (SHPO No. 990223006F; LBG No. SD1b²⁷). 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 pursuant to Section A.3.1 of the PA.

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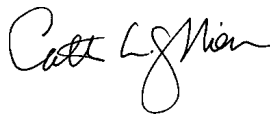
Of the “unevaluated” sites, the STB has chosen to consider stone cairns or circles as eligible for listing in the National Register under Criterion A based on previous tribal input regarding these site types. However, there are a number of other site types including quarries and artifact scatters for which tribal input is needed. **Tribal input is therefore critical for the STB to make definitive National Register eligibility recommendations and to determine project effects for unevaluated sites.** A complete listing of the archaeological sites is shown in the accompanying table.

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Sincerely,



Catherine Glidden
Section of Environmental Analysis

Cc: Distribution list

Enclosure: *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation’s Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2, SWCA Environmental Consultants, March 2008*
Report Review and Comment Form



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

July 1, 2008

Mr. David Lee Smith
Tribal Historian
Winnebago Tribe of Nebraska
100 Bluff Street, P.O. Box 687
Winnebago, NE 68071

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

Dear Mr. Smith:

The Surface Transportation Board's (STB) 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, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2*, SWCA Environmental Consultants, March 2008 (SHPO No. 990223006F; LBG No. SD1b²⁸). 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 pursuant to Section A.3.1 of the PA.

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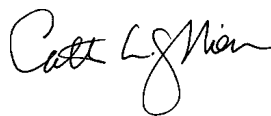
Of the “unevaluated” sites, the STB has chosen to consider stone cairns or circles as eligible for listing in the National Register under Criterion A based on previous tribal input regarding these site types. However, there are a number of other site types including quarries and artifact scatters for which tribal input is needed. **Tribal input is therefore critical for the STB to make definitive National Register eligibility recommendations and to determine project effects for unevaluated sites.** A complete listing of the archaeological sites is shown in the accompanying table.

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Sincerely,



Catherine Glidden
Section of Environmental Analysis

Cc: Distribution list

Enclosure: *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation’s Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2, SWCA Environmental Consultants, March 2008*
Report Review and Comment Form



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

July 1, 2008

Ms. Faith Spotted Eagle
Cultural Committee
Yankton Sioux Tribe
P.O. Box 248
Marty, SD 57361

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

Dear Ms. Spotted Eagle:

The Surface Transportation Board's (STB) 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, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2*, SWCA Environmental Consultants, March 2008 (SHPO No. 990223006F; LBG No. SD1b²⁹). 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 pursuant to Section A.3.1 of the PA.

The enclosed report is an addendum to: *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation's Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota* (SWCA Environmental Consultants, 2007 & Archaeology Laboratory, University of South Dakota, [ARCHLAB] 2007). On October 3, 2007, the STB requested that the Dakota Minnesota & Eastern Railroad Company (DM&E) revisit archaeological sites listed and described in the above report for further testing and evaluation. Their follow up work is summarized in the enclosed addendum. As a result of these investigations, 17 sites within the area of potential effect

²⁹ This code refers to Louis Berger Group (LBG) Report No. SD1b. The first two letters refer to the state, "1" is the report number, and the letter indicates that this is an addendum to report 1. Please refer to both the SHPO and LBG codes in your response.

are being recommended by STB as eligible for listing in the National Register and may thus be adversely affected by the undertaking.

There are a number of sites that are described in the report as “unevaluated” for the National Register under both Criterion A and D. Most of these sites were left unevaluated pending tribal input with the thinking that they might be traditional cultural properties (TCPs), thus eligible for listing in the National Register under Criterion A. As a result, these sites were generally left untested (not excavated) pending tribal input. Consequently, the STB is particularly in need of input from you regarding these “unevaluated” sites.

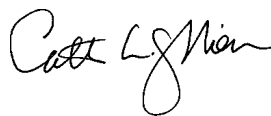
Of the “unevaluated” sites, the STB has chosen to consider stone cairns or circles as eligible for listing in the National Register under Criterion A based on previous tribal input regarding these site types. However, there are a number of other site types including quarries and artifact scatters for which tribal input is needed. **Tribal input is therefore critical for the STB to make definitive National Register eligibility recommendations and to determine project effects for unevaluated sites.** A complete listing of the archaeological sites is shown in the accompanying table.

The STB will make its final National Register evaluations pending receipt of comments from participating tribes, agencies, and input from the South Dakota Historic Preservation Officer.

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,



Catherine Glidden
Section of Environmental Analysis

Cc: Distribution list

Enclosure: *A Level III Cultural Resources Evaluation of the Proposed Dakota, Minnesota & Eastern Railroad Corporation’s Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2, SWCA Environmental Consultants, March 2008*
Report Review and Comment Form



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

July 1, 2008

Mr. Lester Thompson, Jr.
Chairman
Crow Creek Lakota Tribe
P.O. Box 50
Ft. Thompson, SD 57339-0050

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

Dear Mr. Thompson, Jr.:

The Surface Transportation Board's (STB) 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, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2*, SWCA Environmental Consultants, March 2008 (SHPO No. 990223006F; LBG No. SD1b³⁰). 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 pursuant to Section A.3.1 of the PA.

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are being recommended by STB as eligible for listing in the National Register and may thus be adversely affected by the undertaking.

There are a number of sites that are described in the report as “unevaluated” for the National Register under both Criterion A and D. Most of these sites were left unevaluated pending tribal input with the thinking that they might be traditional cultural properties (TCPs), thus eligible for listing in the National Register under Criterion A. As a result, these sites were generally left untested (not excavated) pending tribal input. Consequently, the STB is particularly in need of input from you regarding these “unevaluated” sites.

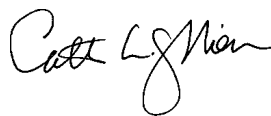
Of the “unevaluated” sites, the STB has chosen to consider stone cairns or circles as eligible for listing in the National Register under Criterion A based on previous tribal input regarding these site types. However, there are a number of other site types including quarries and artifact scatters for which tribal input is needed. **Tribal input is therefore critical for the STB to make definitive National Register eligibility recommendations and to determine project effects for unevaluated sites.** A complete listing of the archaeological sites is shown in the accompanying table.

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

Sincerely,



Catherine Glidden
Section of Environmental Analysis

Cc: Distribution list

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

July 1, 2008

Mr. Dale Old Horn
Tribal Historic Preservation Officer
Crow Nation
P.O. Box 159
Crow Agency, MT 59022

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

Dear Mr. Old Horn:

The Surface Transportation Board's (STB) 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, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2*, SWCA Environmental Consultants, March 2008 (SHPO No. 990223006F; LBG No. SD1b³¹). 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 pursuant to Section A.3.1 of the PA.

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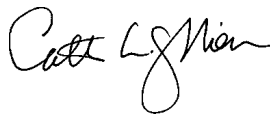
Of the “unevaluated” sites, the STB has chosen to consider stone cairns or circles as eligible for listing in the National Register under Criterion A based on previous tribal input regarding these site types. However, there are a number of other site types including quarries and artifact scatters for which tribal input is needed. **Tribal input is therefore critical for the STB to make definitive National Register eligibility recommendations and to determine project effects for unevaluated sites.** A complete listing of the archaeological sites is shown in the accompanying table.

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Catherine Glidden
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