



EO 1252

**SURFACE TRANSPORTATION BOARD**

**395 E Street, SW  
Washington, DC 20423  
Section of Environmental Analysis**

May 15, 2009

Misty Hays  
Deputy District Ranger  
United States Forest Service  
Douglas Ranger District  
2250 East Richards Street  
Douglas, WY 82633-8922

RE: Request for Authorized Vehicle Access on U.S. Forest Service Land; Thunder  
Basin National Grassland and Buffalo Gap National Grassland

Dear Ms. Hays:

I am writing to request authorization from the U.S. Forest Service (USFS) to use motorized vehicles to facilitate visits by tribal elders to several archaeological sites located on USFS property. The site visits are being organized by the Surface Transportation Board (STB) as part of our agency's implementation of the Programmatic Agreement (PA) executed for the Dakota Minnesota & Eastern Railroad Corporation's (DM&E) proposed expansion into the Powder River Basin and our review of the project's effects on properties eligible for listing in the National Register of Historic Places (NRHP).

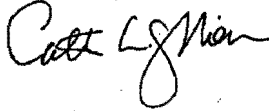
As you know, this project has potential to affect portions of the Thunder Basin and Buffalo Gap National Grasslands. STB recently received letters of interest from 10 tribes requesting visits to 16 archaeological sites located within the Thunder Basin and Buffalo Gap National Grasslands (see attached site list). These sites include stone circles, cairns, petroglyphs, and other features that some tribes have identified as having potential traditional religious and cultural significance and could therefore qualify the sites for listing on the NRHP. STB wishes to provide tribal elders with special expertise in spiritual and cultural matters with an opportunity to visit these sites for the purpose of assisting STB with its determination of National Register eligibility.

In order to help ensure safe transport of tribal elders to and from these 16 off-road locations, STB requests your authorization to use four-wheel-drive passenger vehicles and/or six-passenger, all-terrain vehicles on USFS property during the period June 1-August 28, 2009. We recognize that use of these vehicles may be subject to various conditions or restrictions with which we are happy to comply. We also welcome

participation of USFS representatives to share information and help ensure proper adherence to any conditions or restrictions that may apply.

In response to this request, please contact me by telephone at 202-245-0293 or by email at [Catherine.Glidden@stb.dot.gov](mailto:Catherine.Glidden@stb.dot.gov)

Sincerely,

A handwritten signature in cursive script, appearing to read "Catherine Glidden".

Catherine Glidden  
Section of Environmental Analysis

Enclosures: list of sites

Cc: Ian Ritchie, USFS  
Randy Withrow, Louis Berger Group  
Herb Jones, DM&E