



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

EO - 1333

Office of Economics, Environmental Analysis and Administration

November 12, 2008

Charlene Dwin Vaughn
Assistant Director
Office of Federal Agency Programs
Advisory Council on Historic Preservation
Old Post Office Building
1100 Pennsylvania Avenue, NW, Suite 803
Washington, DC 20004

Re: STB Finance Docket No. 34658, The Alaska Railroad Corporation – Petition for Exemption to Construct and Operate a Rail Line Between North Pole and Delta Junction, Alaska: Notification of Possible Adverse Effects and Invitation to Participate

Dear Ms. Vaughn:

The Surface Transportation Board (STB), acting as the lead Federal agency, invites the Advisory Council on Historic Preservation (ACHP) to join in consultations with the STB, Alaska Railroad Corporation (ARRC) and the Alaska State Historic Preservation Officer (SHPO) regarding mitigation or minimization of possible adverse effects resulting from the proposed Northern Rail Extension (project) in Interior Alaska. The other Federal agencies that have been invited to participate include the U.S. Bureau of Land Management, Alaska State Office; U.S. Army Corps of Engineers, Alaska District; U.S. Department of Defense, Alaskan Command; U.S. Air Force 354th Fighter Wing, Eielson Air Force Base; Federal Transit Administration, Region X; Federal Railroad Administration; and U.S. Coast Guard, Seventeenth Coast Guard District. The Alaska Department of Natural Resources and a number of Native Alaskan tribes and tribal organizations have also been invited to participate.

Description of the Undertaking

The STB is evaluating a petition from ARRC, pursuant to 49 U.S.C. 10502, for the authority to construct and operate the project, which would consist of approximately 80 miles of new rail line from North Pole, Alaska to Delta Junction, Alaska. The proposed rail line would extend ARRC's existing freight and passenger rail service in the region. The project area is located in the Fairbanks North Star Borough and the unincorporated Southeast Fairbanks Census Area. A vicinity map illustrating the project location is provided in Exhibit 1.

The STB's Section of Environmental Analysis (SEA) is preparing an Environmental Impact Statement (EIS) under the National Environmental Policy Act to evaluate potential

environmental impacts associated with the project. SEA anticipates issuing the Draft EIS later this year. The Draft EIS will consider the potential impacts of a number of alternative routes for the proposed rail line.

The STB's decision on whether to issue the license to construct and operate the new rail line meets the definition of an "undertaking" under the National Historic Preservation Act (NHPA). SEA has initiated the consultation process, pursuant to Section 800.14(b) of the regulations (36 CFR Part 800) implementing Section 106 of NHPA (16 U.S.C. 470f), with the SHPO and the Federal agencies cooperating in the preparation of the EIS. SEA has also initiated consultations with the Native Alaskan tribes and corporations listed in Exhibit 2.

The Area of Potential Effects (APE) is 328 feet (100 meters) on either side of the track centerline. This APE accounts for the proposed mainline track as well as ancillary support facilities and the potential indirect impacts that could result from construction and operation of the rail line.

Steps Taken to Identify Historic Properties

A complete field survey of the entire APE, including alternative segments, was not feasible because of the remote, rugged and expansive territory involved. Rather, the survey was conducted as a systematic sampling survey, which included the development of a predictive model for the project area followed by strategic field sampling of certain moderate and high probability locations. This model and survey strategy were submitted to and approved by the SHPO. A copy of the model and survey strategy document is enclosed for your information.

To develop this predictive model for cultural resources, a range of values from low potential to high potential were assigned to the landscape. Factors considered important in predicting prehistoric archeological site locations in Interior Alaska include local microtopography and slope; geomorphology and sediments; distance to and type of water source; percentage of surface cover; exposed stratigraphy; mineral licks; spawning sites in clearwater tributaries of larger rivers; lakeshores; margins of swampy lowlands; caribou migration routes; habitats favorable to large mammals and waterfowl; and lithic resource localities.

The predictive model was applied to areas with proposed rail alternative segments and ancillary facilities, which were then surveyed by Type A or Type B surveys. The Type A surveys consisted of low-altitude, low-speed helicopter fly-over supplemented by ground survey in sample locations. Type B surveys, conducted in high probability areas, consisted of pedestrian walkover transects, combined with subsurface excavations. Testing was discretionary and based on over flights of the areas, aerial photographs, archeological literature of the area, and previous experience conducting surveys, reviews and excavations in Interior Alaska. Areas determined to have high and moderate potential were more intensely tested and included riverbanks, alluvial terrace edges, lakeshores with positive relief, bedrock ridges and other elevated terrain features. The overall strategy was designed to meet Phase II survey requirements of the SHPO and intended to gather sufficient data for a determination of eligibility to the National Register of Historic Places (NRHP).

Description of APE's Historic Properties and the Undertaking's Effects on Them

The field surveys to identify cultural resources within the project area were conducted in the summers of 2006 and 2007. Surveys of the alternative segments totaled 239.3 miles, which included 149.9 miles of Type A survey and 89.4 miles of Type B survey. About 70 percent of the build alternative segments were surveyed. The surveys identified and tested 198 high potential areas for subsurface cultural remains, resulting in the excavation of 949 test pits and the discovery of 61 historic properties including archeological sites and standing structures.

Summary data on all 61 historic properties discovered during the 2006 and 2007 surveys are provided in Exhibit 3. Of the 61 historic properties evaluated for this project, seven are considered not eligible for listing on the NRHP since they are less than 50 years old. A total of 51 properties are considered eligible under Criterion D of the Department of Interior's guidelines for assessing site significance. Three historic properties need further information before eligibility can be adequately determined. All three properties (XBD-293, 294 and 295) are historic archeological deposits associated with Salchaket Village. These sites are likely eligible for the NRHP but more research is needed to fully determine their significance. The STB and SHPO have reached consensus agreement on the historic properties identified in the 2006 and 2007 surveys, as well as NHRP eligibility.

Copies of the 2006 and 2007 field survey reports are enclosed for your information.

Programmatic Agreement

The regulations implementing Section 106 allow for the development of a Programmatic Agreement (PA) when the effects on historic properties cannot be fully determined prior to approval of an undertaking (36 CFR 800.14.). SEA is developing a PA for this undertaking because the potential impacts are not completely known at this time. The nature and extent of potential impacts depend on the alternative that ARRC receives the authority to construct and operate (if any), additional field survey to identify the areal extent of certain eligible properties, ability of ARRC to adjust track centerline to minimize or avoid impacts to eligible properties, and other final design considerations. The PA would govern the completion of the Section 106 process.

Implementation of the PA would enable the STB to make final determinations of eligibility for the NRHP and findings of effect to the SHPO for concurrence for those sites that are identified within the APE. The APE could also be further refined based on final design of the undertaking. Any future refinements to the APE would be made in consultation with the SHPO, consistent with 36 CFR 800.4. All determinations of the APE and of the effects of the undertaking would take into account the professional standards, guidance, and research of both the cultural resources and railroad design professions. Consistent with 36 CFR 800.4(d)(1), the STB could determine that there are historic properties within the APE, but that the undertaking would have no effect on them.

Tribal Consultations

Consultation with Native American tribes in the project area vicinity, required under 36 CFR 800, is ongoing. Consultation was initiated as part of the government-to-government consultation and coordination for the EIS process. A total of 23 federally-recognized tribes, tribal groups and Alaska Native Regional Corporations were contacted as part of the government-to-government consultation and coordination. Several agency meetings specifically addressing Section 106 consultation and cultural resources issues were held at the Alaska SHPO in Anchorage, and SEA's cultural resources subcontractor, Northern Land Use Research, Inc. (NLUR), met with Tanana Chiefs Conference (TCC) in Fairbanks to present the results of each season's fieldwork. These meetings occurred on November 20, 2006 and October 26, 2007 and were attended by cultural resource specialists from NLUR, TCC, BLM, and the U.S. Army. Additional consultation will take place throughout this project, as described in the government-to-government consultation and coordination plan.

Please advise the STB as to whether the ACHP wishes to join in this consultation. If you have questions, please contact Dave Navecky, SEA Project Manager, at (202) 245-0294 by email at naveckyd@stb.dot.gov.

Sincerely,



Victoria Rutson
Chief
Section of Environmental Analysis

Enclosures

1. "Site Location Model and Survey Strategy for Cultural Resources in the Alaska Railroad Northern Rail Extension Project Area"
2. "Results of the 2006 Cultural Resources Survey of Proposed Alaska Railroad Northern Rail Extension Project and Ancillary Facilities, Alaska" (2 volumes)
3. "Results of the 2007 Cultural Resources Survey of Proposed Alaska Railroad Northern Rail Extension Routes, Alaska"

cc: Judith Bittner, SHPO (w/o enclosures)

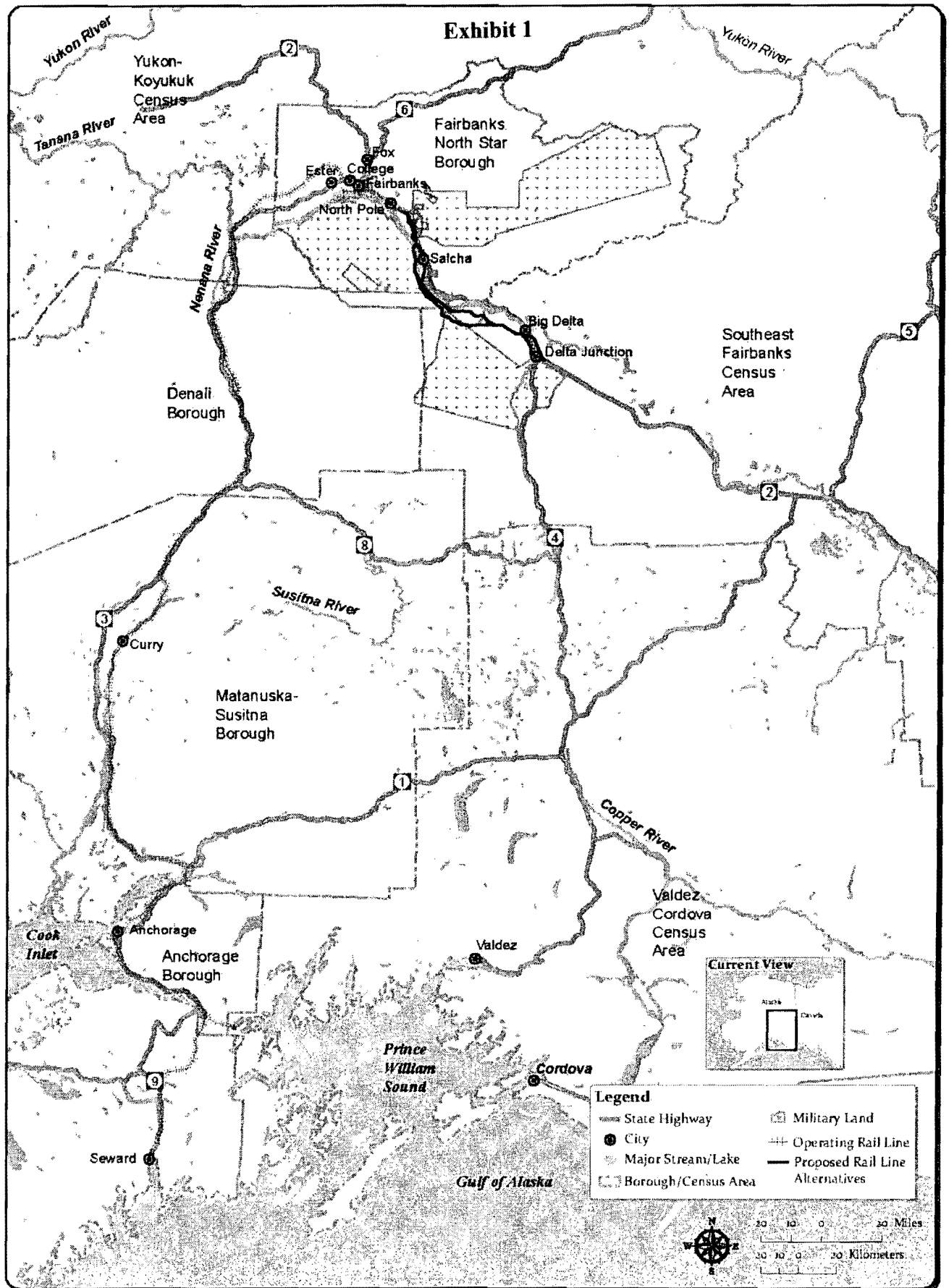


Exhibit 2

MAILING LIST OF TRIBAL CONTACTS

FEDERALLY RECOGNIZED TRIBES

Gordon Cantwell, Acting President
Native Village of Cantwell
P.O. Box 94
Cantwell, AK 99729
(907) 768-2591
Fax: (907) 768-1111

Joeneal Hicks, Environmental Contact
Native Village of Chistochina
P.O. Box 241
Gakona, AK. 99586
(907) 822-3503
Fax: (907) 822-5179

Larry Nathaniel, First Chief
Circle Native Community (IRA)
P.O. Box 89
Circle, AK. 99733
(907) 773-2822
Fax: (907) 773-2823

Mr. William Miller, President
Dot Lake Village Council
Box 2279
Dot Lake, AK 99737
PH: (907) 882-2695
FAX: (907) 882-2122

Joanne Beck, First Chief
Native Village of Eagle (IRA)
P.O. Box 19
Eagle, AK. 99738
(907) 547-2271
Fax: (907) 547-2318

Ben Saylor, First Chief
Healy Lake Tribal Council
P.O. Box 60300
Fairbanks, AK 99706
PH: (907) 876-5018
FAX: (907) 876-5013

Jack Wright, President
Manley Hot Springs Village
Box 105
Manley Hot Springs, AK 99756
(907) 672-3331
No Fax

Shawn Sanford, Tribal Administrator
Mentasta Traditional Council Office
P.O. Box 6019
Mentasta Lake, AK 99780
PH: (907) 291-2319
FAX: (907) 291-2305

Roy Charles, Chief
Native Village of Minto (IRA)
P.O. Box 58026
Minto, AK. 99758
(907) 798-7112
Fax: (907) 798-7627

Gilbert Ketzler, Chief
Nenana Native Council
P.O. Box 356
Nenana, AK 99760
PH: (907) 832-5461
FAX: (907) 832-1011

Daisy Northway
Northway Tribal Council
P.O. Box 516
Northway, AK 99764
PH: (907) 778-2311
FAX: ((07) 778-2200

James Arrison, President
Rampart Village
P.O. Box 29
Rampart, AK. 99767
(907) 358-3312
Fax: (907) 358-3115

Randy Mayo, First Chief
Native Village of Stevens (IRA)
P.O. Box 74012
Stevens Village, AK. 99774
(907) 478-7228
Fax: (907) 478-7229

Jerry Isaac, President
Tanacross Village Council
P.O. Box 76009
Tanacross, AK 99776
PH: (907) 883-5024
FAX: (907) 883-4497

Julie Roberts, Director
Native Village of Tanana
P.O. Box 130
Tanana, AK. 99777
(907) 366-7160
Fax: (907) 366-7195

Christy Young, Administrator
Tetlin Village Council
P.O. Box 797
Tok, AK 99780
PH: (907) 324-2130
FAX: (907) 324-2131

TRIBAL GROUPS

Julie Kitka, President
Alaska Federation of Natives
1577 C St., Suite 300
Anchorage, AK. 99503
(907) 274-3611
Fax: (907) 276-7989

Brian Neubert
Council of Athabascan Tribal Governments
P.O. Box 283
Ft. Yukon, AK 99740
PH: (907) 662-2587
FAX: (907) 662-3333

Robert Sattler
Tanana Chiefs Conference
122 1st Avenue
Fairbanks, AK 99701
PH: (907) 452-8251 ext. 3343
FAX: (907) 459-3885

Rose Isaac
Tanana Chiefs Conference
Upper Tanana Subregion
P.O. Box 129
Tok, AK 99780
PH: (907) 883-5181
FAX: (907) 883-1114

Elizabeth Webb, President
Tok Native Association
P.O. Box 372
Tok, AK 99780
PH: (907) 883-3718
FAX: (907) 883-3719

Rob Rosenfeld
Yukon River Inter-Tribal Watershed Council
136 Dunkel St., #2
Fairbanks, AK 99701-4859
PH: (907) 451-2530
FAX: (907) 451-2534

ALASKA NATIVE REGIONAL CORPORATIONS

Ken Johns, President/CEO
Ahtna, Inc.
P.O. Box 649
Glenallen, AK 99588
PH: (907) 868-8209
FAX: (907) 882-3495

Orie Williams, President / CEO
Doyon Limited
1 Doyon Place
Fairbanks, AK 99701
PH: 888-478-4755
FAX: (907) 459-2060

Exhibit 3
Archaeological Site Summary Data

Site^a	Nearest Alternative	Description	Age^b	Eligibility for NRHP Listing
FAI-1750	North Common Segment	Cabin	Recent	Not Eligible
FAI-1751	Salcha 2	Buried lithic site	250±40 BP	Eligible (D)
FAI-1607	Salcha 1	Cabin	Recent	Not Eligible
XBD-281	Delta 2, MT5*	Buried lithic site	2760±40 BP	Eligible (D)
XBD-282	Delta 2, MT5*	Buried lithic site	5920±50 BP	Eligible (D)
XBD-283	Delta 1	Buried lithic site	5000±50 BP	Eligible (D)
XBD-284	Delta 2	Cabin and land use area	Recent	Not Eligible
XBD-285	Delta 1	Cabin	Recent	Not Eligible
XBD-286	Donnelly 2	Buried lithic site	1860±50 BP	Eligible (D)
XBD-287	Donnelly 2	Buried lithic site	4490±50 BP	Eligible (D)
XBD-288	Donnelly 2	Buried lithic site	6060±60 BP	Eligible (D)
XBD-289	Donnelly 2	Buried lithic site	7960±70 BP	Eligible (D)
XBD-290	Donnelly 2	Buried lithic site	1170±40 BP	Eligible (D)
XBD-291	Donnelly 2	Buried lithic site	7350±60 BP	Eligible (D)
XBD-292	Salcha 2	Axe-cut stumps	Recent	Not Eligible
XBD-293	Salcha 2	Associated with Salchaket	19 th -20 th cent.	Data needed
XBD-294	Salcha 2	Associated with Salchaket	19 th -20 th cent.	Data needed
XBD-295	Salcha 2	Associated with Salchaket?	AD 1940s	Data needed
XBD-296	Salcha 2	Buried lithic site	2010±40 BP	Eligible (D)

Exhibit 3
Archaeological Site Summary Data

Site^a	Nearest Alternative	Description	Age^b	Eligibility for NRHP Listing
XBD-297	Donnelly 1	Buried lithic site	3620±50 BP	Eligible (D)
XBD-298	Donnelly 1	Buried lithic site	Component 1: 11,300±40 BP Component 2: 9670±40 BP Component 3: 9650±60 BP Component 4: 8880±40 BP	Eligible (D)
XBD-299	Donnelly 1	Buried lithic site	4500-8900 BP	Eligible (D)
XBD-300	Donnelly 1	Buried lithic site	4500-8900 BP	Eligible (D)
XBD-301	Donnelly 1	Buried lithic site	4360±50 BP	Eligible (D)
XBD-302	Donnelly 1	Buried lithic site	4500-8900 BP	Eligible (D)
XBD-303	Donnelly 1	Buried lithic site	9340±80 BP	Eligible (D)
XBD-304	Donnelly 1	Buried lithic site	4500-8900 BP	Eligible (D)
XBD-305	Donnelly 1	Buried lithic site	9300-10000 BP	Eligible (D)
XBD-306	Donnelly 1	Buried lithic site	8930±90 BP	Eligible (D)
XBD-307	Donnelly 1	Buried lithic site	8070±60 BP	Eligible (D)
XBD-308	Donnelly 1	Buried lithic site	10050±70 BP	Eligible (D)
XBD-309	Donnelly 1	Buried lithic site	9300-10000 BP	Eligible (D)
XBD-311	Donnelly 1	Buried lithic site	6490±50 BP	Eligible (D)
XBD-312	Donnelly 1	Buried lithic site	9290±50 BP	Eligible (D)
XBD-313	Donnelly 2	Buried lithic site	6750±60 BP	Eligible (D)
XBD-314	Donnelly 2	Buried lithic site	1000-4000 BP	Eligible (D)

Exhibit 3
Archaeological Site Summary Data

Site^a	Nearest Alternative	Description	Age^b	Eligibility for NRHP Listing
XBD-315	Donnelly 2	Buried lithic site	4100-6800 BP	Eligible (D)
XBD-316	Donnelly 2	Buried lithic site	4050±50 BP	Eligible (D)
XBD-317	Donnelly 2	Buried lithic site	5610±50 BP	Eligible (D)
XBD-318	Donnelly 2	Buried lithic site	4100-6800 BP	Eligible (D)
XBD-319	Donnelly 2	Buried lithic site	4100-6800 BP	Eligible (D)
XBD-320	Donnelly 2	Buried lithic site	4100-6800 BP	Eligible (D)
XBD-321	Donnelly 2	Buried lithic site	4100-6800 BP	Eligible (D)
XBD-322	South Common Segment	Buried lithic site	1000-2700 BP	Eligible (D)
XBD-323	MT3*	Buried lithic site	1000-2700 BP	Eligible (D)
XBD-324	MT3*	Buried lithic site	2070±50 BP	Eligible (D)
XBD-325	DCMPS*	Buried lithic site	7360±40 BP	Eligible (D)
XBD-326	DCMPS*	Buried lithic site	7740±60 BP	Eligible (D)
XBD-327	DCMPS*	Buried lithic site	5200-7700 BP	Eligible (D)
XBD-328	DCMPS*	Buried lithic site	5170±50 BP	Eligible (D)
XBD-329	Donnelly 2	Cabin	Recent	Not Eligible
XBD-330	Donnelly 1	Cabin	Recent	Not Eligible
XBD-335	Donnelly 1	Buried lithic site	Component 1: 5400±40 BP Component 2: 1000-2700 BP	Eligible (D)
XBD-336	Donnelly 1	Buried lithic site	3040±40 BP	Eligible (D)
XBD-337	Donnelly 1	Buried lithic site	2180±40 BP	Eligible (D)

Exhibit 3
Archaeological Site Summary Data

Site^a	Nearest Alternative	Description	Age^b	Eligibility for NRHP Listing
XBD-338	Donnelly 1	Buried lithic site	Component 1: 12,000-11,000 BP Component 2: 10,000±80 BP	Eligible (D)
XBD-339	Donnelly 1	Buried lithic site	8000-3600 BP estimated	Eligible (D)
XBD-340	Donnelly 1	Buried lithic site	8000±50 BP	Eligible (D)
XBD-341	Donnelly 1	Buried lithic site	10000-8000 BP estimated	Eligible (D)
XBD-342	Donnelly 1	Buried lithic site	4670±40 BP	Eligible (D)
XBD-343	Donnelly 1	Buried lithic site	4160±40 BP	Eligible (D)

^a The sites listed in this table are identified by their site identifier codes.

^b Age is the uncalibrated radiocarbon date associated with the site or site component.

* DCMPS = Delta Creek Material Processing Site Location, MT = Microwave Tower Location. These are possible sites identified by ARRC for ancillary facilities associated with the proposed NRE.