

Tongue River Railroad Environmental Impact Statement

Docket No. FD 30186

National Historic Preservation Act, Section 106 Teleconference

December 9, 2013

DRAFT Meeting Summary

Invitees: Please see meeting agenda for list of invited parties.

Attendees:

800.2(a) Surface Transportation Board, Office of Environmental Analysis, Lead Agency Official

Catherine Nadals	Office of Environmental Analysis
Victoria Rutson	Office of Environmental Analysis
Danielle Gosselin	Office of Environmental Analysis

Other Federal Agencies

Shannon Johnson	U.S. Army Corps of Engineers
Matt McCullor	U.S. Army Corps of Engineers
Doug Melton	Bureau of Land Management
Mark Petersen	USDA Agricultural Research Station – Miles City, MT
Erica Jones	USDA Agricultural Research Station – Stoneville, MS

800.2(c) Consulting Parties

800.2(c)(1) Montana State Historic Preservation Office

Stan Wilmoth	Montana State Historic Preservation Office
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800.2(c)(2)(ii) Indian Tribes, off Tribal Lands

Joyce Whiting	Oglala Sioux
Darlene Conrad	Northern Arapaho
Conrad Fisher	Northern Cheyenne
Ben Rhodd	Rosebud Sioux
Pete Coffey	Three Affiliated Tribes

800.2(c)(3) Representatives of Local Government

Lisa Axline	Department of Natural Resources and Conservation
Jean Riley	Department of Transportation

800.2 (c)(4) Applicants for Federal Assistance, Permits, Licenses, or Other Approvals

David Coburn	Steptoe and Johnson, Attorney for Applicant
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Doug Dorsey	Hansen Professional Services, Consultant to Applicant
Dan Hadley	Mission Engineering, Consultant to Applicant
Matt Jones	Burlington Northern Santa Fe
Barbara Ranf	Burlington Northern Santa Fe
Derin Warren	Burlington Northern Santa Fe

800.2(c)(5) Additional Consulting Parties

Amy Cole	National Trust for Historic Preservation
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800.4(a)(3) Other parties likely to have knowledge or concerns with historic properties

Beth Kaeding	Northern Plains Resource Council
Maggie Zaback	Northern Plains Resource Council
Alexis Bonogofsky	National Wildlife Federation

ICF International, Third-Party Contractor to the Surface Transportation Board

Colleen Davis	ICF International
Elizabeth Diller	ICF International
Richard Starzak	ICF International
Alisa Reynolds	ICF International
Mark Robinson	ICF International
Alan Summerville	ICF International

Catherine Nadals of the Surface Transportation Board (Board), Office of Environmental Analysis (OEA) opened the teleconference.

Danielle Gosselin of OEA then provided an update on the National Environmental Policy Act (NEPA) process. Specifically, Ms. Gosselin reported that field surveys associated with the environmental impact statement (EIS) have been completed and teams are analyzing the data collected in the field. Regarding transportation merits, the Northern Plains Resource Council [filed a request with the Board](#) on November 15, 2013, to extend the discovery date until January 31, 2014. The Board [granted this request](#) on November 22, 2013. Ms. Nadals stated that information regarding sites of tribal importance identified during the field surveys conducted July through September 2013, was recently sent to the tribes. A second dataset, which will contain information on archaeological resources and historic structures recorded during field surveys, will be sent to consulting parties soon. This dataset will not include information on sites of importance to the tribes.

Rick Starzak, ICF, explained that a method for assessing the cultural resource potential for areas that were not surveyed has been developed. This method provides information regarding the likelihood of sites being located in areas not surveyed. He stated that an analysis of the archaeological sites recorded during the recent field surveys indicates that 98% of sites are located in areas with a slope under 10%. He stated that proximity to water does not appear to be a differentiator, likely because there are many sources of water (e.g., springs, creeks). This method was used to disclose potential impacts for the EIS

and is not intended to guide future survey work. Alisa Reynolds, ICF, added that the analysis considered soils and historical data, but that these data sets were not conclusive. Preliminarily, slope appeared to be the best indicator of potential site locations.

Ms. Nadals solicited questions and asked for input from teleconference participants on the method described above. She reiterated that the method is based primarily on slope and that its purpose is to assist in the analysis of areas that were not accessed during field surveys. Ms. Nadals asked if there should be other criterion added to the proposed method.

Victoria Rutson added that now is the best time for OEA to receive input on whether its proposed method is sound or if it needs to be revised.

Mr. Starzak stated that the extrapolation method is not proposed as a model for planning where future field surveys would be performed. Nor is it intended as a substitute for future, post-license survey work. Rather, its purpose is to assess the likelihood of finding archeological resources in areas not surveyed. Ms. Nadals reiterated this point.

Matt McCullor, U.S. Army Corps of Engineers, suggested analyzing vegetation and comparing altitudes. Ms. Rutson asked if Mr. McCullor's ideas are new to the field of cultural resource management. Ms. Nadals replied that Google Earth maps can be used to examine vegetation, altitude, and potential geological features such as rock outcrops to gage where sites are more likely to be located. Ms. Nadals explained that where sites have been identified near water, vegetation, along outcroppings, or within certain view sheds the task would be to look for similar areas in un-surveyed areas using Google Earth or Arc View. In some cases archaeologists might "see" new sites on the maps in identified high probability areas and/or determine the statistical probability of sites being located in such places. Ms. Reynolds added that Google Earth data were reviewed but that it was difficult to differentiate vegetation and that there is very little elevation change in the survey area. Ms. Rutson suggested looking at Google Earth again. Ms. Nadals asked that a review of view sheds, vegetation and proximity to outcrops be undertaken and that the results, even negative ones, be reported.

Ms. Reynolds stated that geologic mapping data were analyzed, and Google Earth maps were reviewed for rock outcroppings, but that no patterns emerged. Mr. McCullor clarified that his suggestion regarding elevation was in relation to viewshed analysis. He added that ESRI's Arc Maps performs this type of analysis as part of its modeling function. Ms. Reynolds said that they did not look at viewsheds. Ms. Rutson thanked Mr. McCullor for his suggestions. Jean Riley, Montana Department of Transportation, suggested using World Imagery which provides clear views as close as 1,000 feet.

Ms. Nadals suggested an in-person meeting. She requested opinions regarding scheduling the meeting during February in Rapid City, South Dakota. Ms. Rutson asked whether an in-person meeting was a good idea and if Rapid City was a good location, since out-of-state travel has been difficult for representatives of the Montana State Office of Historic Preservation (SHPO) in the past. Conrad Fisher of the Northern Cheyenne agreed that an in-person meeting would be helpful. He offered that February can be difficult for travel due to weather conditions.

Ben Rhodd of the Rosebud Sioux tribe suggested that teleconferences have limited utility and he supports scheduling an in-person meeting. A meeting in early to mid-February would be optimal for the Rosebud Sioux tribe.

Darlene Conrad of the Northern Arapaho tribe agreed that an in-person is a good idea. To better accommodate travel for Montana SHPO staff, she suggested having the meeting in Billings, Montana.

Ms. Rutson agreed that Montana SHPO participation is important but is concerned about the ability of Sioux tribes to participate if the meeting is held in Billings.

Stan Wilmoth, SHPO, stated that a meeting held in Billings would be more convenient but that he would try to attend regardless of location. The state of Montana has special provisions for approving out-of-state travel. Mr. Fisher agreed that SHPO participation is important.

Mr. Wilmoth asked whether a portion of the meeting would involve a site visit.

Mr. Fisher suggested that, due to the uncertainty of weather, February is not a good time for a site visit. He suggested that tools such as Google Earth and World Image could be used. He agreed that participation by Lakota, Nakota, and Dakota is important but that SHPO participation is also important.

Ms. Nadals stated that the meeting location would depend on a consensus of the group. Ms. Rutson said that Ms. Nadals would send an email message with a proposed date and location and would request input. Mr. Coburn asked whether input on the meeting agenda would be solicited. Ms. Rutson replied that the agenda would be developed after the meeting's date and location were set. Amy Cole, National Trust for Historic Preservation, asked that the meeting be available via teleconference. Ms. Rutson agreed.

Ms. Rutson stated that the results of Arc Maps and World Imagery analysis would be discussed on the next call.

The next call will be Monday, January, 13, 2014.