



SURFACE TRANSPORTATION BOARD

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Section of Environmental Analysis

EO-1203
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April 17, 2009

Ms. Paige Hoskinson-Olson
South Dakota State Historic Preservation Office
Review and Compliance Coordinator
900 Governors Drive
Pierre, South Dakota 57501-2217

RE: **STB Finance Docket No. 33407, Dakota, Minnesota & Eastern Railroad Corporation Construction into the Powder River Basin: Request for Review and Comment on Seven Cultural Resource Inventory Reports**

Dear Paige Hoskinson-Olson:

The Surface Transportation Board (STB) is pleased to submit the following seven reports in accordance with the Section 106 Programmatic Agreement (PA) regarding the Powder River Basin Expansion Project (Project), Finance Docket No. 33407.

- *A Level III Cultural Resource Inventory of the Dakota, Minnesota and Eastern Railroad Corporation's Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota (LBG-SD1)*
- *A Level III Cultural Resource Inventory of the Dakota, Minnesota and Eastern Railroad Corporation's Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 1 (LBG-SD1a)*
- *A Level III Cultural Resource Inventory of the Dakota, Minnesota and Eastern Railroad Corporation's Powder River Basin Expansion Project Corridor, Custer, Fall River, and Pennington Counties, South Dakota, Addendum 2 (LBG-SD1b)*
- *A Level II Cultural Resources Inventory of the Dakota, Minnesota and Eastern Railroad Corporation's Powder River Basin Expansion Project Corridor, Custer, Fall River and Pennington Counties, South Dakota, Addendum 3 (LBG-SD1c)*

- ***A Level III Cultural Resources Inventory of the Dakota, Minnesota and Eastern Railroad Corporation's Powder River Basin Expansion Project Corridor, Custer, Fall River and Pennington Counties, South Dakota, Addendum 4 (LBG-SD1d)***
- ***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 (LBG-SD2)***
- ***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 1 (LBG-SD2a)***

The enclosed reports present the results of Level III cultural resources investigations conducted by the Archaeology Laboratory, University of South Dakota (ARCHLAB), the Archeology Laboratory, Augustana College (ALAC), and SWCA Environmental Consultants, Inc. (SWCA) for segments of the new construction right-of-way, in southwestern South Dakota.

The inventory surveys resulted in the identification of 196 archaeological sites and 35 historic structures and buildings within the Area of Potential Effect (APE) for direct effects (see attached site tables). STB has applied the National Register of Historic Places (National Register) evaluation criteria to these properties in accordance with the terms of the Programmatic Agreement developed for this project and 36 CFR 800.4 (c)(1). We request your concurrence with the following determinations of eligibility:

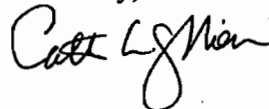
- A total 169 identified archaeological sites and 22 historic structures and buildings located within the project's APE for direct effects are evaluated not eligible for listing in the National Register;
- A total of 27 archaeological sites located within the project's APE for direct effects have been fully evaluated and are evaluated eligible for listing in the National Register: Site 39PN2007 is evaluated eligible under Criteria A; Site 39FA1425 is evaluated eligible under Criterion C; sites 39CU1818, 39CU1826/39CU1827, 39CU1841, 39CU1842, 39CU1864, 39CU1871, 39CU1872, 39CU1928, 39FA1360, 39FA1367, 39FA1379, 39FA1406, 39FA1407, 39FA1420, 39FA1424, 39PN1734, and 39PN1736 are evaluated eligible under Criterion D; and sites 39CU1844, 39CU1858, 39FA1353, 39FA1355, 39FA1413, 39FA2000, 39FA2003, and 39PN1617 are evaluated eligible under both Criteria A and D.
- A total of 13 historic buildings and structures associated with three of the eligible archaeological sites listed above (39FA1413, 39FA1425, 39FA2003) are also evaluated eligible for listing in the National Register. Property FA01900001 (Max Romney House and Heppner Post Office; ref Site 39FA1413) is evaluated eligible under Criteria A and D. Properties FA02000002 (Horse Barn),

FA02000008 (Machine Shop), and FA02000009 (Granary) are associated with the historic farmstead identified as Site 39FA1425 and each is evaluated eligible under Criterion C. Properties FA00000139 (Bridge), FA00000140 (Bridge), FA00000141 (Bridge), FA00000142 (Signpost), FA00000143 (Bridge), FA00000145 (Retaining Wall), FA00000146 (Cast Iron Culvert), FA00000147 (Stone Culvert), and FA00000148 (Cast Iron Culvert) are associated with the Chicago & North Western Railroad Line (Site 39FA2003) and each is evaluated eligible under Criterion C.

Fifty (50) sites located within the APE for direct effects remain unevaluated for listing on the National Register under one or more evaluation criteria (see attached site table). We do not request your feedback of those sites at this time. We will address the eligibility of the unevaluated sites in one or more addendum reports for your review and comment at a future date. Further analysis regarding the potential for buried archaeological sites within the construction right-of-way and indirect effects to historic properties that may be located outside the construction right-of-way will also be included in the addendum report(s) (as summarized in our December 24, 2008 letter to you and attached again here for your convenience). I have also included applicable report comment letters from the Bureau of Land Management, the U.S. Forest Service, and Lower Brule Sioux Tribe for your information.

In accordance with the PA, you have sixty (60) days from receipt of this letter to provide us with your comment. If you have any questions regarding this matter, please contact me at (202) 245-0293 or by email gliddenc@stb.dot.gov.

Sincerely,



Catherine L. Glidden
Section of Environmental Analysis

Enclosures: Survey Reports (7)
Project Meeting Summary Letter (December 24, 2008)
Agency Review Comments
List of Evaluated Archaeological Sites and Associated Buildings/Structures
List of Unevaluated Archaeological Sites
