



SURFACE TRANSPORTATION BOARD

**395 E Street, SW
Washington, DC 20423-0001**
Section of Environmental Analysis

EO-1096

CG

November 10, 2008

Clair S. Green
Cultural Resources Manager
Lower Brule Sioux Tribe
187 Oyate Circle
Lower Brule, SD 57548-8500

**Re: STB Finance Docket No. 33407, Dakota, Minnesota & Eastern Railroad Corporation
Construction into the Powder River Basin Project: Report Reviews**

Dear Ms. Green:

Thank you for meeting with Randy Withrow and me last week in Pierre regarding the Dakota, Minnesota & Eastern (DM&E) Railroad Project. It was a pleasure visiting with you and Chairman Jandreau in Pierre and with you once again at your tribal offices on the Lower Brule Indian Reservation.

While at Pierre, you had mentioned to me that, to date, you have not received any of the 14 archaeological survey reports that were completed for this project and sent to Lower Brule for review and comment between August 31, 2007 and July 1, 2008 (see attached list). However, our records show that all of these reports were successfully delivered to Scott Jones at the following address:

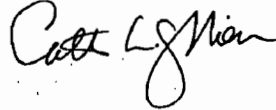
Lower Brule Sioux Tribe
187 Oyate Circle
Lower Brule, SD 57548-8500

Attached to this letter, I have included our tracking records that confirm that the reports were delivered to Scott Jones on the dates specified in the tracking sheets. As you will see, most of these reports were sent on CD, not as hard copies. We have included duplicate courtesy copies of these reports as hard copies here for your information.

I understand that Scott Jones has left his position as cultural resources representative at Lower Brule and that you will now be acting as our point of contact regarding cultural resource concerns for the DM&E Railroad Project. I also understand that you prefer to receive hard copies of all survey reports instead of electronic copies. All future archaeological survey reports will be sent to you as paper text, per your request.

I look forward to working with you to ensure that any of your concerns are appropriately addressed. If you have any questions regarding any of the above, please do not hesitate to contact either Randy Withrow of The Louis Berger Group at (319) 373-3043, rwithrow@louisberger.com, or me at (202) 245-0293, Catherine.Glidden@stb.dot.gov.

Sincerely,



Catherine Glidden
Section of Environmental Analysis

Enclosures: Hard Copies of Archaeological Survey Reports (14)
List of Reports
Transmittal Letters and Delivery Confirmation Records

cc: Chairman Michael Jandreau
Herb Jones, DM&E
Paige Hoskinson-Olson, SD SHPO
Richard Currit, WY SHPO
David Mather, MN SHPO

Report Title	Code	Letter Date	Review Period
Phase I Archaeological and Geomorphological Survey for the New Ulm Yard Project, MN Rehabilitation Segment (Two Pines)	MN3	6/23/2008	6/24/08-7/24/08
Historic District Treatment Plan for DM&E's PRB Expansion Project (HDR)	MNSD1	6/23/2008	6/24/08-7/24/08
A Level III Cultural Resource Inventory of the DM&E's PRB Expansion Project, Custer, Fall River, and Pennington Counties, SD (SWCA/ARCHLAB)	SD1	2/15/2008	11/7/07-3/21/08
A Level III Cultural Resource Inventory of the DM&E's PRB Expansion Project, Custer, Fall River, and Pennington Counties, SD Addendum 1 (ALAC)	SD1a	6/6/2008	6/6/08-7/6/08
A Level III Cultural Resource Inventory of the DM&E's PRB Expansion Project, Custer, Fall River, and Pennington Counties, SD Addendum 2 (SWCA)	SD1b	7/1/2008	7/1/08-8/1/08
A Level III Cultural Resource Inventory of the DM&E's PRB Expansion Project, Custer, Fall River, and Pennington Counties, SD (ALAC)	SD2	5/30/2008	5/30/08-7/1/08
A Level III Cultural Resource Inventory of the DM&E's PRB Expansion Project, Custer, Fall River, and Pennington Counties, SD Addendum 1 (ALAC)	SD2a	5/30/2008	5/30/08-7/1/08
A Level I & II Cultural Resource Survey & Site Testing/Evaluation for 317 miles of RR Reconstruction from the MN Border to Wall, SD (Burns & McDonnell)	SD3	11/9/2007	1/21/08-2/20/08
A Level III Cultural Resource Inventory of DM&E's PRB Expansion Project, PRC Segment 1, Haakon, Jones, and Stanley Counties, SD (ALAC)	SD3a	6/6/2008	6/6/08-7/6/08
A Level III Cultural Resource Inventory of DM&E's PRB Expansion Project, PRC Segment 3, Pennington, Jackson and Haakon Counties, SD (SWCA)	SD3c	6/6/2008	6/6/08-7/6/08
A Level III Cultural Resource Inventory of DM&E's PRB Expansion Project, Huron Yard Locale, Beadle County, SD (ALAC)	SD3d	11/9/2007	11/9/07-2/20/08
A Class III Cultural Resources Inventory of Eight Portions of Segments 1 & 2, Campbell, Niobrara, and Weston Counties, WY (TRC)	WY1	8/31/2007	1/21/08-2/20/08
A Class III Cultural Resources Inventory of Seven Remaining Portions of Segments 1 & 2, Campbell, Niobrara, and Weston Counties, WY (TRC)	WY1a	11/9/2007	1/21/08-2/20/08
A Class III Cultural Resources Inventory of DM&E's PRB Expansion Project, Segments 3 & 4, Campbell and Converse Counties, WY (SWCA)	WY2	2/15/2008	10/24/07-3/21/08