

EO-1741
CG
FD 30186_3



Update of Tongue River Project

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Hello All,

We have received the official transcripts from the Tongue River tribal consultation meeting held June 21-23, 2011 in Rapid City, SD. Tom Lennon, with our third-party contractor, will be sending CD copies of the transcripts to the primary contact from each Section 106 consulting party or tribe. You should be in receipt of the CD soon if you have not received it already. I have also posted the transcripts on the [STB web site](#). These can be viewed on-line (and downloaded) by going to STB Environmental Correspondence and selecting Incoming Document Numbers EI-18654 (Day 1), EI-18655 (Day 2), and EI-18656 (Day 3) under [Docket No. 30186_3](#). I have provided hyperlinks here for your convenience.

I also wanted to advise you that we are currently in a holding pattern regarding this project. As you know, much has been written in the media about the sale of the Tongue River Railroad Company to Arch Cole, BNSF, and Forrest Mars. Part of what has been said suggests that the sale includes a deal that would limit the construction project to Tongue River I only. However, the STB has yet to receive any kind of filing that would indicate what the new owners intend to do. Until that time, we do not anticipate scheduling any kind of meeting to discuss the Section 106 PA for the project.

I will keep you posted as we hear any new news. Please feel free to call me at 202-245-0293 if you have any questions. You can also check our web site under Docket No. 30186_3 to check for any [new filings](#) for this project.

All the best,

Cathy

Catherine Glidden
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Dear Folks:

I'm sorry to have to tell you that we have to cancel our tribal consultation meeting originally planned for August 3-5, 2011. We were told late last week that the Tongue River Railroad Company has been sold to three owners, one of which is BNSF Railroad (Arch Coal and an unnamed individual are the other two owners). The new owners need some time to get up to speed on the Tongue River

Railroad cases, as well as what we discussed and agreed upon at the Tribal Summit in Rapid City last month.

The tribal consultation process is critically important to the Board and I would like to reschedule the tribal meeting to ensure that we get to Wolf Mountains Battlefield National Historic Landmark soon. Would the mid-September time frame work for you?

I apologize for any inconvenience this change of plans may cause you. If you could reply back to Ken Blodgett at Kenneth.Blodgett@stb.dot.gov about your availability for a meeting in mid-September, I would greatly appreciate it.

. If you would like to listen to an audio of the argument, it is available on the Court's website at www.ca9.uscourts.gov.

Finally, we will be sending another email around shortly forwarding two letter we recently received, one from the National Park Service and another from the Advisory Council on Historic Preservation. Both letters contain important recommendations on both the substance and the process of our current historic review.

We'll be in touch soon to firm up details on the next tribal consultation meeting. Please feel free to call either Ken (202-245-0305) or me (at the number below) if you have any questions or concerns (Cathy Glidden, our tribal coordinator, is on vacation this week).

Best Regards,

Vicki

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