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May 15, 2009

Environmental Protection Specialist
Surface Transportation Board
Section of Environmental Analysis
Attn: Catherine Glidden
Washington, DC 20423

Dear Ms. Glidden,

These are the questions and concerns I have to the report on the Review and Comment Form for the Powder River Basin Expansion Project.

Potentially eligible and eligible sites

Will Phase III surveys be done? We think this is necessary.

Eligible potentially eligible sites that extend out of "right of way"

These should be surveyed as well to determine size, age, etc. DM & E found itself difficulty by sticking strictly to the right of way; thus is demonstrated by the destroyed mound from borrow pit in the 80's.

Work plans: both DM & E and archaeology (Borrow pits, access roads, etc.)

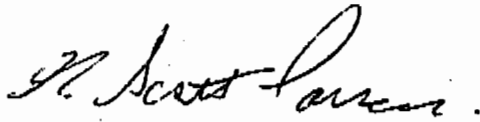
Were there tribal monitors on the Phase I and Phase II?

TCP's: Are hard to define in terms of continually use. The tribe have not had access and because until the passage of the "American Indian Freedom of Religion Act" passed in the mid 70's we could not practice our spiritual beliefs—one only needs to look at the Courts of Indian Offenses.

How are you going to mitigate an eligible site?

Thank you and we look forward to working with S.T.B./DM & E on such an important project to the Dakota peoples of the Pezihutazizi.

Sincerely,

A handwritten signature in cursive script, appearing to read "N. Scott Larsen".

N. Scott Larsen
Member at Large
Upper Sioux Community
Board of Trustees

Report Review & Comment Form Powder River Basin Expansion Project

Report Information

Report Title:	<i>Phase I and II Archaeological Investigations of the Minnesota Rehabilitation Segment of the Powder River Basin Expansion Project (MN2)</i>
Author(s):	Two Pines Resource Group/Summit Envirosolutions
Project Segment:	Minnesota Rehabilitation Segment
Date Submitted for Review:	April 7, 2009
Please Return By:	May 10, 2009

List of Identified Resources within APE

Sites		STB Recommends		Tribe Recommends (please check one)		
Site #	Site Type	Eligibility	Project Effect/APE Location	Eligible	Not Eligible	Needs Further Tribal Input
21BE0036	Precontact (Woodland-Cambria Phase) Artifact Scatter & Earthwork/Mound Group	Eligible (D)	Adverse Effect/ Inside APE			X
21BE0066	Precontact Lithic Scatter	Not Eligible	No Effect/ Inside APE			
21BE0161	Precontact Lithic Scatter	Potentially Eligible (D)	Undetermined/ Inside APE			X
21BE0276	Judson Whistle Stop	Not Eligible	No Effect/ Outside APE			
21BE0286	Precontact Lithic Scatter	Not Eligible	No Effect/ Inside APE			
21BE0287	Precontact Lithic Scatter	Eligible (D)	Adverse Effect/ Inside APE			X
21BE0288	Precontact (Woodland-Plains Village Period) Artifact Scatter & Historic Artifact Scatter	Precontact: Eligible (D) Historic: Eligible (A, D)	Adverse Effect/ Inside APE			X
21BE0289	Precontact (Woodland-Plains Village Period) Artifact Scatter	Eligible (D)	Adverse Effect/ Inside APE			X
21BE0290	Precontact (Woodland-Cambria Phase) Artifact Scatter	Eligible (D)	Adverse Effect/ Inside APE			X
21BE0291	Precontact (Woodland-Cambria Phase) Artifact Scatter	Eligible (D)	Adverse Effect/ Inside APE			X

21BE0292	Eagle Lake Station Water Tank Base	Eligible (D)	Adverse Effect/ Inside APE			
21BW0004	Precontact (Archaic, Woodland) Artifact Scatter & Earthwork/Mound Group	Eligible (D)	Adverse Effect/ Inside APE			X
21BW0094	Springfield Station Water Tank Base	Eligible (D)	Adverse Effect/ Inside APE			
21BW0099	Precontact Lithic Scatter	Not Eligible	No Effect/ Inside APE			
21BW0100	Precontact Lithic Scatter	Not Eligible	No Effect/ Inside APE			
21BW0101	Precontact Lithic Scatter	Not Eligible	No Effect/ Inside APE			
21BW0102	Pipestone Isolate (Unfinished Elbow Pipe)	Unevaluated	Undetermined/ Inside APE			X
21BW0103	Precontact Lithic Isolated Find	Not Eligible	No Effect/ Inside APE			
21DO0009	Dodge Center Station Tool House	Eligible (D)	Adverse Effect/ Inside APE			
21DO0011	Kasson Station Water Tank Base	Eligible (D)	Adverse Effect/ Inside APE			
21DO0012	Claremont Station Well Surround, Water Tank Base, Settling Tank Base	Eligible (D)	Adverse Effect/ Inside APE			
21LN0048	Lake Benton Station Well Surround & Water Tank Base	Eligible (D)	Adverse Effect/ Inside APE			
21LN0049	Verdi Station Cistern	Eligible (D)	Adverse Effect/ Inside APE			
21LN0050	Tyler Station Depot Foundation & Coaler Base	Eligible (D)	Adverse Effect/ Inside APE			
21LN0073	Precontact (Woodland-Lake Benton Phase) Artifact Scatter	Eligible (D)	Adverse Effect/ Inside APE			X
21LN0074	Precontact (Archaic, Woodland) Artifact Scatter & Historic Artifact Scatter	Precontact: Eligible (D) Historic: Eligible (D)	Adverse Effect/ Inside APE			X
21LY0123	Garvin Whistle Stop	Not Eligible	No Effect/ Inside APE			
21LY0124	Balaton Station Water Tank Base	Eligible (D)	Adverse Effect/ Inside APE			
21LY0125	Tracy Whistle Stop	Not Eligible	No Effect/ Inside APE			

21LY0126	Precontact Lithic Isolated Find & Historic Farmstead/ Artifact Scatter	Precontact: Not Eligible Historic: Potentially Eligible	Undetermined/ Inside APE			
21LY0127	George D. Tracy Company Warehouse Foundation	Not Eligible	No Effect/ Inside APE			
21LY0128	Tracy Station Roundhouse Foundation & Turntable Pit	Eligible (D)	Adverse Effect/ Inside APE			
21OL0035	Byron Whistle Stop	Not Eligible	No Effect/ Inside APE			
21OL0036	Rochester Station Turntable Pit	Not Eligible	No Effect/ Inside APE			
21OL0037	Eyota Station Water Tank Base	Eligible (D)	Adverse Effect/ Inside APE			
21RW0066	Walnut Grove Station Well Surround	Eligible (D)	Adverse Effect/ Inside APE			
21RW0069	Precontact Lithic Scatter	Not Eligible	No Effect/ Inside APE			X
21RW0070	Sanborn Station Water Tank Bases & Direct Coaler Bases	Eligible (D)	Adverse Effect/ Inside APE			
21WE0006	Precontact (Woodland & Oneota) Artifact Scatter	Potentially Eligible (D)	Undetermined/ Inside APE			X
21WE0075	Precontact Lithic Isolated Find	Not Eligible	No Effect/ Inside APE			
21WE0076	Waseca Station Extant Depot & Roundhouse Foundation	Eligible (D)	Adverse Effect/ Inside APE			
21WN0063	St. Charles Whistle Stop	Not Eligible	No Effect/ Inside APE			
21WN0064	Utica Whistle Stop	Not Eligible	No Effect/ Inside APE			
21WN0065	Lewiston Whistle Stop	Not Eligible	No Effect/ Inside APE			
21WN0066	Stockton Station Pump House, Tool Shed, Water Tank Bases	Eligible (D)	Adverse Effect/ Inside APE			
21WN0071	Stockton Quarry	Potentially Eligible (D)	Undetermined/ Inside APE			
21WN0072	Lewiston Station Turntable Pit	Eligible (D)	Adverse Effect/ Inside APE			
BW-NUC-021	New Ulm Station Extant Depot	Eligible (D)	Adverse Effect/ Inside APE			
BW-SLC-059	Sleepy Eye Station Extant Depot	Eligible (D)	Adverse Effect/ Inside APE			