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Wyoming State Parks & Cultural Resources

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June 5, 2009

Catherine L. Glidden
Section of Environmental Analysis
Surface Transportation Board
395 E. Street, SW
Washington, DC 20423-0001

re: Dakota, Minnesota, and Eastern Railroad Corporation, Powder River Expansion Project,
Segments 3 and 4, Campbell and Converse Counties, Wyoming (SHPO File # 0498RLC044)

Dear Ms. Glidden:

Thank you for consulting with the Wyoming State Historic Preservation Office (SHPO) regarding the above referenced project. We concur with your finding that the following sites are not eligible for listing in the National Register of Historic Places *(NRHP) and no further work or protective measures are necessary;

48CA32	48CA1819	48CA3662	48CA6703
48CA204	48CA2242	48CA5519	48CO634
48CA342	48CA3503	48CA6450	48CO2620
48CA1409	48CA3643	48CA6452	48CO2716
48CA1685	48CA3644	48CA6504	48CO2992
48CA1692	48CA3646	48CA6505	
48CA1720	48CA3656	48CA6506	

Additionally, we concur that sites 48CO2618 is eligible for the NRHP but will not be affected by the project as planned.

We further concur that site 48CA325 is eligible for the NRHP and will be adversely affected by the project. We look forward to further consultation with your office on a treatment plan to mitigate this adverse effect.

We concur that 48CO960 and 48CO961 are eligible for the NRHP. According to the documentation, the contractor has recommended that the portion of the sites to be impacted are non-contributing and the project will have no adverse effect on these historic properties. The Surface Transportation Board (STB) has determined that the project will have an adverse effect on these historic properties, but has provided no justification for this determination. It is our opinion that the documentation/testing at these historic properties is insufficient to make a determination of effect. We therefore recommend that additional investigations to determine project effect be undertaken at these properties prior to a determination of effect.



Dave Freudenthal, Governor
Milward Simpson, Director

Sites 48CA1568, the Deadwood Road, 48CA1570, the Sawyers Expedition Route, and 48CA4975, the Crooks Scout Route, have been previously determined eligible for the NRHP. The contractor has recommended that the portion of the sites to be impacted are non-contributing and that the project will have no adverse effect on these historic properties. The Surface Transportation Board (STB) has determined that the project will have an adverse affect on these historic properties, but has provided no justification for this determination. It is our opinion that the properties at this location no longer contain integrity, do not possess characteristic which contribute to their overall eligibility, and the project as planned will not adversely affect them.

We recommend that the following sites remain unevaluated for NRHP eligibility until the specified documentation/information can be provided. Please note that some sites fall into multiple categories, but we have arranged them in this manner to try to maintain clarity.

Wyoming Cultural Properties Forms need to be provided;

48CA97	48CA3519	48CA3658
48CA98	48CA3638	48CA3659
48CA109	48CA3657	48CA3664

Section 8 of the Wyoming Cultural Properties Form need to be provided;

48CA3505	48CA3528	48CA3648
48CA3506	48CA3638	48CA3663
48CA3512	48CA3642	48CA3779
48CA3513	48CA3645	

The Wyoming Cultural Properties Form indicates that either the "Aeolian Setting" or the existence of "Archaeological subsurface deposits" (or both) is currently unknown. The depositional environment and existence of subsurface deposits is critical in evaluating NRHP eligibility of archaeological sites. The existence/absence of Aeolian soils and archaeological subsurface deposits needs to be determined;

48CA3506	48CA3528	48CO148/2631
48CA3512	48CA3642	48CO2630
48CA3513	48CA3663	48CO2852

Site photos need to be provided for sites 48CA3512 and 48CO427.



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Sites 48CA3521, 48CA3641, 48CA3647 and 48CA3649 have been determined ineligible for the NRHP. However, we recommend that these sites remain "unevaluated" for NRHP pending additional evaluative testing/documentation. Specifically;

- 48CA3521: Additional subsurface testing. Mechanical/backhoe and/or gradiometer recommended.
- 48CA3642: Additional subsurface testing. Mechanical/backhoe and/or gradiometer recommended.
- 48CA3647: Additional subsurface testing and/or photo-documentation and profile of cutbank. Mechanical/backhoe and/or gradiometer recommended if cutbank data is insufficient.
- 48CA3649: Subsurface testing in Southern portion of site as originally recommended. Mechanical/backhoe and/or gradiometer recommended.

Please refer to SHPO project #0498RLC044 on any future correspondence regarding this project. If you have any questions, please contact me at 307-777-5497.

Sincerely,



Richard L. Currit
Senior Archaeologist



Dave Freudenthal, Governor
Milward Simpson, Director