



FI-18090

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STATE HISTORIC PRESERVATION OFFICE

April 13, 2010

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

RE: STB Finance Docket No. 33407; Dakota, Minnesota and Eastern Railroad Corporation
Construction into the Powder River Basin
Multiple Counties
SHPO Number: 2002-0815 PA

Dear Ms Glidden:

Thank you for the opportunity to comment on the above-referenced project. It has been reviewed pursuant to the Programmatic Agreement negotiated for this project, and in particular, Stipulation A.3.2. of the Programmatic Agreement.

We have received and reviewed the March 2009 report by Two Pines Resource Group and Summit Envirosolutions Inc., entitled "Phase I and II Archaeological Investigations of the Minnesota Rehabilitation Segment of the Powder River Basin Expansion Project." This is an excellent report. The investigations are thoroughly documented, and the management recommendations submitted thus far are appropriate.

The report recommends that **10 sites are not eligible for the National Register of Historic Places:** 21BE66, 21BE286, 21BW99, 21BW100, 21BW101, 21BW103, 21LY127, 21OL36, 21RW69 and 21WE75. **We concur with this finding.**

The report recommends that **21 sites are eligible for the NRHP** (4 under both Register Criteria A and D, 17 under Register Criterion D alone). **We concur with this finding.** The sites are 21BE36, 21BE290, 21BE291 and 21BW4 (Criteria A and D), and 21BE292, 21BW94, 21DO9, 21DO11, 21DO12, 21LN48, 21LN49, 21LN50, 21LY124, 21LY128, 21OL37, 21RW70, 21WE76, 21WN66, 21WN72, and sites associated with extant railroad depots BW-SLC-059 and BW-NUC-021 (Criterion D).

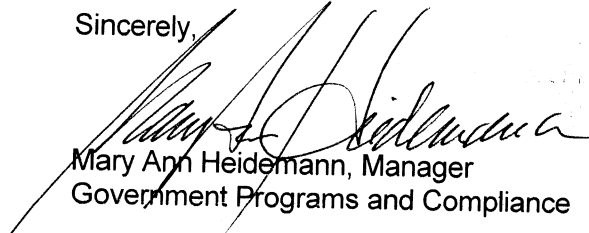
The Register-eligible sites listed above are all within the project's Area of Potential Effect. They should be preserved in place and protected during construction with fencing and other measures. If this is not feasible, a Phase III treatment program will need to be developed as mitigation for adverse effects.

The report notes that further investigations are yet to come, including deep site testing at 14 stream crossings (up to 45 locations as described in the 10/22/09 cover letter), and Phase II evaluation

studies at 18 archaeological sites. We will be happy to continue our consultation on this project when the additional review materials are available.

Feel free to contact our Compliance Section at (651) 259-3456 if you have any questions regarding our review of this project.

Sincerely,



Mary Ann Heidemann, Manager
Government Programs and Compliance