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From: Axline, Lisa [<mailto:laxline@mt.gov>]
Sent: Monday, August 24, 2015 2:21 PM
To: Starzak, Richard
Subject: RE: STB Tongue River Railroad Project, Section 106 Programmatic Agreement, comments requested

Hi Rick,

Sorry, I've been in and out. We lost a right of way position in another part of the state in June and we've been scrambling with existing workload and projects elsewhere, not to mention some court cases we've got going on right now.

I've talked with Jean Riley at MDT and with our archaeologist and we're comfortable with the comments to date. We're fine with until the October revision comes out.

Take care and I look forward to continuing our phone conferences here in the next month or two.

Lisa

From: Starzak, Richard [<mailto:Richard.Starzak@icfi.com>]
Sent: Friday, August 21, 2015 9:24 AM
To: Axline, Lisa
Cc: Catherine.Nadals@stb.dot.gov
Subject: FW: STB Tongue River Railroad Project, Section 106 Programmatic Agreement, comments requested

Hi Lisa,
This e-mail is a follow-up to several voice mails left for you over the past two weeks. Do you know at this point in time if MDNRC/MDT plans to provide further comments on the Section 106 PA or not?

If you don't plan to comment, we'll just circle back to you in October when we've had a chance to review all the comments received, revise the PA, and recirculate the revised PA.

If you do plan to make comments and it would be greatly appreciated if you could get them back to us as soon as you are ready with them. The earlier you can get them to us before the September 23 deadline the better. A copy of the draft PA is attached. For your convenience, MDT is specifically mentioned in the following two places:

(Whereas clauses, page 3):

WHEREAS, the Montana Department of Natural Resources and Conservation (MT DNRC) (acting as lead agency for all Montana State agencies, including the Montana Department of Transportation (MDOT)) is a cooperating agency and an invited signatory to this PA pursuant to 36 C.F.R § 800.6(c)(2)(iii); and,

WHEREAS, the MDOT has the responsibility for complying with Section 4(f) of the Department of Transportation Act where applicable; and,

(Roles & Responsibilities, page 6):

MDT: If STB selects a build alternative that crosses a highway, modifies a highway alignment, or the railroad

would impact the highway right-of-way in any way, MDT will notify STB of specific MDT's requirements with which STB must comply.

Thank you so much for your help and understanding.
Rick

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