



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Economics, Environmental Analysis and Administration

#EO-1073
FD-34836
DFW

October 16, 2008

Terry O. Enos
Ak-Chin Indian Community Council
42507 W. Peters & Nail Rd.
Maricopa, AZ 85239

RE: STB Finance Docket No. 34836, Arizona Eastern Railway – Construction and Operation – In Graham County, Arizona; **Request for Review of Draft Historic Properties Treatment Plan and Draft National Register of Historic Places Evaluation of Checkdam Sites**

Dear Mr. Enos:

As you are aware, the Section of Environmental Analysis (SEA) of the Surface Transportation Board (Board) is conducting an environmental review in Finance Docket No. 34836, Arizona Eastern Railway (AZER) – Construction and Operation – In Graham County, Arizona. The proposed rail line would connect Phelps Dodge's proposed San Juan mining operation with an existing 113.5-mile AZER line that operates between Miami, Arizona, and Bowie, Arizona. An Environmental Assessment (EA) for this project is being prepared by SEA pursuant to the National Environmental Policy Act (NEPA) and other Federal laws, including the National Historic Preservation Act (NHPA). The public review and comment period for the Draft EA began on February 25, 2008, and ended on May 1, 2008.¹ SEA is in the process of completing the final or Post EA for this proceeding, which will respond to comments on the Draft EA and make final environmental recommendations to the decision-maker, the Board.

As the lead Federal agency charged with complying with Section 106 of the NHPA, we are informing you that a draft treatment plan for historic properties potentially affected by the proposed rail line has been prepared by WestLand Resources, Inc., of

¹ The Draft EA is available for review on the Board's Web site (www.stb.dot.gov) by clicking on the "Decisions and Notices" link, then "E-LIBRARY" and searching by the Service Date (February 25, 2008) or Docket Number (FD 34836).

Tucson, Arizona, and peer-reviewed by William Self Associates, Inc., also of Tucson.² A copy of the draft treatment plan, *Historic Properties Treatment Plan for Historic Properties Affected by the Arizona Eastern Railroad*, dated September 26, 2008, is enclosed for your review.

You will recall that a Class III cultural resources inventory was conducted of the area of potential effect (APE) of the proposed rail line. The report of the inventory, *A Class III Cultural Resources Inventory of the Arizona Eastern Railroad Extension of Service Right-of-Way near Solomonville, Graham County, Arizona*, and a supplementary inventory report, *A Class III Cultural Resources Inventory of the Arizona Eastern Railroad Extension of Service Right-of-Way near Solomonville, Graham County, Arizona: Supplementary Archaeological Survey* (both by WestLand Resources, Inc.), have been reviewed by the Arizona State Historic Preservation Office (SHPO). Ten historic properties and one stone scatter site identified in the Class III inventory as a possible grave feature would require treatment before the start of the construction project; all eleven properties are discussed in the enclosed draft treatment plan.

Following review of the Class III inventory reports, the Arizona SHPO requested that three properties recorded in the original inventory as isolated features — and hence recommended as ineligible for listing in the National Register of Historic Places (NRHP) — be reevaluated for NRHP eligibility as archaeological sites. WestLand Resources, Inc., has since reevaluated the three sites and assigned each an Arizona State Museum (ASM) archaeological site number. The reevaluation, which recommends that all three sites are NRHP eligible, is reported in the draft *National Register of Historic Places Evaluation of Soil Conservation Service and Civilian Conservation Corps Checkdam Sites in the Proposed Arizona Eastern Railroad Construction Corridor*, a copy of which is enclosed here for your review. The three sites are among the ten historic properties covered by the enclosed treatment plan.

We would appreciate receiving your comments on the treatment plan and NRHP evaluation report within 30 days after receipt of this letter. Please send your comments to:

John C. Ravesloot, Ph.D.
William Self Associates, Inc.
2424 E. Broadway Blvd., Suite 100
Tucson, Arizona 85719

² William Self Associates, Inc., is serving as SEA's independent third-party consultant in this process and will work under SEA's sole directing control and supervision to assist in the consultation process.

If you have any questions regarding this letter or require further information, please do not hesitate to contact Diana Wood, SEA Project Manager, at 202-245-0302 or woodd@stb.dot.gov. If you prefer, you may also contact John Raveslout of William Self Associates at 520-624-0101 (jraveslout@williamsself.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with a large initial "V" and a stylized "R".

Victoria Rutson
Chief
Section of Environmental Analysis

Enclosures: (2)



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Economics, Environmental Analysis and Administration

October 16, 2008

Barnaby V. Lewis, Cultural Resource Specialist
Gila River Indian Community
PO Box 2140
Sacaton, AZ 85247

RE: STB Finance Docket No. 34836, Arizona Eastern Railway – Construction and Operation – In Graham County, Arizona; **Request for Review of Draft Historic Properties Treatment Plan and Draft National Register of Historic Places Evaluation of Checkdam Sites**

Dear Mr. Lewis:

As you are aware, the Section of Environmental Analysis (SEA) of the Surface Transportation Board (Board) is conducting an environmental review in Finance Docket No. 34836, Arizona Eastern Railway (AZER) – Construction and Operation – In Graham County, Arizona. The proposed rail line would connect Phelps Dodge's proposed San Juan mining operation with an existing 113.5-mile AZER line that operates between Miami, Arizona, and Bowie, Arizona. An Environmental Assessment (EA) for this project is being prepared by SEA pursuant to the National Environmental Policy Act (NEPA) and other Federal laws, including the National Historic Preservation Act (NHPA). The public review and comment period for the Draft EA began on February 25, 2008, and ended on May 1, 2008.¹ SEA is in the process of completing the final or Post EA for this proceeding, which will respond to comments on the Draft EA and make final environmental recommendations to the decision-maker, the Board.

As the lead Federal agency charged with complying with Section 106 of the NHPA, we are informing you that a draft treatment plan for historic properties potentially affected by the proposed rail line has been prepared by WestLand Resources, Inc., of

¹ The Draft EA is available for review on the Board's Web site (www.stb.dot.gov) by clicking on the "Decisions and Notices" link, then "E-LIBRARY" and searching by the Service Date (February 25, 2008) or Docket Number (FD 34836).

Tucson, Arizona, and peer-reviewed by William Self Associates, Inc., also of Tucson.² A copy of the draft treatment plan, *Historic Properties Treatment Plan for Historic Properties Affected by the Arizona Eastern Railroad*, dated September 26, 2008, is enclosed for your review.

You will recall that a Class III cultural resources inventory was conducted of the area of potential effect (APE) of the proposed rail line. The report of the inventory, *A Class III Cultural Resources Inventory of the Arizona Eastern Railroad Extension of Service Right-of-Way near Solomonville, Graham County, Arizona*, and a supplementary inventory report, *A Class III Cultural Resources Inventory of the Arizona Eastern Railroad Extension of Service Right-of-Way near Solomonville, Graham County, Arizona: Supplementary Archaeological Survey* (both by WestLand Resources, Inc.), have been reviewed by the Arizona State Historic Preservation Office (SHPO). Ten historic properties and one stone scatter site identified in the Class III inventory as a possible grave feature would require treatment before the start of the construction project; all eleven properties are discussed in the enclosed draft treatment plan.

Following review of the Class III inventory reports, the Arizona SHPO requested that three properties recorded in the original inventory as isolated features — and hence recommended as ineligible for listing in the National Register of Historic Places (NRHP) — be reevaluated for NRHP eligibility as archaeological sites. WestLand Resources, Inc., has since reevaluated the three sites and assigned each an Arizona State Museum (ASM) archaeological site number. The reevaluation, which recommends that all three sites are NRHP eligible, is reported in the draft *National Register of Historic Places Evaluation of Soil Conservation Service and Civilian Conservation Corps Checkdam Sites in the Proposed Arizona Eastern Railroad Construction Corridor*, a copy of which is enclosed here for your review. The three sites are among the ten historic properties covered by the enclosed treatment plan.

We would appreciate receiving your comments on the treatment plan and NRHP evaluation report within 30 days after receipt of this letter. Please send your comments to:

John C. Raveslout, Ph.D.
William Self Associates, Inc.
2424 E. Broadway Blvd., Suite 100
Tucson, Arizona 85719

² William Self Associates, Inc., is serving as SEA's independent third-party consultant in this process and will work under SEA's sole directing control and supervision to assist in the consultation process.

If you have any questions regarding this letter or require further information, please do not hesitate to contact Diana Wood, SEA Project Manager, at 202-245-0302 or woodd@stb.dot.gov. If you prefer, you may also contact John Raveslout of William Self Associates at 520-624-0101 (jraveslout@williamself.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with a large initial "V" and a stylized "R".

Victoria Rutson
Chief
Section of Environmental Analysis

Enclosures: (2)



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Economics, Environmental Analysis and Administration

October 16, 2008

Jeff Houser, Chairperson
Fort Sill Apache Tribe
Route 2, Box 121
Apache, OK 73006

RE: STB Finance Docket No. 34836, Arizona Eastern Railway – Construction and Operation – In Graham County, Arizona; **Request for Review of Draft Historic Properties Treatment Plan and Draft National Register of Historic Places Evaluation of Checkdam Sites**

Dear Chairperson Houser:

As you are aware, the Section of Environmental Analysis (SEA) of the Surface Transportation Board (Board) is conducting an environmental review in Finance Docket No. 34836, Arizona Eastern Railway (AZER) – Construction and Operation – In Graham County, Arizona. The proposed rail line would connect Phelps Dodge's proposed San Juan mining operation with an existing 113.5-mile AZER line that operates between Miami, Arizona, and Bowie, Arizona. An Environmental Assessment (EA) for this project is being prepared by SEA pursuant to the National Environmental Policy Act (NEPA) and other Federal laws, including the National Historic Preservation Act (NHPA). The public review and comment period for the Draft EA began on February 25, 2008, and ended on May 1, 2008.¹ SEA is in the process of completing the final or Post EA for this proceeding, which will respond to comments on the Draft EA and make final environmental recommendations to the decision-maker, the Board.

As the lead Federal agency charged with complying with Section 106 of the NHPA, we are informing you that a draft treatment plan for historic properties potentially affected by the proposed rail line has been prepared by WestLand Resources, Inc., of

¹ The Draft EA is available for review on the Board's Web site (www.stb.dot.gov) by clicking on the "Decisions and Notices" link, then "E-LIBRARY" and searching by the Service Date (February 25, 2008) or Docket Number (FD 34836).

Tucson, Arizona, and peer-reviewed by William Self Associates, Inc., also of Tucson.² A copy of the draft treatment plan, *Historic Properties Treatment Plan for Historic Properties Affected by the Arizona Eastern Railroad*, dated September 26, 2008, is enclosed for your review.

You will recall that a Class III cultural resources inventory was conducted of the area of potential effect (APE) of the proposed rail line. The report of the inventory, *A Class III Cultural Resources Inventory of the Arizona Eastern Railroad Extension of Service Right-of-Way near Solomonville, Graham County, Arizona*, and a supplementary inventory report, *A Class III Cultural Resources Inventory of the Arizona Eastern Railroad Extension of Service Right-of-Way near Solomonville, Graham County, Arizona: Supplementary Archaeological Survey* (both by WestLand Resources, Inc.), have been reviewed by the Arizona State Historic Preservation Office (SHPO). Ten historic properties and one stone scatter site identified in the Class III inventory as a possible grave feature would require treatment before the start of the construction project; all eleven properties are discussed in the enclosed draft treatment plan.

Following review of the Class III inventory reports, the Arizona SHPO requested that three properties recorded in the original inventory as isolated features — and hence recommended as ineligible for listing in the National Register of Historic Places (NRHP) — be reevaluated for NRHP eligibility as archaeological sites. WestLand Resources, Inc., has since reevaluated the three sites and assigned each an Arizona State Museum (ASM) archaeological site number. The reevaluation, which recommends that all three sites are NRHP eligible, is reported in the draft *National Register of Historic Places Evaluation of Soil Conservation Service and Civilian Conservation Corps Checkdam Sites in the Proposed Arizona Eastern Railroad Construction Corridor*, a copy of which is enclosed here for your review. The three sites are among the ten historic properties covered by the enclosed treatment plan.

We would appreciate receiving your comments on the treatment plan and NRHP evaluation report within 30 days after receipt of this letter. Please send your comments to:

John C. Raveslout, Ph.D.
William Self Associates, Inc.
2424 E. Broadway Blvd., Suite 100
Tucson, Arizona 85719

² William Self Associates, Inc., is serving as SEA's independent third-party consultant in this process and will work under SEA's sole directing control and supervision to assist in the consultation process.

If you have any questions regarding this letter or require further information, please do not hesitate to contact Diana Wood, SEA Project Manager, at 202-245-0302 or woodd@stb.dot.gov. If you prefer, you may also contact John Raveslout of William Self Associates at 520-624-0101 (jraveslout@williamself.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with the first name "Victoria" and last name "Rutson" clearly distinguishable.

Victoria Rutson
Chief
Section of Environmental Analysis

Enclosures: (2)



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Economics, Environmental Analysis and Administration

October 16, 2008

Sara Misqueu, Chair
Mescalero Apache Tribe
PO Box 227
Mescalero, NM 88340

RE: STB Finance Docket No. 34836, Arizona Eastern Railway – Construction and Operation – In Graham County, Arizona; **Request for Review of Draft Historic Properties Treatment Plan and Draft National Register of Historic Places Evaluation of Checkdam Sites**

Dear Chair Misqueu:

As you are aware, the Section of Environmental Analysis (SEA) of the Surface Transportation Board (Board) is conducting an environmental review in Finance Docket No. 34836, Arizona Eastern Railway (AZER) – Construction and Operation – In Graham County, Arizona. The proposed rail line would connect Phelps Dodge's proposed San Juan mining operation with an existing 113.5-mile AZER line that operates between Miami, Arizona, and Bowie, Arizona. An Environmental Assessment (EA) for this project is being prepared by SEA pursuant to the National Environmental Policy Act (NEPA) and other Federal laws, including the National Historic Preservation Act (NHPA). The public review and comment period for the Draft EA began on February 25, 2008, and ended on May 1, 2008.¹ SEA is in the process of completing the final or Post EA for this proceeding, which will respond to comments on the Draft EA and make final environmental recommendations to the decision-maker, the Board.

As the lead Federal agency charged with complying with Section 106 of the NHPA, we are informing you that a draft treatment plan for historic properties potentially affected by the proposed rail line has been prepared by WestLand Resources, Inc., of

¹ The Draft EA is available for review on the Board's Web site (www.stb.dot.gov) by clicking on the "Decisions and Notices" link, then "E-LIBRARY" and searching by the Service Date (February 25, 2008) or Docket Number (FD 34836).

Tucson, Arizona, and peer-reviewed by William Self Associates, Inc., also of Tucson.² A copy of the draft treatment plan, *Historic Properties Treatment Plan for Historic Properties Affected by the Arizona Eastern Railroad*, dated September 26, 2008, is enclosed for your review.

You will recall that a Class III cultural resources inventory was conducted of the area of potential effect (APE) of the proposed rail line. The report of the inventory, *A Class III Cultural Resources Inventory of the Arizona Eastern Railroad Extension of Service Right-of-Way near Solomonville, Graham County, Arizona*, and a supplementary inventory report, *A Class III Cultural Resources Inventory of the Arizona Eastern Railroad Extension of Service Right-of-Way near Solomonville, Graham County, Arizona: Supplementary Archaeological Survey* (both by WestLand Resources, Inc.), have been reviewed by the Arizona State Historic Preservation Office (SHPO). Ten historic properties and one stone scatter site identified in the Class III inventory as a possible grave feature would require treatment before the start of the construction project; all eleven properties are discussed in the enclosed draft treatment plan.

Following review of the Class III inventory reports, the Arizona SHPO requested that three properties recorded in the original inventory as isolated features — and hence recommended as ineligible for listing in the National Register of Historic Places (NRHP) — be reevaluated for NRHP eligibility as archaeological sites. WestLand Resources, Inc., has since reevaluated the three sites and assigned each an Arizona State Museum (ASM) archaeological site number. The reevaluation, which recommends that all three sites are NRHP eligible, is reported in the draft *National Register of Historic Places Evaluation of Soil Conservation Service and Civilian Conservation Corps Checkdam Sites in the Proposed Arizona Eastern Railroad Construction Corridor*, a copy of which is enclosed here for your review. The three sites are among the ten historic properties covered by the enclosed treatment plan.

We would appreciate receiving your comments on the treatment plan and NRHP evaluation report within 30 days after receipt of this letter. Please send your comments to:

John C. Raveslout, Ph.D.
William Self Associates, Inc.
2424 E. Broadway Blvd., Suite 100
Tucson, Arizona 85719

² William Self Associates, Inc., is serving as SEA's independent third-party consultant in this process and will work under SEA's sole directing control and supervision to assist in the consultation process.

If you have any questions regarding this letter or require further information, please do not hesitate to contact Diana Wood, SEA Project Manager, at 202-245-0302 or woodd@stb.dot.gov. If you prefer, you may also contact John Raveslout of William Self Associates at 520-624-0101 (j Graveslout@williamself.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with the first name "Victoria" and last name "Rutson" clearly distinguishable.

Victoria Rutson
Chief
Section of Environmental Analysis

Enclosures: (2)



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Economics, Environmental Analysis and Administration

October 16, 2008

Arlen P. Quetawki, Sr., Governor
Pueblo of Zuni
PO Box 339
Zuni, NM 87327

RE: STB Finance Docket No. 34836, Arizona Eastern Railway – Construction and Operation – In Graham County, Arizona; **Request for Review of Draft Historic Properties Treatment Plan and Draft National Register of Historic Places Evaluation of Checkdam Sites**

Dear Governor Quetawki:

As you are aware, the Section of Environmental Analysis (SEA) of the Surface Transportation Board (Board) is conducting an environmental review in Finance Docket No. 34836, Arizona Eastern Railway (AZER) – Construction and Operation – In Graham County, Arizona. The proposed rail line would connect Phelps Dodge's proposed San Juan mining operation with an existing 113.5-mile AZER line that operates between Miami, Arizona, and Bowie, Arizona. An Environmental Assessment (EA) for this project is being prepared by SEA pursuant to the National Environmental Policy Act (NEPA) and other Federal laws, including the National Historic Preservation Act (NHPA). The public review and comment period for the Draft EA began on February 25, 2008, and ended on May 1, 2008.¹ SEA is in the process of completing the final or Post EA for this proceeding, which will respond to comments on the Draft EA and make final environmental recommendations to the decision-maker, the Board.

As the lead Federal agency charged with complying with Section 106 of the NHPA, we are informing you that a draft treatment plan for historic properties potentially affected by the proposed rail line has been prepared by WestLand Resources, Inc., of

¹ The Draft EA is available for review on the Board's Web site (www.stb.dot.gov) by clicking on the "Decisions and Notices" link, then "E-LIBRARY" and searching by the Service Date (February 25, 2008) or Docket Number (FD 34836).

Tucson, Arizona, and peer-reviewed by William Self Associates, Inc., also of Tucson.² A copy of the draft treatment plan, *Historic Properties Treatment Plan for Historic Properties Affected by the Arizona Eastern Railroad*, dated September 26, 2008, is enclosed for your review.

You will recall that a Class III cultural resources inventory was conducted of the area of potential effect (APE) of the proposed rail line. The report of the inventory, *A Class III Cultural Resources Inventory of the Arizona Eastern Railroad Extension of Service Right-of-Way near Solomonville, Graham County, Arizona*, and a supplementary inventory report, *A Class III Cultural Resources Inventory of the Arizona Eastern Railroad Extension of Service Right-of-Way near Solomonville, Graham County, Arizona: Supplementary Archaeological Survey* (both by WestLand Resources, Inc.), have been reviewed by the Arizona State Historic Preservation Office (SHPO). Ten historic properties and one stone scatter site identified in the Class III inventory as a possible grave feature would require treatment before the start of the construction project; all eleven properties are discussed in the enclosed draft treatment plan.

Following review of the Class III inventory reports, the Arizona SHPO requested that three properties recorded in the original inventory as isolated features — and hence recommended as ineligible for listing in the National Register of Historic Places (NRHP) — be reevaluated for NRHP eligibility as archaeological sites. WestLand Resources, Inc., has since reevaluated the three sites and assigned each an Arizona State Museum (ASM) archaeological site number. The reevaluation, which recommends that all three sites are NRHP eligible, is reported in the draft *National Register of Historic Places Evaluation of Soil Conservation Service and Civilian Conservation Corps Checkdam Sites in the Proposed Arizona Eastern Railroad Construction Corridor*, a copy of which is enclosed here for your review. The three sites are among the ten historic properties covered by the enclosed treatment plan.

We would appreciate receiving your comments on the treatment plan and NRHP evaluation report within 30 days after receipt of this letter. Please send your comments to:

John C. Raveslout, Ph.D.
William Self Associates, Inc.
2424 E. Broadway Blvd., Suite 100
Tucson, Arizona 85719

² William Self Associates, Inc., is serving as SEA's independent third-party consultant in this process and will work under SEA's sole directing control and supervision to assist in the consultation process.

If you have any questions regarding this letter or require further information, please do not hesitate to contact Diana Wood, SEA Project Manager, at 202-245-0302 or woodd@stb.dot.gov. If you prefer, you may also contact John Raveslout of William Self Associates at 520-624-0101 (jraveslout@williamself.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with a large initial "V" and a stylized "R".

Victoria Rutson
Chief
Section of Environmental Analysis

Enclosures: (2)



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Economics, Environmental Analysis and Administration

October 16, 2008

Joni Ramos, President
Salt River Pima-Maricopa Indian Community
10005 E. Osborn Rd.
Scottsdale, AZ 85256

RE: STB Finance Docket No. 34836, Arizona Eastern Railway – Construction and Operation – In Graham County, Arizona; **Request for Review of Draft Historic Properties Treatment Plan and Draft National Register of Historic Places Evaluation of Checkdam Sites**

Dear President Ramos:

As you are aware, the Section of Environmental Analysis (SEA) of the Surface Transportation Board (Board) is conducting an environmental review in Finance Docket No. 34836, Arizona Eastern Railway (AZER) – Construction and Operation – In Graham County, Arizona. The proposed rail line would connect Phelps Dodge's proposed San Juan mining operation with an existing 113.5-mile AZER line that operates between Miami, Arizona, and Bowie, Arizona. An Environmental Assessment (EA) for this project is being prepared by SEA pursuant to the National Environmental Policy Act (NEPA) and other Federal laws, including the National Historic Preservation Act (NHPA). The public review and comment period for the Draft EA began on February 25, 2008, and ended on May 1, 2008.¹ SEA is in the process of completing the final or Post EA for this proceeding, which will respond to comments on the Draft EA and make final environmental recommendations to the decision-maker, the Board.

As the lead Federal agency charged with complying with Section 106 of the NHPA, we are informing you that a draft treatment plan for historic properties potentially affected by the proposed rail line has been prepared by WestLand Resources, Inc., of

¹ The Draft EA is available for review on the Board's Web site (www.stb.dot.gov) by clicking on the "Decisions and Notices" link, then "E-LIBRARY" and searching by the Service Date (February 25, 2008) or Docket Number (FD 34836).

Tucson, Arizona, and peer-reviewed by William Self Associates, Inc., also of Tucson.² A copy of the draft treatment plan, *Historic Properties Treatment Plan for Historic Properties Affected by the Arizona Eastern Railroad*, dated September 26, 2008, is enclosed for your review.

You will recall that a Class III cultural resources inventory was conducted of the area of potential effect (APE) of the proposed rail line. The report of the inventory, *A Class III Cultural Resources Inventory of the Arizona Eastern Railroad Extension of Service Right-of-Way near Solomonville, Graham County, Arizona*, and a supplementary inventory report, *A Class III Cultural Resources Inventory of the Arizona Eastern Railroad Extension of Service Right-of-Way near Solomonville, Graham County, Arizona: Supplementary Archaeological Survey* (both by WestLand Resources, Inc.), have been reviewed by the Arizona State Historic Preservation Office (SHPO). Ten historic properties and one stone scatter site identified in the Class III inventory as a possible grave feature would require treatment before the start of the construction project; all eleven properties are discussed in the enclosed draft treatment plan.

Following review of the Class III inventory reports, the Arizona SHPO requested that three properties recorded in the original inventory as isolated features — and hence recommended as ineligible for listing in the National Register of Historic Places (NRHP) — be reevaluated for NRHP eligibility as archaeological sites. WestLand Resources, Inc., has since reevaluated the three sites and assigned each an Arizona State Museum (ASM) archaeological site number. The reevaluation, which recommends that all three sites are NRHP eligible, is reported in the draft *National Register of Historic Places Evaluation of Soil Conservation Service and Civilian Conservation Corps Checkdam Sites in the Proposed Arizona Eastern Railroad Construction Corridor*, a copy of which is enclosed here for your review. The three sites are among the ten historic properties covered by the enclosed treatment plan.

We would appreciate receiving your comments on the treatment plan and NRHP evaluation report within 30 days after receipt of this letter. Please send your comments to:

John C. Raveslout, Ph.D.
William Self Associates, Inc.
2424 E. Broadway Blvd., Suite 100
Tucson, Arizona 85719

² William Self Associates, Inc., is serving as SEA's independent third-party consultant in this process and will work under SEA's sole directing control and supervision to assist in the consultation process.

If you have any questions regarding this letter or require further information, please do not hesitate to contact Diana Wood, SEA Project Manager, at 202-245-0302 or woodd@stb.dot.gov. If you prefer, you may also contact John Ravesloot of William Self Associates at 520-624-0101 (j Gravesloot@williamself.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with the first name "Victoria" and last name "Rutson" clearly distinguishable.

Victoria Rutson
Chief
Section of Environmental Analysis

Enclosures: (2)



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Economics, Environmental Analysis and Administration

October 16, 2008

Kathleen Kitcheyan, Chairwoman
San Carlos Apache Tribal Council
PO Box 0
San Carlos, AZ 85550

RE: STB Finance Docket No. 34836, Arizona Eastern Railway – Construction and Operation – In Graham County, Arizona; **Request for Review of Draft Historic Properties Treatment Plan and Draft National Register of Historic Places Evaluation of Checkdam Sites**

Dear Chairwoman Kitcheyan:

As you are aware, the Section of Environmental Analysis (SEA) of the Surface Transportation Board (Board) is conducting an environmental review in Finance Docket No. 34836, Arizona Eastern Railway (AZER) – Construction and Operation – In Graham County, Arizona. The proposed rail line would connect Phelps Dodge's proposed San Juan mining operation with an existing 113.5-mile AZER line that operates between Miami, Arizona, and Bowie, Arizona. An Environmental Assessment (EA) for this project is being prepared by SEA pursuant to the National Environmental Policy Act (NEPA) and other Federal laws, including the National Historic Preservation Act (NHPA). The public review and comment period for the Draft EA began on February 25, 2008, and ended on May 1, 2008.¹ SEA is in the process of completing the final or Post EA for this proceeding, which will respond to comments on the Draft EA and make final environmental recommendations to the decision-maker, the Board.

As the lead Federal agency charged with complying with Section 106 of the NHPA, we are informing you that a draft treatment plan for historic properties potentially affected by the proposed rail line has been prepared by WestLand Resources, Inc., of

¹ The Draft EA is available for review on the Board's Web site (www.stb.dot.gov) by clicking on the "Decisions and Notices" link, then "E-LIBRARY" and searching by the Service Date (February 25, 2008) or Docket Number (FD 34836).

Tucson, Arizona, and peer-reviewed by William Self Associates, Inc., also of Tucson.² A copy of the draft treatment plan, *Historic Properties Treatment Plan for Historic Properties Affected by the Arizona Eastern Railroad*, dated September 26, 2008, is enclosed for your review.

You will recall that a Class III cultural resources inventory was conducted of the area of potential effect (APE) of the proposed rail line. The report of the inventory, *A Class III Cultural Resources Inventory of the Arizona Eastern Railroad Extension of Service Right-of-Way near Solomonville, Graham County, Arizona*, and a supplementary inventory report, *A Class III Cultural Resources Inventory of the Arizona Eastern Railroad Extension of Service Right-of-Way near Solomonville, Graham County, Arizona: Supplementary Archaeological Survey* (both by WestLand Resources, Inc.), have been reviewed by the Arizona State Historic Preservation Office (SHPO). Ten historic properties and one stone scatter site identified in the Class III inventory as a possible grave feature would require treatment before the start of the construction project; all eleven properties are discussed in the enclosed draft treatment plan.

Following review of the Class III inventory reports, the Arizona SHPO requested that three properties recorded in the original inventory as isolated features — and hence recommended as ineligible for listing in the National Register of Historic Places (NRHP) — be reevaluated for NRHP eligibility as archaeological sites. WestLand Resources, Inc., has since reevaluated the three sites and assigned each an Arizona State Museum (ASM) archaeological site number. The reevaluation, which recommends that all three sites are NRHP eligible, is reported in the draft *National Register of Historic Places Evaluation of Soil Conservation Service and Civilian Conservation Corps Checkdam Sites in the Proposed Arizona Eastern Railroad Construction Corridor*, a copy of which is enclosed here for your review. The three sites are among the ten historic properties covered by the enclosed treatment plan.

We would appreciate receiving your comments on the treatment plan and NRHP evaluation report within 30 days after receipt of this letter. Please send your comments to:

John C. Raveslout, Ph.D.
William Self Associates, Inc.
2424 E. Broadway Blvd., Suite 100
Tucson, Arizona 85719

² William Self Associates, Inc., is serving as SEA's independent third-party consultant in this process and will work under SEA's sole directing control and supervision to assist in the consultation process.

If you have any questions regarding this letter or require further information, please do not hesitate to contact Diana Wood, SEA Project Manager, at 202-245-0302 or woodd@stb.dot.gov. If you prefer, you may also contact John Ravesloot of William Self Associates at 520-624-0101 (jravesloot@williamself.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with a large initial "V" and a stylized "R".

Victoria Rutson
Chief
Section of Environmental Analysis

Enclosures: (2)



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Economics, Environmental Analysis and Administration

October 16, 2008

Vivian Juan-Saunders, Chair
Tohono O'odham Nation
PO Box 837
Sells, AZ 85634

RE: STB Finance Docket No. 34836, Arizona Eastern Railway – Construction and Operation – In Graham County, Arizona; **Request for Review of Draft Historic Properties Treatment Plan and Draft National Register of Historic Places Evaluation of Checkdam Sites**

Dear Chair Juan-Saunders:

As you are aware, the Section of Environmental Analysis (SEA) of the Surface Transportation Board (Board) is conducting an environmental review in Finance Docket No. 34836, Arizona Eastern Railway (AZER) – Construction and Operation – In Graham County, Arizona. The proposed rail line would connect Phelps Dodge's proposed San Juan mining operation with an existing 113.5-mile AZER line that operates between Miami, Arizona, and Bowie, Arizona. An Environmental Assessment (EA) for this project is being prepared by SEA pursuant to the National Environmental Policy Act (NEPA) and other Federal laws, including the National Historic Preservation Act (NHPA). The public review and comment period for the Draft EA began on February 25, 2008, and ended on May 1, 2008.¹ SEA is in the process of completing the final or Post EA for this proceeding, which will respond to comments on the Draft EA and make final environmental recommendations to the decision-maker, the Board.

As the lead Federal agency charged with complying with Section 106 of the NHPA, we are informing you that a draft treatment plan for historic properties potentially affected by the proposed rail line has been prepared by WestLand Resources, Inc., of

¹ The Draft EA is available for review on the Board's Web site (www.stb.dot.gov) by clicking on the "Decisions and Notices" link, then "E-LIBRARY" and searching by the Service Date (February 25, 2008) or Docket Number (FD 34836).

Tucson, Arizona, and peer-reviewed by William Self Associates, Inc., also of Tucson.² A copy of the draft treatment plan, *Historic Properties Treatment Plan for Historic Properties Affected by the Arizona Eastern Railroad*, dated September 26, 2008, is enclosed for your review.

You will recall that a Class III cultural resources inventory was conducted of the area of potential effect (APE) of the proposed rail line. The report of the inventory, *A Class III Cultural Resources Inventory of the Arizona Eastern Railroad Extension of Service Right-of-Way near Solomonville, Graham County, Arizona*, and a supplementary inventory report, *A Class III Cultural Resources Inventory of the Arizona Eastern Railroad Extension of Service Right-of-Way near Solomonville, Graham County, Arizona: Supplementary Archaeological Survey* (both by WestLand Resources, Inc.), have been reviewed by the Arizona State Historic Preservation Office (SHPO). Ten historic properties and one stone scatter site identified in the Class III inventory as a possible grave feature would require treatment before the start of the construction project; all eleven properties are discussed in the enclosed draft treatment plan.

Following review of the Class III inventory reports, the Arizona SHPO requested that three properties recorded in the original inventory as isolated features — and hence recommended as ineligible for listing in the National Register of Historic Places (NRHP) — be reevaluated for NRHP eligibility as archaeological sites. WestLand Resources, Inc., has since reevaluated the three sites and assigned each an Arizona State Museum (ASM) archaeological site number. The reevaluation, which recommends that all three sites are NRHP eligible, is reported in the draft *National Register of Historic Places Evaluation of Soil Conservation Service and Civilian Conservation Corps Checkdam Sites in the Proposed Arizona Eastern Railroad Construction Corridor*, a copy of which is enclosed here for your review. The three sites are among the ten historic properties covered by the enclosed treatment plan.

We would appreciate receiving your comments on the treatment plan and NRHP evaluation report within 30 days after receipt of this letter. Please send your comments to:

John C. Ravesloot, Ph.D.
William Self Associates, Inc.
2424 E. Broadway Blvd., Suite 100
Tucson, Arizona 85719

² William Self Associates, Inc., is serving as SEA's independent third-party consultant in this process and will work under SEA's sole directing control and supervision to assist in the consultation process.

If you have any questions regarding this letter or require further information, please do not hesitate to contact Diana Wood, SEA Project Manager, at 202-245-0302 or woodd@stb.dot.gov. If you prefer, you may also contact John Raveslout of William Self Associates at 520-624-0101 (jraveslout@williamself.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with a large initial "V" and a stylized "R".

Victoria Rutson
Chief
Section of Environmental Analysis

Enclosures: (2)



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Economics, Environmental Analysis and Administration

October 16, 2008

Ronnie Lupe, Chairman
White Mountain Apache Tribe
PO Box 700
Whiteriver, AZ 85941

RE: STB Finance Docket No. 34836, Arizona Eastern Railway – Construction and Operation – In Graham County, Arizona; **Request for Review of Draft Historic Properties Treatment Plan and Draft National Register of Historic Places Evaluation of Checkdam Sites**

Dear Chairman Lupe:

As you are aware, the Section of Environmental Analysis (SEA) of the Surface Transportation Board (Board) is conducting an environmental review in Finance Docket No. 34836, Arizona Eastern Railway (AZER) – Construction and Operation – In Graham County, Arizona. The proposed rail line would connect Phelps Dodge's proposed San Juan mining operation with an existing 113.5-mile AZER line that operates between Miami, Arizona, and Bowie, Arizona. An Environmental Assessment (EA) for this project is being prepared by SEA pursuant to the National Environmental Policy Act (NEPA) and other Federal laws, including the National Historic Preservation Act (NHPA). The public review and comment period for the Draft EA began on February 25, 2008, and ended on May 1, 2008.¹ SEA is in the process of completing the final or Post EA for this proceeding, which will respond to comments on the Draft EA and make final environmental recommendations to the decision-maker, the Board.

As the lead Federal agency charged with complying with Section 106 of the NHPA, we are informing you that a draft treatment plan for historic properties potentially affected by the proposed rail line has been prepared by WestLand Resources, Inc., of

¹ The Draft EA is available for review on the Board's Web site (www.stb.dot.gov) by clicking on the "Decisions and Notices" link, then "E-LIBRARY" and searching by the Service Date (February 25, 2008) or Docket Number (FD 34836).

Tucson, Arizona, and peer-reviewed by William Self Associates, Inc., also of Tucson.² A copy of the draft treatment plan, *Historic Properties Treatment Plan for Historic Properties Affected by the Arizona Eastern Railroad*, dated September 26, 2008, is enclosed for your review.

You will recall that a Class III cultural resources inventory was conducted of the area of potential effect (APE) of the proposed rail line. The report of the inventory, *A Class III Cultural Resources Inventory of the Arizona Eastern Railroad Extension of Service Right-of-Way near Solomonville, Graham County, Arizona*, and a supplementary inventory report, *A Class III Cultural Resources Inventory of the Arizona Eastern Railroad Extension of Service Right-of-Way near Solomonville, Graham County, Arizona: Supplementary Archaeological Survey* (both by WestLand Resources, Inc.), have been reviewed by the Arizona State Historic Preservation Office (SHPO). Ten historic properties and one stone scatter site identified in the Class III inventory as a possible grave feature would require treatment before the start of the construction project; all eleven properties are discussed in the enclosed draft treatment plan.

Following review of the Class III inventory reports, the Arizona SHPO requested that three properties recorded in the original inventory as isolated features — and hence recommended as ineligible for listing in the National Register of Historic Places (NRHP) — be reevaluated for NRHP eligibility as archaeological sites. WestLand Resources, Inc., has since reevaluated the three sites and assigned each an Arizona State Museum (ASM) archaeological site number. The reevaluation, which recommends that all three sites are NRHP eligible, is reported in the draft *National Register of Historic Places Evaluation of Soil Conservation Service and Civilian Conservation Corps Checkdam Sites in the Proposed Arizona Eastern Railroad Construction Corridor*, a copy of which is enclosed here for your review. The three sites are among the ten historic properties covered by the enclosed treatment plan.

We would appreciate receiving your comments on the treatment plan and NRHP evaluation report within 30 days after receipt of this letter. Please send your comments to:

John C. Raveslout, Ph.D.
William Self Associates, Inc.
2424 E. Broadway Blvd., Suite 100
Tucson, Arizona 85719

² William Self Associates, Inc., is serving as SEA's independent third-party consultant in this process and will work under SEA's sole directing control and supervision to assist in the consultation process.

If you have any questions regarding this letter or require further information, please do not hesitate to contact Diana Wood, SEA Project Manager, at 202-245-0302 or woodd@stb.dot.gov. If you prefer, you may also contact John Ravesloot of William Self Associates at 520-624-0101 (jravesloot@williamself.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with a large initial "V" and a stylized "R".

Victoria Rutson
Chief
Section of Environmental Analysis

Enclosures: (2)