

EO-2496



Six Counties Rail Project - Utah

Jeffrey Irwin

to:

tony

02/04/2015 01:34 PM

Hide Details

From: Jeffrey Irwin/STB

To: tony@navajohistoricpreservation.org

2 Attachments



DRAFT SCAOG PA 2-3-15.docx DRAFT SCAOG PA Attachments A-E.pdf

Mr. Joe,

Thank you for responding to our letter last September where we invited the Navajo to consult to resolve adverse effects to historic properties in the Six Counties Rail Project in Utah. After consulting with a number of folks to invite participation, we are ready to move forward with the development of a Programmatic Agreement (PA) in accordance with Section 106 of the NHPA. I've attached a Draft PA with attachments for your consideration. This document addresses a full range of consultation, inventory, evaluation and mitigation issues. See below for a list of PA highlights.

I am sending this to all signatories and concurring parties. I understand from your letter that the Navajo have determined that the project will not adversely affect Navajo TCPs and you have no concerns. However, you indicated that the Navajo would like to be notified in the case of an inadvertent discovery of archaeological sites or NAGPRA cultural items. In the attached Draft PA included the Navajo as a Concurring Party based on the interest in inadvertent discovery. Also, I wrote the agreement to include the Navajo as a reviewer of survey, evaluation and mitigation plans and reports. Please let me know if you would like this modified.

I know we have yet to meet or talk over the phone. I've tried to call your office but haven't reached you yet. Please feel free to contact me via phone (# below) or email and I'd be happy to answer questions, discuss any concerns, ideas or suggestions you have or provide additional information.

Thank you for your time!

PA Stipulations Highlights

- Establishes STB as primary coordinator of consultation
- Identifies Signatories and Concurring Parties
- Ensures applicant will support survey and evaluations and mitigation planning prior to construction
- Establishes existing inventory and provides process for additional inventory, as required
- Provides for a records search to update the existing inventory with any recently identified historic properties in the APE
- Provides for evaluation of properties not in the existing inventory
- Ensures process for review and comment on survey, testing, mitigation plans by all signatories and concurring parties
- Provides for consideration of archaeological connection to the Old Spanish Trail at a particular site within the right-of-way (42SV2738)

- Calls for effect determinations as construction plans are refined and finalized
- Establishes avoidance as a preferred approach to historic properties but allows for mitigation
- Ensures a public component of any mitigation
- Identifies standards for professionals executing stipulation requirements and documentation standards for mitigation
- Calls for protective measures during construction and notes potential monitoring opportunities
- Notes permits required for archaeological work on federal and state land
- Establishes curation standards for archaeological collections
- Includes confidentiality provision for archaeological data and information sensitive to tribes
- Includes procedures for inadvertent discovery of archaeological materials and human remains or cultural items

Best regards,

Jeff Irwin
Environmental Protection Specialist
Office of Environmental Analysis
Surface Transportation Board
Washington, DC 20423
(202) 245-0299