



United States Department of the Interior

NATIONAL PARK SERVICE
INTERMOUNTAIN REGION
12795 West Alameda Parkway
P.O. Box 25287
Denver, Colorado 80225-0287



IN REPLY REFER TO:
H3417 (IMRO) NHL

JUN - 4 2013

Ms. Catherine Nadals
Surface Transportation Board
Office of Environmental Analysis
395 E Street SW
Washington DC 20423

Dear Ms. Nadals:

Thank you for informing us of recent developments regarding the Tongue River Railroad Project. As you know, the National Park Service (NPS), Intermountain Region, administers the National Historic Landmark (NHL) program in an eight-state region, including Montana. Our primary concern regarding the proposed Tongue River Railroad is its potential impact on Wolf Mountains Battlefield/Where Big Crow Walked Back and Forth, which was designated as an NHL on October 6, 2008. Wolf Mountains Battlefield NHL, which is in Rosebud County, Montana, is the site of the last major battle of the Great Sioux War. On January 8, 1877, Lakotas and Northern Cheyennes led by Crazy Horse, Two Moon, and others attacked a U.S. army encampment at Wolf Mountains, but were forced to withdraw. The battle was a major turning point in the war and led to the eventual surrender, just a few months later, of the Lakotas and Northern Cheyennes. Over 135 years after this nationally significant event, Wolf Mountains Battlefield continues to have a very high degree of physical integrity, particularly in terms of location, setting, feeling and association, which are the most important aspects of integrity for a battlefield.

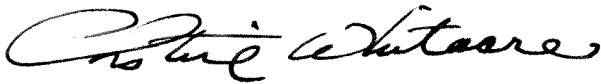
We have reviewed the Tongue River Railroad Environmental Impact Statement (EIS) information that is available on the Surface Transportation Board website, including the Final Scope of Study for the EIS. Included in that information are the maps for the Decker 1 Alternative, the alignment of which would run through Wolf Mountains Battlefield NHL. Our concerns regarding the Decker 1 Alternative are the same as those that we identified during earlier phases of the Tongue River Railroad project consultation process. The Decker 1 Alternative would have a direct and adverse impact upon Wolf Mountains Battlefield NHL, and we encourage the Surface Transportation Board and the consulting parties to identify an alternative that completely avoids Wolf Mountains Battlefield NHL.

As you know, Section 106 of the National Historic Preservation Act requires federal agencies, prior to approval of an undertaking, to take into account the effects of an undertaking on historic properties, including NHLs. Section 110(f) of the Act outlines the specific actions that an agency must take when NHLs may be directly and adversely affected. In particular, agencies must, "to the maximum extent possible, undertake such planning and actions as may be necessary to minimize harm" to NHLs. In addition, Section 4(f) of the Department of Transportation Act states that the Secretary of Transportation may approve a transportation

project that requires the use of a historic site, including an NHL, "only if – (1) there is no prudent and feasible alternative to using that land; and (2) the program or project includes all possible planning to minimize harm to the park, recreation area, wildlife and waterfowl refuge, or historic site resulting from the use."

We appreciate being informed of Tongue River Railroad developments, as well as the opportunity to comment on this project. If you have any questions or would like to discuss our comments, I may be reached at (303) 969-2882 and/or at christine_whitacre@nps.gov.

Sincerely,

A handwritten signature in black ink, reading "Christine Whitacre". The signature is fluid and cursive, with the first name "Christine" written in a larger, more prominent script than the last name "Whitacre".

Christine Whitacre
Program Manager
Heritage Partnerships Program

cc:

Ms. Najah Duvall-Gabriel, Advisory Council on Historic Preservation, 1100 Pennsylvania Avenue NW,
Suite 803, Washington, DC 20004

Mr. Mark Baumlér, Montana State Office of Historic Preservation, Montana Historical Society, 225
North Roberts Street, P.O. Box 201202, Helena, MT 59620-1202

Ms. Dalice Landers, Bureau of Land Management, Miles City Field Office, 111 Garryowen Road, Miles
City, MT 59301

Ms. Kay Lohof, Quarter Circle U Ranch, HC 71, Box 1, Birney, MT 59012-9501