



SHPO-2006-1264 (36164)
Determinations of eligibility
Adverse Effect

May 28, 2008

#E1-7395
RD-34836

Virginia Rutson
Chief, Section of Environmental Analysis
Environmental Services
Surface Transportation Board
Washington, DC 20423

Janet Napolitano
Governor

Attention: Diana Wood, SEA Project Manager

State Parks
Board Members

RE: Arizona Eastern Railway – Construction and Operation, in Graham County, Arizona
(STB Finance Docket No. 3836)

Chair
William C. Cordasco
Flagstaff

Dear Ms. Rutson:

Arlan Colton
Tucson

Thank you for continuing to consult with our office pursuant to 36 CFR 800 about the above referenced federal undertaking. We regret that our review has exceeded 30 days and would appreciate your consideration of the following comments:

William C. Scalzo
Phoenix

1. Following are the determinations made by our office (in the absence of determinations from Surface Transportation Board (STB) regarding the eligibility for inclusion in the National Register of Historic Places of ten properties recorded by the first survey. Please let us know if STB decides reconsideration of eligibility determinations is needed.

Reese Woodling
Tucson

AZ CC:2:172(ASM) (Union Canal) was previously determined Register-eligible under Criteria A and C. The buried portion of canal within the Area of Potential Effect for this undertaking is also eligible under Criterion D.

Tracey Westerhausen
Phoenix

AZ CC:2:362 (Montezuma Canal) – requires more archival work to determine eligibility under Criterion A.

William C. Porter
Kingman

AZ CC:1:76 (ASM) (Arizona Eastern Railroad) – previously determined eligible under Criterion A. The segment recorded by this survey does not contribute to the property's eligibility.

Mark Winkleman
State Land
Commissioner

AZ CC:3:91(ASM) (US Highway 666/191) was previously determined eligible under Criterion A. The segment recorded by this survey does not contribute to the property's eligibility.

Kenneth E. Travous
Executive Director

AZ CC:2:360(ASM) (the San Simon River Diversion) requires more archival work to determine eligibility under Criterion A.

Arizona State Parks
1300 W. Washington
Phoenix, AZ 85007

AZ CC:2:358(ASM) is eligible under Criterion D.

AZ CC:2:359(ASM) is not eligible under Criterion D.

AZ CC:2:361(ASM) (the Piggery) is eligible under Criterion D.

AZ CC:2:363(ASM) farm site requires Criterion D eligibility testing.

AZ CC:2:364(ASM) buried aqueduct. Eligibility not evaluated (no surface evidence was observed).

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Letter to Ms. Rutson
May 28, 2008
Page 2

SHPO-2006-1264 (36164)

2. Two types of water control features are designated as Isolated Features 1-4 on page 26 of the report. We recommend that the consultant re-evaluate these features for significance and Register-eligibility after reading the two references provided in our August 2007 letter.
3. Supplemental Archaeological Survey dated November 26, 2007

The survey of an additional 30.5 acres of proposed railroad alignment recorded prehistoric archaeological sites AZ CC:2:369(ASM) and AZ CC:2:370(ASM).

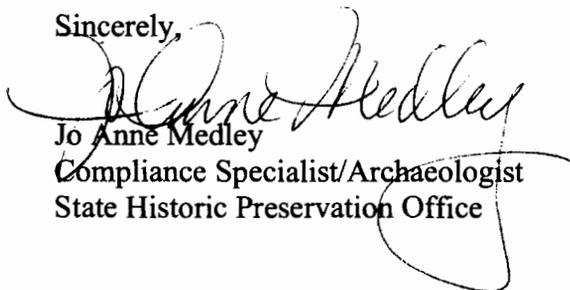
a) We agree with the consultant's recommendation that these sites are not Register eligible under any Criteria. We also agree that it would be advisable to test AZ CC:2:370 Feature 1 to determine if it is indeed a grave and thus if Arizona Revised Statute (A.R.S.) 41-865 would apply.

b) The survey found no surface evidence of two previously recorded buried water control structures, Register-eligible Union Canal AZ CC:2:172(ASM) and aqueduct AZ CC:2:364(ASM).

Please inform us of the results of your tribal consultations.

We look forward continuing consultation - finalizing the area of potential effects (APE) and reviewing a draft Memorandum of Agreement and a draft treatment plan.

Sincerely,



Jo Anne Medley
Compliance Specialist/Archaeologist
State Historic Preservation Office