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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Economics, Environmental Analysis and Administration

April 4, 2007

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.

Dear Mr. Enos:

The Surface Transportation Board's (Board) Section of Environmental Analysis (SEA) is in the process of 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 and Bowie, AZ. An Environmental Assessment (EA) is being prepared by SEA for this project pursuant to the National Environmental Policy Act (NEPA) and other Federal laws including the National Historic Preservation Act (NHPA). As the lead Federal agency charged with complying with Section 106 of NHPA, we are seeking your review and comment on the enclosed map and table taken from a cultural resources survey report recently completed for the project. We are also soliciting your interest in acting as a consulting party in the Section 106 process and receiving a copy of the full cultural resources survey report. Below, I provide some background information on the enclosed documents, particularly with respect to the sites having importance as traditional cultural properties.

The Area of Potential Effect (APE), as depicted on the map, consists of a 300-foot-wide corridor along Alternative A and a 500-foot-wide corridor along Alternative B. Alternative A is no longer under consideration. Rather, the two alternatives being considered in this EA are: The Proposed Action Alternative (shown as Alternative B on the enclosed maps) and the No-Action Alternative. The project area is located on Federal (Bureau of Land Management), state and private lands.

The cultural resources survey report was completed by WestLand Resources, Inc (consultants for the railroad) in February 2007 and peer reviewed by William Self Associates, Inc. (WSA) of Tucson, AZ on behalf of SEA. The draft document, *A Class*

III Cultural Resources Inventory of the Arizona Eastern Railroad Extension of Service Right-of-Way Near Solomonville, Graham County, Arizona indicates that the proposed rail line would cross newly identified sites that are archaeologically rich, as well as previously recorded sites along the corridors of the Eastern Railroad, US 666/191 and Union Canal. The National Register of Historic Places (NRHP) eligibility of four of the sites listed below could not be determined from surface evaluations alone, therefore we will be conducting eligibility testing once construction plans have been completed. Although we are still in the process of making final National Register determinations for the historic properties, the proposed action would likely result in adverse effects, including direct impacts to some National Register eligible sites. A summary of the sites identified in the project area is provided below, and a table with more detailed information and project map are enclosed with this letter.

SITE	In APE (Shown as Alternative B)	NHPA Eligibility
AZ CC:1:76 – GVG & N/AZE Railroad	Yes	Not eligible
AZ CC:2:172 – The Union Canal	Yes	Eligible
AZ CC:2:358 – Cochise or Mogollon Diffuse Lithic Scatter	No	Eligible
AZ CC:2:359 – Native Archaeological Culture	Yes	Not eligible
AZ CC:2:360 – The San Simon River Diversion	Yes	Could be eligible under Criterion A, and possibly B
AZ CC:2:361 – The Piggery	Yes	Eligibility cannot be determined
AZ CC:2:362 – The Montezuma Canal	Yes	Recommended for eligibility
AZ CC:2:363 – Located SW of the intersection of the San Simon diversion and US 666/191	Yes	Eligibility has not been evaluated
AZ CC:2:364 – Underground Aqueduct	Yes	Eligible
AZ CC:3:91 – US Hwy 666/191	Yes	SHPO has determined other portions of this linear site to be eligible, but has not previously evaluated this segment

Kindly respond within 45 days of your receipt of this letter regarding your interest in acting as a consulting party for Section 106 purposes, or if you do not wish to receive

additional information regarding this project. We look forward to working with you to ensure that your concerns are included as part of the Section 106 and NEPA processes.

Please send your comments to:

John C. Ravelsloot, Ph.D.
WSA, Inc.
2424 E. Broadway Blvd., Suite 100
Tucson, AZ 85719

If you have any questions regarding this letter or require further information, please do not hesitate to call contact John Ravelsloot at 520-624-0101, or Diana Wood, SEA Project Manager, at 202-245-0302 (woodd@stb.dot.gov).

Sincerely,

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

Victoria Rutson
Chief
Section of Environmental Analysis

Enclosures: Project Map and Table of Resources

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