



THE

HOPI TRIBE

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EI-6768
FD 34836

March 6, 2008

Diana Wood, Section of Environmental Analysis
Surface Transportation Board
395 E Street SW
Washington, DC 20423

Re: STB Finance Docket No. 34836

Dear Ms. Wood,

This letter is in response to the correspondence from Victoria Ruston dated February 25, 2008, regarding an enclosed draft Environmental Assessment for a proposed 12.1 mile rail line from Phelps Dodge's proposed San Juan mining operation to an existing Arizona Eastern Railway line. Because the Hopi Tribe claims cultural affiliation to prehistoric cultural groups in Arizona, and the Hopi Cultural Preservation Office supports the identification and avoidance of prehistoric archaeological sites and Traditional Cultural Properties, we appreciate your solicitation of our input and efforts to address our concerns.

The Hopi Cultural Preservation Office understands four prehistoric sites have been identified in the project area, one of which is recommended as National Register eligible. Page 3-20 states that the recommended treatment for ineligible site AZ CC:2:370 (ASM), described as an artifact scatter with rock features, is "archaeological testing of possible grave," while page 4-18 states "The Proposed Action would have no adverse affect on this site."

Therefore, we have determined that this proposal may adversely affect cultural resources significant to the Hopi Tribe. If archaeological testing is proposed at site AZ CC:2:370 (ASM), please provide us with copies of the draft testing plan and the draft testing report for review and comment.

If you have any questions or need additional information, please contact Terry Morgart at the Hopi Cultural Preservation Office at tmorgart@hopi.nsn.us or 928-734-3619. Thank you again for your consideration.

Respectfully,

Marvin Lalo, Acting Director
Hopi Cultural Preservation Office

xc: Arizona State Historic Preservation Office