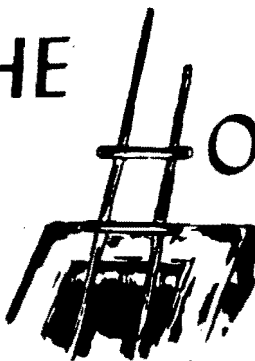


THE HOPI TRIBE



CHAIRMAN

VICE-CHAIRMAN

#EL-17799
FD-34836
DFW

June 8, 2009

Victoria Ruston, Chief, Section of Environmental Analysis
Attention: Diana Wood
Surface Transportation Board
395 E Street SW, 11th Floor
Washington, DC 20423

Re: Finance Docket No. 34836, Arizona Eastern Railway, Graham County

Dear Ms. Ruston,

This letter is in response to your April 7, 2009, correspondence with an enclosed executed Memorandum of Agreement and final Historic Preservation Treatment Plan for Arizona Eastern Railway's petition to construct and operate a rail line in Graham County. The Hopi Tribe claims ancestral and cultural affiliation to the prehistoric cultural groups in Arizona, including the Hohokam prehistoric cultural group in southern Arizona, and the history of the Hopi clans that associates us with this area extends back thousands of years. Therefore, we appreciate the Surface Transportation Board's continuing solicitation of our input and your efforts to address our concerns.

The Hopi Cultural Preservation Office previously reviewed the cultural resources survey report and environmental assessment for this proposal. We have now reviewed the enclosed treatment plan and understand AZ CC:2:370 (ASM) is the only prehistoric site to be affected, that the site is not National Register eligible and is being evaluated as a possible historic or modern grave in compliance with Arizona State statutes.

Therefore, if human remains are discovered, we defer to the tribes that may be culturally affiliated, and regarding the Memorandum of Agreement, we defer to the State Historic Preservation Office and other interested tribes.

If you have any questions or need additional information, please contact Terry Morgart at tmorgart@hopi.nsn.us. Thank you for your consideration.

Respectfully,


Leigh J. Kuwanwisiwma, Director
Hopi Cultural Preservation Office

xc: Arizona State Historic Preservation Office