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SURFACE TRANSPORTATION BOARD
395 E Street, SW
Washington, DC 20423-0001
Section of Environmental Analysis

May 21, 2009

Paige Hoskinson Olson
Review and Compliance Coordinator
South Dakota State Historic Preservation Office
900 Governors Drive
Pierre, South Dakota 57501-2217

RE: STB Finance Docket No.33407, Dakota, Minnesota & Eastern Railroad Corporation Construction into the Powder River Basin (Ref. SD SHPO Project # 080515042F; LBG-SD3)

Dear Ms. Hoskinson Olson:

I am writing you in response to your June 10, 2008 letter requesting additional information regarding the July 2001 survey report prepared by Burns & McDonnell entitled: *Level I and II Cultural Resource Survey and Site Testing and Evaluation for 317 Miles of Railroad Reconstruction From the Minnesota Border to Wall, South Dakota*. Since receiving your letter, the Surface Transportation Board (STB) has held numerous meetings with representatives from the Dakota, Minnesota & Eastern Railroad (DM&E) regarding some of the questions and topics raised in your letter, several of which had far-reaching implications for other ongoing survey efforts. As you know, many of these topics were addressed during a meeting with representatives from your office and other consulting parties in Sioux Falls on December 2, 2008. We are providing you with our formal response at this time in the interest of facilitating your review of this report and several related report addenda that are being submitted for your review at this time under separate cover.

In your letter, you stated that you were unable to comment on the effect of the proposed undertaking without additional information. We are providing the following information in response to your comments, questions and requests.

Comment #1: *Given that the report was prepared in July of 2001, explain if an updated record search was completed for the project area of potential effects, and if not why?*

