

Environmental Impact Statement for the Tongue River Railroad

Docket No. FD 30186

National Historic Preservation Act, Section 106 Teleconference

January 13, 2014

DRAFT Meeting Summary

Invitees: Please see meeting agenda for list of invited parties.

Attendees:

800.2(a) Surface Transportation Board, Office of Environmental Analysis, Lead Agency Official

Catherine Nadals	Office of Environmental Analysis
Victoria Rutson	Office of Environmental Analysis
Joshua Wayland	Office of Environmental Analysis

Other Federal Agencies

Joel Ames	U.S. Army Corps of Engineers
Matt McCullor	U.S. Army Corps of Engineers
Doug Melton	Bureau of Land Management
Erica Jones	U.S. Department of Agriculture, Agriculture Research Station - Stoneville, MS

800.2(b) Advisory Council on Historic Preservation

Charlene Vaughn	Advisory Council on Historic Preservation
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800.2(c) Consulting Parties

800.2(c) (1) MT SHPO

Stan Wilmoth	Montana State Historic Preservation Office
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800.2(c) (2) (ii) Indian Tribes, off Tribal lands

Andrew Willey	Cheyenne & Arapaho
Conrad Fisher	Northern Cheyenne
Steve Brady	Northern Cheyenne
James Walksalong	Northern Cheyenne
Dianne Desrosiers	Sisseton Wahpeton Oyate
Terry Clouthier	Standing Rock Sioux
Steve Vance	Cheyenne River Sioux

800.2(c) (3) Representatives of Local Governments

Jean Riley	Montana Department of Transportation
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800.2 (c) (4) Applicants for Federal assistance, permits, licenses, or other approvals

David Coburn	Steptoe & Johnson, Attorney for Applicant
Jennifer Sunley	Hanson Professional Services, Consultant to Applicant
Jamie Hamm	Transystems, Consultant to Applicant
Dan Hadley	Mission Engineering, Consultant to Applicant
Scott Castleberry	BNSF
Cherie Gordon	BNSF
Matt Jones	BNSF
Barbara Ranf	BNSF
Derin Warren	BNSF

800.2(c) (5) Additional Consulting Parties

Amy Cole	National Trust for Historic Preservation
Betsy Merritt	National Trust for Historic Preservation

800.4(a) (3) Other Parties Likely to Have Knowledge or Concerns with Historic Properties

Beth Kaeding	Northern Plains Resource Council
Shane Newman	Northern Plains Resource Council
Maggie Zaback	Northern Plains Resource Council
Alexis Bonogofsky	National Wildlife Federation

ICF International, Third-Party Contractor to the Surface Transportation Board

Susan Blaine	ICF International
Colleen Davis	ICF International
Richard Starzak	ICF International
Alisa Reynolds	ICF International
Mark Robinson	ICF International

Richard Starzak, ICF International, welcomed participants to the teleconference.

Victoria Rutson, Surface Transportation Board, provided an update on the National Environmental Policy Act (NEPA) process. The environmental impact statement (EIS) is currently scheduled to be issued in late summer 2014. Analyses of information gathered during the field studies is continuing. Field studies included noise, wetlands, water resources, wildlife, fisheries, visual, and cultural resources. Analyses of resource areas that are not dependent on field surveys are underway. The goal is to produce an EIS that is reader-friendly, thorough, and accessible.

Mr. Starzak stated that the primary purpose of the teleconference was to discuss the in-person consultation meeting scheduled for February 13–14, 2014, in Billings, Montana. That meeting will allow us to review the work performed to date and discuss the next steps in the Section 106 process. Mr.

Starzak asked teleconference participants to review the draft agenda and share their thoughts. He also introduced Susan Blaine, a meeting planner with ICF who is responsible for meeting logistics.

Cathy Nadals, Surface Transportation Board, emphasized that the agenda is a draft that will be modified or changed based on input received during today's teleconference. Ms. Nadals said that she would send the draft agenda again in case participants had not received it.

Mr. Starzak hoped that teleconference participants had received the draft agenda that was attached to the Outlook calendar invitation and to an email message. The draft agenda includes time during the morning of Thursday, February 13, for meeting participants to reacquaint and for the project team to review progress since the April in-person consulting meeting. The agenda includes adequate time to share information regarding the records search and tribal participation in the field survey. Later on Thursday and Friday (February 14), the agenda allows time to discuss the Section 106 steps that are required if an alternative is licensed. For example, what is the best approach to completing the work that has been started? This block of time will allow the group to think through this question together.

Mr. Starzak solicited questions on the overall format of the draft agenda.

Mr. Starzak stated that the in-person meeting will be held at the Crowne Plaza in Billings, Montana. Ms. Blaine explained that a webinar will be set up in order to communicate with participants who cannot join the meeting in person. The webinar will not include live video to capture live notes taken during the meeting or any slides projected. Microphone and telephone audio will be incorporated into one sound system such that when remote participants speak over the telephone, their voices will be projected through speakers in the room. When in-person participants speak, their voices will be amplified through the telephone system so that remote participants can hear them.

Mr. Starzak asked participants how they felt about the meeting venue and basic structure of the meeting.

Steve Vance, Cheyenne River Sioux, asked if the meeting organizers could reserve his room for him. Mr. Starzak responded that a block of rooms will be reserved and, for tribal representatives, the hotel rooms will be prepaid. Tribal representatives and numbers of participants should be identified well in advance so that the hotel can have the rooms ready.

Mr. Vance commented that the draft agenda looked good and noted that other topics always come up during meetings. Ms. Rutson agreed that other topics will arise.

Mr. Starzak asked if all the teleconference participants had received the draft agenda. Dianne Desrosiers, Sisseton Wahpeton Oyate, indicated that she had received the draft agenda. Ms. Desrosiers asked if the meeting would be open and whether two or three people from her tribe could attend. Mr. Starzak replied that several people from a tribe may attend if they all drive together and can share accommodation as appropriate. Ms. Desrosiers indicated that she was available to attend the meeting and asked if it was a one-day meeting. Mr. Starzak responded that the meeting is scheduled for two days and that hotel rooms would be reserved for Wednesday and Thursday nights (February 12–13). Ms.

Desrosiers pointed out that the journey to Billings is approximately 10 hours. Ms. Blaine clarified that some rooms would be reserved for people travelling long distances who do not wish to leave Billings on Friday afternoon.

Mr. Starzak asked if teleconference participants wished to discuss anything outside the agenda or if any participants wished to offer any other comments. Mr. Starzak reminded participants that they can share thoughts with him or Ms. Nadals by email and that the in-person meeting agenda is a draft. Ms. Nadals promised to send the draft agenda to participants again after the teleconference to give them an opportunity to review it.

Conrad Fisher, Northern Cheyenne, asked how many participants are anticipated at the in-person meeting. Mr. Starzak responded that a headcount is not yet available. Mr. Starzak indicated that some government agencies have limited travel budgets. Mr. Fisher stated that Lyle Miller and Justin Song Hawk, Yankton Sioux, are planning to attend and hoped that others would communicate their plans soon.

Mr. Fisher offered that the proposed undertaking is at a critical stage. He said that it has implications for eastern Montana and hoped that important players would attend and provide input. He stated that the purpose of holding the meeting in Billings was to allow participants to speak on behalf of their respective agencies. While it has been good to hold meetings in Rapid City in the past, it will be good to hold the upcoming meeting in Billings so that people who have not attended in the past can attend.

Victoria Rutson indicated that she will attend the meeting. Ms. Rutson hopes for good attendance and that the experience of calling in to the meeting will be productive. She offered that the project is at a stage where it is important for participants discuss issues in person.

Mr. Fisher thanked Ms. Rutson and asked if he could receive the list of meeting attendees as soon as possible. Ms. Nadals promised to send the agenda and a formal invitation soon. The invitation will include a date for invitees to respond by.

Mr. Fisher indicated that Steve Brady, Northern Cheyenne, and James Walksalong, Northern Cheyenne, were also participating in the teleconference. Ms. Nadals said that it would be great to have Mr. Walksalong, a tribal fieldwork participant, attend the meeting.

Ms. Blaine indicated that an email invitation would be sent today or tomorrow that would help in finalizing a meeting head count. Ms. Nadals said that the email invitation would make clear that a response was needed by next week.

Joel Ames, U.S. Army Corps of Engineers, said that he will attend.

Stan Wilmoth, Montana State Historic Preservation Office, said that he will attend.

Mr. Brady and Mr. Walksalong will both attend.

Andrew Willey, Cheyenne & Arapaho, will attend.

Amy Cole, National Trust for Historic Preservation, and Betsy Merritt, National Trust for Historic Preservation, will not attend but will call in.

Charlene Vaughn, Advisory Council on Historic Preservation, will try to attend.

Ms. Rutson reminded participants that the next teleconference was scheduled for February 10, 2014, at 1 pm Eastern Standard Time, 11 am Mountain Standard Time.