

Appendix C

Section 106/Cultural Resources Coordination

Tribal Addresses

Tribe	Contact
Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation, Montana	Floyd Azure, Chair 501 Medicine Bear Road PO Box 1027 Poplar, MT 59255 (406) 768-3909 info@fortpecktribes.org
Apache Tribe of Oklahoma	Mr. Louis Maynahonah, Chairman PO Box 1330 Anadarko, OK 73005 (405) 247-9493
Cheyenne & Arapaho Tribes of Oklahoma	Ms. Lynette Gray, THPO lgray@c-a-tribes.org 100 Redmoon Circle PO Box 38 Concho, OK (405) 422-7622
Cheyenne River Sioux Tribe of South Dakota	Mr. Kevin Keckler, Sr., Chairman PO Box 590 Eagle Butte, SD 57625 (605) 964-4155
Comanche Tribe	Mr. Jimmy Arterberry, THPO jimmya@comanchenation.com PO Box 908 Lawton, OK 73502 (580) 595-9960 ext 9618
Crow Creek Sioux Tribe of South Dakota	Mr. Brandon Sazue Sr. , Chair PO Box 50 Fort Thompson, SD 57339 (605) 245-2221
Crow Tribal Council/ Crow Tribe of Montana/Crow Nation	Mr. Cedric Black Eagle, Chairman PO Box 159 Bacheeitche Ave Crow Agency, MT 59022 (406) 638-3715 www.crowtribe.com

Tribe	Contact
Kiowa Business Committee/ Kiowa Tribe of Oklahoma	Mr. Ronald Dawes Twohatchet, Chairman PO Box 369 Carnegie, OK 73015 (580) 654-2300 www.kiowatribe.net
Lower Brule Sioux Tribe of the Lower Brule Reservation, South Dakota	Mr. Michael Jandreau, Chairman PO Box 187 Lower Brule, SD 57548-0187 (605) 473-5561
Northern Arapaho Tribe	Ms. Darlene Conrad, THPO PO Box 396 Fort Washakie, WY 82514 (307) 856-1628 Narapahothpo_2009@ymail.com
Northern Arapaho Tribe of the Wind River Reservation, Wyoming	Jim L. Shakespeare (Chairman) PO Box 396 533 Ethete Road #8480 Ethete, WY 82520
Northern Cheyenne/ Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana	Mr. Leroy Spang, President PO Box 128 600 Cheyenne Ave Lame Deer, MT 59043 (406) 477-6284 www.cheyennenation.com
Oglala Sioux Tribe/ Oglala Sioux Tribe of the Pine Ridge Reservation, South Dakota	Mr. Wilmer Mesteth, THPO ostnrrapro@gwtc.net PO Box 419 Pine Ridge, SD 57770 (605) 867-5969
Omaha Tribe of Nebraska	Mr. Calvin Harlan, THPO PO Box 368 Macy, NE 68039 (402) 837-5391 ext 137 Calvin.harlan@omahatribe.com
Pawnee Nation of Oklahoma	Mr. Gordon Adams, THPO 881 Little Dee Drive PO Box 470 Pawnee, OK 74058 (918) 762-3227 ext 30 gadams@pawneenation.org

Tribe	Contact
Ponca Tribe of Nebraska	Mr. Gary Robinette, THPO PO Box 288 Niobrara, NE 68760 (402) 857-3519 garyr@poncatribes-ne.org
Ponca Tribe of Oklahoma	Douglas Rhodd, Chairperson 20 White Eagle Dr Ponca City, OK 74601 (580) 762-8104 www.ponca.com
Rosebud Sioux Tribe of South Dakota	Mr. Russell Eagle Bear, THPO (605) 747-2381 PO Box 430 Rosebud, SD 57570 rstchairman@gwtc.net
Standing Rock Sioux Tribe of North and South Dakota	Mr. Charles Murphy, Chairman Waste Win Young, THPO Officer/Program Director Direct Line: 701-854-8645 PO Box D Fort Yates, ND 58538 (701) 854-8500
Three Affiliated Tribes of North Dakota	Mr. Elgin Crowsbreast, THPO 404 Frontage Road New Town, ND 58763 (701) 862-2474 redhawk@mhanation.com
Wichita Tribe of Oklahoma	Mr. Leslie Standing, President PO Box 729 Anadarko, OK 73005 (405) 247-2425 www.wichitatribe.com



Pawnee Nation of Oklahoma

Office of Historic Preservation

657 Harrison Street
P.O. Box 470
Pawnee, OK 74058

July 31, 2012

Mr. Raegan Ball,
Environmental Specialist
U.S. Dept. of Transportation
100 Centennial Mall North
Room 220
Lincoln, NE 68508
403.742.8460

FED HWY ADMIN
AUG 08 2012
NEBRASKA

Re: Section 106 Review and Consultation – No Adverse Effect to Historic Properties
Project NH-385-3(118), CN 51432 HDA-NE

Dear Mr. Ball,

The Pawnee Nation Office of Historic Preservation received your request for consultation dated July 24, 2012. As you know, your comment on this project and its potential to affect Historic Properties or traditional Cultural Places (TCP) is required by Section 106 of the National Historic Preservation Act of 1966 (NHPA), and 36 CFR Part 800. The people of the Pawnee Nation thank you for submitting your project proposal for our review and comment.

Given the information provided you are hereby notified that there should be no Pawnee historic or archeological properties within your project site. Your proposed project location should have no potential to adversely effect any known archeological or historical Pawnee sites. Therefore, in accordance with 36 CFR 800.4(d)(1), please proceed with your proposed project.

Please retain this correspondence to show compliance with Section 106. Furthermore, refer any questions you may have to Mr. Gordon Adams, Pawnee Historic Preservation Officer, at the points of contact contained herein. We look forward to working with you.

I Wish You Well.

Gordon F. Adams

Gordon F. Adams, MPA
Tribal Historic Preservation Officer
gudams@pawneenation.org

Ph: 918.762.3227 Ext. 30

Fax: 918.762.3662



U.S. Department
of Transportation
**Federal Highway
Administration**

NEBRASKA DIVISION

July 24, 2012

100 Centennial Mall North
Room 220
Lincoln, NE 68508
(402)742-8460

In Reply Refer To:
HDA-NE

Mr. Gordon Adams, THPO
Pawnee Nation of Oklahoma
P.O. Box 470
Pawnee, OK 74058

Dear Mr. Adams:

**Project NH-385-3(118), CN 51432
Heartland Expressway from Jct. L62A/US-385 to Alliance
Morrill and Box Butte Counties
Cultural Resources Survey**

Please review this document on historic resources for the subject project as required under Section 106 of the National Historic Preservation Act of 1966 as amended and implementing regulations at 36 CFR Part 800. 36 CFR Part 800.2 (c) (2), specifically addresses consultation between Tribes and federal agencies. The Nebraska State Historic Preservation Office is also a consulting party for this undertaking.

An evaluation of the potential for cultural resources, both archeology and standing structures, is included below and in enclosures.

Project Description:

The proposed 27-mile long project includes improvements to L62A and US 385 (see Enclosure 1). The project begins on L62A just west of the junction with US 385 in Morrill County, and continues north on US 385 into the City of Alliance in Box Butte County, ending just north of the intersection with Nebraska Highway 2 (N-2). The project is likely to include widening the roadway from an existing 2-lane highway to a 4-lane highway along the rural portion of the route. Phasing would include construction of new southbound lanes to be offset to the west and designed to current design standards. The existing lanes would serve as the northbound lanes for the remaining life of the pavement, at which time new northbound lanes would be constructed to current design standards. Phasing is also planned for the existing T-intersection at the junction of L62A and US 385 which would be widened from 2- to 4-lanes as the interim condition; and would ultimately be reconstructed on new alignment to make the Heartland Expressway the priority movement. This change would include connecting L62A to US 385 as the free-flow priority movement, and realigning the southern leg of US 385 as a stop-controlled movement. A new 4-lane divided or 5-lane section would be constructed in and near Alliance. Project limits roughly include 2.19 miles of L62A from reference post (R.P.) 7.0 to R.P. 9.19 and 24.75 miles of US 385 from R.P. 84.50 to 109.25.

Additional improvements include the following features:

- Addressing vertical curves and grade criteria to improve site distance and to assist drivers in avoiding collisions with slow moving vehicles, oversize trucks, or deer crossing the road
- Adding 6:1 graded safety sections beyond the paved shoulder, with 30-ft clear zones, to assist in recovery for vehicles that leave the road
- Flattening backslopes (on the north and west sides) to 4:1 to reduce problems from drifting snow

Archeology:

APE for the project included the anticipated footprint of all alternatives and was determined to be the length of the project (27.0 miles) to include the existing ROW and 100 feet beyond the ROW for construction purposes for the rural portion of the project with expanded ROW at the intersection of L62A and US 385, west of Angora, and near the feedlot operation south of Alliance (see Enclosure 2). Consultation with the NSHS GIS cultural resources database and General Land Office Survey maps revealed two previously recorded prehistoric archeological sites (25MO61 and 25MO62) and one possible historic trail (Sidney to Deadwood) crossing within the project APE.

Previous work by NSHS archeologists, Rob Bozell and John Ludwickson in 1991 evaluated 14.1 miles of US 385 under project F-385-3(1007) or "Angora North" (see Enclosure 3). At the time of the survey, approximately 13 miles of the project was evaluated as possessing very low site potential. These non-surveyed tracts consisted of primarily upland dune topography far from streams and lakes. This topographic setting has been consistently devoid of National Register caliber archeological sites based on numerous large-scale archeological surveys in western Nebraska. Typically, archeological deposits that have the potential to offer important research opportunities (and are eligible under Criterion D) are those with sustained habitation such as villages and camps and by necessity are within a mile or less of water. Field survey focused on a 1 mile segment of the project that involved a previously recorded archeological site (25MO62).

25MO62 was first recorded in the 1930s as bisected by US 385. The site was described as a blowout location where prehistoric ceramics and chipped stone tools had been collected. The original legal description (Section 32, T22N, R50W) recorded during the 1930s was contradictory to the description of the site being 1.5 miles north of Angora. Section 22 is actually 1.5 miles north of Angora, rather than Section 34. Due to the site's uncertain location, the NCRGIS has it plotted within a one-square mile area within Section 22, T22N, R50W. During survey in 1991, Bozell and Ludwickson reported that the existing alignment for the highway in that area during the 1930s was roughly ¼ mile to the east and that the actual location of the site was likely ¼ mile east of the existing highway. Site 25MO62 was not relocated. Site 25MO62 would not be impacted by the current proposed undertaking.

In 2006, NSHS archeologist, Amy Koch evaluated approximately 3.0 miles of US 385 and the intersection with L62A under a corridor study for NH-385-3(115) or "Heartland Expressway Minatare to Alliance" (see Enclosure 4). Field survey focused on three areas. The first area involved a proposed shift in alignment at the intersection of US 385 and L62A. The second area involved a previously recorded archeological site, 25MO61 and the third area focused on the proposed alignment shift west of Angora.

25MO61 was originally recorded in the 1930s and described as a prehistoric site where chipped stone tools and debris had been recovered. The legal description (Section 32, T22N,R50W) was contradictory to the written description that indicated the site was north of Angora. Section 32 is actually south of Angora. Due to the site's uncertain location, the NCRGIS has it generally plotted within a one-square mile area. No evidence for the site was found within the areas surveyed and the site was not relocated.

Site 25MO61 would not be impacted by the proposed undertaking.

Results of field survey near the intersection of US 385 and L62A and west of Angora were also negative for archeological sites.

The remaining portion of the project was evaluated as possessing either very low site potential or construction was slated to occur on existing alignment at that time and pedestrian survey was not recommended.

The most recent field survey efforts are in response to project NH-385-3(118) or "Junction of L62A/US-385 to Alliance". During survey on March 14 and 29 and November 27, 2011, NSHS archeologist, Amy Koch examined a total of roughly 4.5 miles along US 385 just south of Alliance (see Enclosure 5) and near the westernmost terminus of the project where the Sidney to Deadwood Trail crosses L62A. Visibility for roughly half of the pedestrian surveyed areas was 80% in cultivated fields with the remaining examined areas affording a visibility of 45% in pasture grasses. Results were negative for archeological sites. There are no surviving remnants (trail ruts) of the Sidney to Deadwood Trail within the current project APE.

Railroad ROW along US 385 was not examined due to the disturbed nature of the soils in those areas and the fact that several segments of previous alignment have also disturbed the railroad ROW.

During previous and recent archeological investigations referenced above, non-surveyed tracts consisted primarily of rolling sand dune uplands far from extant streams or lakes. National Register caliber archeological sites that have the potential to offer important research opportunities (and are eligible under Criterion D) are those with sustained habitation such as villages and camps and by necessity are within a mile or less of water. Western Nebraska does have occasional large bison kill sites or jumps, although they occur in steep canyon settings and none are within the non-surveyed portion of the APE.

In light of previous and recent field work results, no further archeological evaluation is necessary for this project. The project would not affect archeological historic properties.

Standing Structures:

An evaluation of the project was conducted by Audrey Mohr, Architectural Historian, Highway Archeology Program, in March 2011. The area of potential effect (APE) for the Heartland Expressway project includes an area approximately one-quarter of a mile on either side of the existing and proposed linear roadway beginning just west of the junction with US-385 in Morrill County and terminates in Alliance just north of the intersection with N-2 (see Enclosure 6). The APE was chosen based on the project scope, a 2006 survey of the project area, and previous

consultation with the Nebraska State Historic Preservation Office (NeSHPO). Given the scope of construction for this project—two new lanes added to the existing road—this APE is appropriate.

In July 2006, Melissa A. Dirr, Architectural Historian, completed the "Heartland Expressway from Minatare to Alliance Historic Property Identification and Project Effects Recommendations" report (see Enclosure 7). The survey was completed to fulfill Section 106 requirements to identify and evaluate effects on historic properties for the Heartland Expressway project [NH-385-3(115), CN-51304]. The project received NeSHPO concurrence of no adverse effect in August 2006. Of the 13 identified historic properties during the 2006 survey, only one is located within the APE for this undertaking: FN14. The 2006 survey recommended this property not eligible for the *National Register*, because it had been vacant for at least 20 years and had lost its setting, association and feeling. This evaluation also recommends that it is not currently eligible, because it does not possess the individual significance necessary for eligibility.

The 2006 report was reviewed and found to be up-to-date by Mohr in March 2011. However, one additional property, Dinklage Feed Yard #3 (FN15), was researched in order to determine its eligibility. Box Butte County Assessor records indicated that six c. 1950 outbuildings may be present on the site. However, according to long-time Dinklage staff, all of the 1950-era buildings on the site have been demolished, leaving only modern structures on the feed yard property. Therefore, the Dinklage Feed Yard #3 (FN15) does not contain any historic properties.

Additionally, an older section of highway (FN16) was identified by Amy Koch, Archeology Division, Nebraska State Historical Society during the course of the archeological investigation on March 14, 2011. This section of older roadway is the northernmost portion of several previous US-385 alignment segments and runs parallel to the current US-385 intermittently from just south of the Rock Road and US-385 intersection to just north of Angora. The roadway was abandoned in c. 1958 when US-385 was realigned to its current location. According to historic state highway maps, this section of road was built sometime in the 1920s; an exact date of construction is not known.

Currently, some segments of FN16 are used as a frontage road for homes and businesses, and other segments are simply abandoned roadway. Its present condition is quite poor, and it has been modified several times. It does not serve as a good representative example of a 1920s highway because of its lack of physical and historical integrity. While US-385 is designated as the Gold Rush Byway by the National Scenic Byways Program, this segment of road does not play a significant role in the interpretation of the historic route represented by the byway. None of the noteworthy cultural or natural resources of the byway are located along this segment of road. Due to its loss of integrity, and lack of historic significance, FN16 is not eligible for inclusion in the National Register of Historic Places. Additionally, US-385 (the Gold Rush Byway) is not eligible for inclusion on the National Register of Historic Places. According to the enclosed memo from the Nebraska Department of Travel and Tourism, historical significance was not a factor in the nomination of US-385 as the Gold Rush Byway (see Enclosure 8). The byway is named for the Sidney to Deadwood Gold Rush Trail, which is located to the west of US-385; the trail never crosses US-385. With the exception of one portion of trail that crosses L62A, which is no longer visible, the entire trail is outside of the APE. The project would have no effect to the Gold Rush Byway designation or the Sidney to Deadwood Gold Rush Trail.

The APE for this project contains no properties eligible for listing on the National Register of Historic Places. It is recommended that this undertaking would have no effect to structural or architectural historic properties.

Recommended Effects:

The proposed undertaking will not affect historic properties and the Federal Highway Administration recommends a finding of "no historic properties affected" and respectfully requests Pawnee Nation of Oklahoma concurrence with this recommendation.

If you have any questions regarding this information, do not hesitate to contact me at your earliest convenience.

Sincerely yours,



Raegan Ball
Environmental Specialist

CONCUR:



Tribal Historic Preservation Officer

7/31/2012

Date

Enclosures

1. Project Location Map and Aerials
2. Archeology APE and Survey Maps
3. Bozell and Ludwickson Survey Documents (1991)
4. Koch Survey Documents (2006)
5. Koch Survey Documents (2011)
6. York Standing Structures & APE Maps (2011)
7. Dirr Standing Structures Report and Compliance Survey Form for Minatare to Alliance (2006)
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U.S. Department
of Transportation
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NEBRASKA DIVISION

July 24, 2012

100 Centennial Mall North
Room 220
Lincoln, NE 68508
(402)742-8460

In Reply Refer To:
HDA-NE

Mr. Calvin Harlan, THPO
P.O. Box 368
Macy, NE 68039

Dear Mr. Harlan:

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Project NH-385-3(118), CN 51432, Heartland Expressway, Jct. L62A/US-385 to Alliance

The APE for this project contains no properties eligible for listing on the National Register of Historic Places. It is recommended that this undertaking would have no effect to structural or architectural historic properties.

Recommended Effects:

The proposed undertaking will not affect historic properties and the Federal Highway Administration recommends a finding of "no historic properties affected" and respectfully requests Omaha Tribe of Nebraska's concurrence with this recommendation.


If you have any questions regarding this information, do not hesitate to contact me at your earliest convenience.

Sincerely yours,



Raegan Ball
Environmental Specialist

CONCUR:



Tribal Historic Preservation Officer

7/30/12
Date

Enclosures

1. Project Location Map and Aerials
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FED HWY ADMIN

RECEIVED
JAN 24 2012
BY: _____



U.S. Department
of Transportation
**Federal Highway
Administration**

NEBRASKA DIVISION

January 17, 2011

100 Centennial Mall North
Room 220
Lincoln, NE 68508
(402)742-8460

In Reply Refer To:
HDA-NE

L. Robert Puschendorf
Deputy State Historic Preservation Officer
Nebraska State Historical Society
P.O. Box Box 82554
Lincoln, NE 68508



Dear Mr. Puschendorf:

**Project NH-385-3(118), CN 51432
Heartland Expressway from Jct. L62A/US-385 to Alliance
Morrill and Box Butte Counties
Cultural Resources Survey**

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An evaluation of the potential for cultural resources, both archeology and standing structures, is included below and in enclosures.

Project Description

The proposed 27-mile long project includes improvements to L62A and US 385 (Enclosure 1). The project begins on L62A just west of the junction with US 385 in Morrill County, and continues north on US 385 into the City of Alliance in Box Butte County, ending just north of the intersection with Nebraska Highway 2 (N-2). The project is likely to include widening the roadway from an existing 2-lane highway to a 4-lane highway along the rural portion of the route. Phasing would include construction of new southbound lanes to be offset to the west and designed to current design standards. The existing lanes would serve as the northbound lanes for the remaining life of the pavement, at which time new northbound lanes would be constructed to current design standards. Phasing is also planned for the existing T-intersection at the junction of L62A and US 385 which would be widened from 2- to 4-lanes as the interim condition; and would ultimately be reconstructed on new alignment to make the Heartland Expressway the priority movement. This change would include connecting L62A to US 385 as the free-flow priority movement, and realigning the southern leg of US 385 as a stop-controlled movement. A new 4-lane divided or 5-lane section would be constructed in and near Alliance. Project limits

HP# 1201-067-01
County Box Butte
SIR. X ALLIANCE X
Resp. NP 20120125

Project NH-385-3(118), CN 51432, Heartland Expressway, Jct. L62A/US-285 to Alliance, Morrill and Box Butte Counties

roughly include 2.19 miles of L62A from reference post (R.P.) 7.0 to R.P. 9.19 and 24.75 miles of US 385 from R.P. 84.50 to 109.25.

Additional improvements include the following features:

- Addressing vertical curves and grade criteria to improve site distance and to assist drivers in avoiding collisions with slow moving vehicles, oversize trucks, or deer crossing the road
- Adding 6:1 graded safety sections beyond the paved shoulder, with 30-ft clear zones, to assist in recovery for vehicles that leave the road
- Flattening backslopes (on the north and west sides) to 4:1 to reduce problems from drifting snow

Archeology

APE for the project included the anticipated footprint of all alternatives and was determined to be the length of the project (27.0 miles) to include the existing ROW and 100 feet beyond the ROW for construction purposes for the rural portion of the project with expanded ROW at the intersection of L62A and US 385, west of Angora, and near the feedlot operation south of Alliance (Enclosure 2). Consultation with the NSHS GIS cultural resources database and General Land Office Survey maps revealed two previously recorded prehistoric archeological sites (25MO61 and 25MO62) and one possible historic trail (Sidney to Deadwood) crossing within the project APE.

Previous work by NSHS archeologists, Rob Bozell and John Ludwickson in 1991 evaluated 14.1 miles of US 385 under project F-385-3(1007) or "Angora North" (Enclosure 3). At the time of the survey, approximately 13 miles of the project was evaluated as possessing very low site potential. These non-surveyed tracts consisted of primarily upland dune topography far from streams and lakes. This topographic setting has been consistently devoid of National Register caliber archeological sites based on numerous large-scale archeological surveys in western Nebraska. Typically, archeological deposits that have the potential to offer important research opportunities (and are eligible under Criterion D) are those with sustained habitation such as villages and camps and by necessity are within a mile or less of water. Field survey focused on a 1 mile segment of the project that involved a previously recorded archeological site (25MO62).

25MO62 was first recorded in the 1930s as bisected by US 385. The site was described as a blowout location where prehistoric ceramics and chipped stone tools had been collected. The original legal description (Section 32, T22N, R50W) recorded during the 1930s was contradictory to the description of the site being 1.5 miles north of Angora. Section 22 is actually 1.5 miles north of Angora, rather than Section 34. Due to the site's uncertain location, the NCRGIS has it plotted within a one-square mile area within Section 22, T22N, R50W. During survey in 1991, Bozell and Ludwickson reported that the existing alignment for the highway in that area during the 1930s was roughly ¼ mile to the east and that the actual location of the site was likely ¼ mile east of the existing highway. Site 25MO62 was not relocated. Site 25MO62 would not be impacted by the current proposed undertaking.

In 2006, NSHS archeologist, Amy Koch evaluated approximately 3.0 miles of US 385 and the intersection with L62A under a corridor study for NH-385-3(115) or "Heartland Expressway

Project NH-385-3(118), CN 51432, Heartland Expressway, Jct. L62A/US-285 to Alliance, Morrill and Box Butte Counties

Minatare to Alliance" (Enclosure 4). Field survey focused on three areas. The first area involved a proposed shift in alignment at the intersection of US 385 and L62A. The second area involved a previously recorded archeological site, 25MO61 and the third area focused on the proposed alignment shift west of Angora.

25MO61 was originally recorded in the 1930s and described as a prehistoric site where chipped stone tools and debris had been recovered. The legal description (Section 32, T22N,R50W) was contradictory to the written description that indicated the site was north of Angora. Section 32 is actually south of Angora. Due to the site's uncertain location, the NCRGIS has it generally plotted within a one-square mile area. No evidence for the site was found within the areas surveyed and the site was not relocated.

Site 25MO61 would not be impacted by the proposed undertaking.

Results of field survey near the intersection of US 385 and L62A and west of Angora were also negative for archeological sites.

The remaining portion of the project was evaluated as possessing either very low site potential or construction was slated to occur on existing alignment at that time and pedestrian survey was not recommended.

The most recent field survey efforts are in response to project NH-385-3(118) or "Junction of L62A/US-385 to Alliance". During survey on March 14 and 29 and November 27, 2011, NSHS archeologist, Amy Koch examined a total of roughly 4.5 miles along US 385 just south of Alliance (Enclosure 5) and near the westernmost terminus of the project where the Sidney to Deadwood Trail crosses L62A. Visibility for roughly half of the pedestrian surveyed areas was 80% in cultivated fields with the remaining examined areas affording a visibility of 45% in pasture grasses. Results were negative for archeological sites. There are no surviving remnants (trail ruts) of the Sidney to Deadwood Trail within the current project APE.

Railroad ROW along US 385 was not examined due to the disturbed nature of the soils in those areas and the fact that several segments of previous alignment have also disturbed the railroad ROW.

During previous and recent archeological investigations referenced above, non-surveyed tracts consisted primarily of rolling sand dune uplands far from extant streams or lakes. National Register caliber archeological sites that have the potential to offer important research opportunities (and are eligible under Criterion D) are those with sustained habitation such as villages and camps and by necessity are within a mile or less of water. Western Nebraska does have occasional large bison kill sites or jumps, although they occur in steep canyon settings and none are within the non-surveyed portion of the APE.

In light of previous and recent field work results, no further archeological evaluation is necessary for this project. The project would not affect archeological historic properties.

Standing Structures

An evaluation of the project was conducted by Audrey Mohr, Architectural Historian, Highway Archeology Program, in March 2011. The area of potential effect (APE) for the Heartland Expressway project includes an area approximately one-quarter of a mile on either side of the existing and proposed linear roadway beginning just west of the junction with US-385 in Morrill County and terminates in Alliance just north of the intersection with N-2 (Enclosure 6). The APE was chosen based on the project scope, a 2006 survey of the project area, and previous consultation with the Nebraska State Historic Preservation Office (NeSHPO). Given the scope of construction for this project—two new lanes added to the existing road—this APE is appropriate.

In July 2006, Melissa A. Dirr, Architectural Historian, completed the “Heartland Expressway from Minatare to Alliance Historic Property Identification and Project Effects Recommendations” report (Enclosure 7). The survey was completed to fulfill Section 106 requirements to identify and evaluate effects on historic properties for the Heartland Expressway project [NH-385-3(115), CN-51304]. The project received NeSHPO concurrence of no adverse effect in August 2006. Of the 13 identified historic properties during the 2006 survey, only one is located within the APE for this undertaking: FN14. The 2006 survey recommended this property not eligible for the *National Register*, because it had been vacant for at least 20 years and had lost its setting, association and feeling. This evaluation also recommends that it is not currently eligible, because it does not possess the individual significance necessary for eligibility.

The 2006 report was reviewed and found to be up-to-date by Mohr in March 2011. However, one additional property, Dinklage Feed Yard #3 (FN15), was researched in order to determine its eligibility. Box Butte County Assessor records indicated that six c. 1950 outbuildings may be present on the site. However, according to long-time Dinklage staff, all of the 1950-era buildings on the site have been demolished, leaving only modern structures on the feed yard property. Therefore, the Dinklage Feed Yard #3 (FN15) does not contain any historic properties.

Additionally, an older section of highway (FN16) was identified by Amy Koch, Archeology Division, Nebraska State Historical Society during the course of the archeological investigation on March 14, 2011. This section of older roadway is the northernmost portion of several previous US-385 alignment segments and runs parallel to the current US-385 intermittently from just south of the Rock Road and US-385 intersection to just north of Angora. The roadway was abandoned in c. 1958 when US-385 was realigned to its current location. According to historic state highway maps, this section of road was built sometime in the 1920s; an exact date of construction is not known.

Currently, some segments of FN16 are used as a frontage road for homes and businesses, and other segments are simply abandoned roadway. Its present condition is quite poor, and it has been modified several times. It does not serve as a good representative example of a 1920s highway because of its lack of physical and historical integrity. While US-385 is designated as the Gold Rush Byway by the National Scenic Byways Program, this segment of road does not play a significant role in the interpretation of the historic route represented by the byway. None of the noteworthy cultural or natural resources of the byway are located along this segment of road. Due to its loss of integrity, and lack of historic significance, FN16 is not eligible for

Project NH-385-3(118), CN 51432, Heartland Expressway, Jct. L62A/US-285 to Alliance,
Morrill and Box Butte Counties

1201-06901

inclusion in the National Register of Historic Places. Additionally, US-385 (the Gold Rush Byway) is not eligible for inclusion on the National Register of Historic Places. According to the enclosed memo from the Nebraska Department of Travel and Tourism, historical significance was not a factor in the nomination of US-385 as the Gold Rush Byway (Enclosure 8). The byway is named for the Sidney to Deadwood Gold Rush Trail, which is located to the west of US-385; the trail never crosses US-385. With the exception of one portion of trail that crosses L62A, which is no longer visible, the entire trail is outside of the APE. The project would have no effect to the Gold Rush Byway designation or the Sidney to Deadwood Gold Rush Trail.

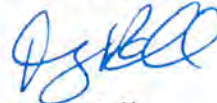
The APE for this project contains no properties eligible for listing on the National Register of Historic Places. It is recommended that this undertaking would have no effect to structural or architectural historic properties.

Recommended Effects

The Federal Highway Administration respectfully requests NeSHPO concurrence with the above eligibility recommendations. The proposed undertaking would not affect historic properties and the Federal Highway Administration recommends a finding of "no historic properties affected" and respectfully requests NeSHPO concurrence with this recommendation.

If you have any questions regarding this information, do not hesitate to contact me at your earliest convenience.

Sincerely yours,



Raegan Ball
Environmental Specialist

Enclosures

CONCUR:



L. Robert Puschendorf, Deputy State Historic Preservation Officer

2/6/12
Date



U.S. Department
of Transportation
**Federal Highway
Administration**

NEBRASKA DIVISION

July 24, 2012

100 Centennial Mall North
Room 220
Lincoln, NE 68508
(402)742-8460

In Reply Refer To:
HDA-NE

Mr. Louis Maynahonah, Chair
P.O. Box 1330
Anadarko, OK 73005

Dear Mr. Maynahonah:

**Project NH-385-3(118), CN 51432
Heartland Expressway from Jct. L62A/US-385 to Alliance
Morrill and Box Butte Counties
Cultural Resources Survey**

Please review this document on historic resources for the subject project as required under Section 106 of the National Historic Preservation Act of 1966 as amended and implementing regulations at 36 CFR Part 800. 36 CFR Part 800.2 (c) (2), specifically addresses consultation between Tribes and federal agencies. The Nebraska State Historic Preservation Office is also a consulting party for this undertaking.

An evaluation of the potential for cultural resources, both archeology and standing structures, is included below and in enclosures.

Project Description:

The proposed 27-mile long project includes improvements to L62A and US 385 (see Enclosure 1). The project begins on L62A just west of the junction with US 385 in Morrill County, and continues north on US 385 into the City of Alliance in Box Butte County, ending just north of the intersection with Nebraska Highway 2 (N-2). The project is likely to include widening the roadway from an existing 2-lane highway to a 4-lane highway along the rural portion of the route. Phasing would include construction of new southbound lanes to be offset to the west and designed to current design standards. The existing lanes would serve as the northbound lanes for the remaining life of the pavement, at which time new northbound lanes would be constructed to current design standards. Phasing is also planned for the existing T-intersection at the junction of L62A and US 385 which would be widened from 2- to 4-lanes as the interim condition; and would ultimately be reconstructed on new alignment to make the Heartland Expressway the priority movement. This change would include connecting L62A to US 385 as the free-flow priority movement, and realigning the southern leg of US 385 as a stop-controlled movement. A new 4-lane divided or 5-lane section would be constructed in and near Alliance. Project limits roughly include 2.19 miles of L62A from reference post (R.P.) 7.0 to R.P. 9.19 and 24.75 miles of US 385 from R.P. 84.50 to 109.25.

Additional improvements include the following features:

- Addressing vertical curves and grade criteria to improve site distance and to assist drivers in avoiding collisions with slow moving vehicles, oversize trucks, or deer crossing the road
- Adding 6:1 graded safety sections beyond the paved shoulder, with 30-ft clear zones, to assist in recovery for vehicles that leave the road
- Flattening backslopes (on the north and west sides) to 4:1 to reduce problems from drifting snow

Archeology:

APE for the project included the anticipated footprint of all alternatives and was determined to be the length of the project (27.0 miles) to include the existing ROW and 100 feet beyond the ROW for construction purposes for the rural portion of the project with expanded ROW at the intersection of L62A and US 385, west of Angora, and near the feedlot operation south of Alliance (see Enclosure 2). Consultation with the NSHS GIS cultural resources database and General Land Office Survey maps revealed two previously recorded prehistoric archeological sites (25MO61 and 25MO62) and one possible historic trail (Sidney to Deadwood) crossing within the project APE.

Previous work by NSHS archeologists, Rob Bozell and John Ludwickson in 1991 evaluated 14.1 miles of US 385 under project F-385-3(1007) or "Angora North" (see Enclosure 3). At the time of the survey, approximately 13 miles of the project was evaluated as possessing very low site potential. These non-surveyed tracts consisted of primarily upland dune topography far from streams and lakes. This topographic setting has been consistently devoid of National Register caliber archeological sites based on numerous large-scale archeological surveys in western Nebraska. Typically, archeological deposits that have the potential to offer important research opportunities (and are eligible under Criterion D) are those with sustained habitation such as villages and camps and by necessity are within a mile or less of water. Field survey focused on a 1 mile segment of the project that involved a previously recorded archeological site (25MO62).

25MO62 was first recorded in the 1930s as bisected by US 385. The site was described as a blowout location where prehistoric ceramics and chipped stone tools had been collected. The original legal description (Section 32, T22N, R50W) recorded during the 1930s was contradictory to the description of the site being 1.5 miles north of Angora. Section 22 is actually 1.5 miles north of Angora, rather than Section 34. Due to the site's uncertain location, the NCRGIS has it plotted within a one-square mile area within Section 22, T22N, R50W. During survey in 1991, Bozell and Ludwickson reported that the existing alignment for the highway in that area during the 1930s was roughly ¼ mile to the east and that the actual location of the site was likely ¼ mile east of the existing highway. Site 25MO62 was not relocated. Site 25MO62 would not be impacted by the current proposed undertaking.

In 2006, NSHS archeologist, Amy Koch evaluated approximately 3.0 miles of US 385 and the intersection with L62A under a corridor study for NH-385-3(115) or "Heartland Expressway Minatare to Alliance" (see Enclosure 4). Field survey focused on three areas. The first area involved a proposed shift in alignment at the intersection of US 385 and L62A. The second area involved a previously recorded archeological site, 25MO61 and the third area focused on the proposed alignment shift west of Angora.

25MO61 was originally recorded in the 1930s and described as a prehistoric site where chipped stone tools and debris had been recovered. The legal description (Section 32, T22N,R50W) was contradictory to the written description that indicated the site was north of Angora. Section 32 is actually south of Angora. Due to the site's uncertain location, the NCRGIS has it generally plotted within a one-square mile area. No evidence for the site was found within the areas surveyed and the site was not relocated.

Site 25MO61 would not be impacted by the proposed undertaking.

Results of field survey near the intersection of US 385 and L62A and west of Angora were also negative for archeological sites.

The remaining portion of the project was evaluated as possessing either very low site potential or construction was slated to occur on existing alignment at that time and pedestrian survey was not recommended.

The most recent field survey efforts are in response to project NH-385-3(118) or "Junction of L62A/US-385 to Alliance". During survey on March 14 and 29 and November 27, 2011, NSHS archeologist, Amy Koch examined a total of roughly 4.5 miles along US 385 just south of Alliance (see Enclosure 5) and near the westernmost terminus of the project where the Sidney to Deadwood Trail crosses L62A. Visibility for roughly half of the pedestrian surveyed areas was 80% in cultivated fields with the remaining examined areas affording a visibility of 45% in pasture grasses. Results were negative for archeological sites. There are no surviving remnants (trail ruts) of the Sidney to Deadwood Trail within the current project APE.

Railroad ROW along US 385 was not examined due to the disturbed nature of the soils in those areas and the fact that several segments of previous alignment have also disturbed the railroad ROW.

During previous and recent archeological investigations referenced above, non-surveyed tracts consisted primarily of rolling sand dune uplands far from extant streams or lakes. National Register caliber archeological sites that have the potential to offer important research opportunities (and are eligible under Criterion D) are those with sustained habitation such as villages and camps and by necessity are within a mile or less of water. Western Nebraska does have occasional large bison kill sites or jumps, although they occur in steep canyon settings and none are within the non-surveyed portion of the APE.

In light of previous and recent field work results, no further archeological evaluation is necessary for this project. The project would not affect archeological historic properties.

Standing Structures:

An evaluation of the project was conducted by Audrey Mohr, Architectural Historian, Highway Archeology Program, in March 2011. The area of potential effect (APE) for the Heartland Expressway project includes an area approximately one-quarter of a mile on either side of the existing and proposed linear roadway beginning just west of the junction with US-385 in Morrill County and terminates in Alliance just north of the intersection with N-2 (see Enclosure 6). The APE was chosen based on the project scope, a 2006 survey of the project area, and previous

consultation with the Nebraska State Historic Preservation Office (NeSHPO). Given the scope of construction for this project—two new lanes added to the existing road—this APE is appropriate.

In July 2006, Melissa A. Dirr, Architectural Historian, completed the “Heartland Expressway from Minatare to Alliance Historic Property Identification and Project Effects Recommendations” report (see Enclosure 7). The survey was completed to fulfill Section 106 requirements to identify and evaluate effects on historic properties for the Heartland Expressway project [NH-385-3(115), CN-51304]. The project received NeSHPO concurrence of no adverse effect in August 2006. Of the 13 identified historic properties during the 2006 survey, only one is located within the APE for this undertaking: FN14. The 2006 survey recommended this property not eligible for the *National Register*, because it had been vacant for at least 20 years and had lost its setting, association and feeling. This evaluation also recommends that it is not currently eligible, because it does not possess the individual significance necessary for eligibility.

The 2006 report was reviewed and found to be up-to-date by Mohr in March 2011. However, one additional property, Dinklage Feed Yard #3 (FN15), was researched in order to determine its eligibility. Box Butte County Assessor records indicated that six c. 1950 outbuildings may be present on the site. However, according to long-time Dinklage staff, all of the 1950-era buildings on the site have been demolished, leaving only modern structures on the feed yard property. Therefore, the Dinklage Feed Yard #3 (FN15) does not contain any historic properties.

Additionally, an older section of highway (FN16) was identified by Amy Koch, Archeology Division, Nebraska State Historical Society during the course of the archeological investigation on March 14, 2011. This section of older roadway is the northernmost portion of several previous US-385 alignment segments and runs parallel to the current US-385 intermittently from just south of the Rock Road and US-385 intersection to just north of Angora. The roadway was abandoned in c. 1958 when US-385 was realigned to its current location. According to historic state highway maps, this section of road was built sometime in the 1920s; an exact date of construction is not known.

Currently, some segments of FN16 are used as a frontage road for homes and businesses, and other segments are simply abandoned roadway. Its present condition is quite poor, and it has been modified several times. It does not serve as a good representative example of a 1920s highway because of its lack of physical and historical integrity. While US-385 is designated as the Gold Rush Byway by the National Scenic Byways Program, this segment of road does not play a significant role in the interpretation of the historic route represented by the byway. None of the noteworthy cultural or natural resources of the byway are located along this segment of road. Due to its loss of integrity, and lack of historic significance, FN16 is not eligible for inclusion in the National Register of Historic Places. Additionally, US-385 (the Gold Rush Byway) is not eligible for inclusion on the National Register of Historic Places. According to the enclosed memo from the Nebraska Department of Travel and Tourism, historical significance was not a factor in the nomination of US-385 as the Gold Rush Byway (see Enclosure 8). The byway is named for the Sidney to Deadwood Gold Rush Trail, which is located to the west of US-385; the trail never crosses US-385. With the exception of one portion of trail that crosses L62A, which is no longer visible, the entire trail is outside of the APE. The project would have no effect to the Gold Rush Byway designation or the Sidney to Deadwood Gold Rush Trail.

Project NH-385-3(118), CN 51432, Heartland Expressway, Jct. L62A/US-385 to Alliance

The APE for this project contains no properties eligible for listing on the National Register of Historic Places. It is recommended that this undertaking would have no effect to structural or architectural historic properties.

Recommended Effects:

The proposed undertaking will not affect historic properties and the Federal Highway Administration recommends a finding of "no historic properties affected" and respectfully requests Apache Tribe of Oklahoma's concurrence with this recommendation.

If you have any questions regarding this information, do not hesitate to contact me at your earliest convenience.

Sincerely yours,



Raegan Ball
Environmental Specialist

CONCUR:

Tribal Historic Preservation Officer

Date

Enclosures

1. Project Location Map and Aerials
2. Archeology APE and Survey Maps
3. Bozell and Ludwickson Survey Documents (1991)
4. Koch Survey Documents (2006)
5. Koch Survey Documents (2011)
6. York Standing Structures & APE Maps (2011)
7. Dirr Standing Structures Report and Compliance Survey Form for Minatare to Alliance (2006)
8. Department of Travel and Tourism Letter (2011)



U.S. Department
of Transportation
**Federal Highway
Administration**

NEBRASKA DIVISION

August 5, 2014



100 Centennial Mall North
Room 220
Lincoln, NE 68508
(402)742-8460

In Reply Refer To:
HDA-NE

L. Robert Puschendorf
Deputy State Historic Preservation Officer
Nebraska State Historical Society
P.O. Box 82554
Lincoln, NE 68508

HP# 1201-069-01
County MO
STA. K ARCHEO. X
Resp. _____ Date _____

Dear Mr. Puschendorf:

**Project NH-385-3(118), CN 51432
HP#1201-069-01
Angora, Morrill County, Nebraska
Supplemental Documentation related to
Cultural Resources and Properties Proposed for Removal**

Please review this document on historic resources for the subject project as required under Section 106 of the National Historic Preservation Act of 1966 as amended and implementing regulations at 36 CFR Part 800.

An evaluation of the potential for cultural resources, both archeology and standing structures, is included below [and in enclosures].

A draft Environmental Assessment (EA) is being prepared for the National Highway System (NHS) corridor located between the junction of United States Highway 385 (US 385) and State Link 62A (L62A) and the City of Alliance, Nebraska. This corridor is part of the Heartland Expressway, a High Priority Corridor on the NHS.

In August 2006, the Nebraska State Historic Preservation Office (SHPO) concurred with a recommendation of "no adverse effect" regarding the project referenced above based upon a report completed the Nebraska Highway Archeology Program (Koch 2006, Dirr 2006)[NH-385-3(115), CN 51304]. These resources were re-evaluated in 2012 and a recommendation of "no historic properties affected" (Koch 2012, Mohr 2012).

This submittal has been prepared in response to comments received during review of the Draft Environmental Assessment (DEA), August 2014 regarding resources in Angora, Morrill County, Nebraska. Contained within this submittal is an evaluation of the former landfill as well as the evaluation of four standing structure properties proposed for removal by the project. These standing structures did not meet basic Nebraska State Historic Preservation Office survey guidelines and no evidence of the landfill was observed on the ground surface during archeological survey in 2006.

This submittal includes the NRHP evaluation of five properties, the Angora landfill and 4 standing structures. None of these properties meet the guidelines established by the NRHP for

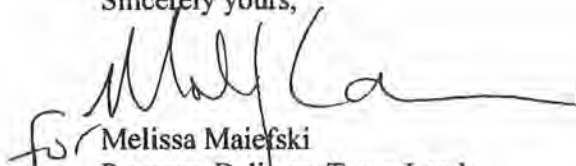
physical integrity and historical significance. Therefore, none of these properties are recommended eligible for listing in the NRHP. It is recommended that the project as proposed will have no effect on historic properties.

Recommended Effect

It is recommended the properties proposed for removal are not National Register eligible and removal of these properties will not affect historic properties; the Federal Highway Administration recommends a finding of "no historic properties affected" and respectfully requests NeSHPO concurrence with these eligibility and effects determinations.

If you have any questions regarding this information, please do not hesitate to contact me at your earliest convenience.

Sincerely yours,


for Melissa Maiefski
Program Delivery Team Lead

Enclosures

CONCUR:


Deputy State Historic Preservation Officer

8-5-14
Date