MINNESOTA HISTORICAL SOCIETY
State Historic Preservation Office

December 18, 2007

Mr. Richard Hargis, Jr.
National Energy Technology Laboratory
PO Box 10940
Pittsburgh, PA 15236-0940

Re: Mesaba Energy Project Draft EIS
SHPO Number: 2005-3002

Dear Mr. Hargis:

Thank you for the opportunity to review and comment on the Draft EIS for the above referenced project.

We have the following comments relative to the cultural resource issues and the Section 106 review of the project. We have focused these comments on Section 4.9 of the DEIS.

1. The method of analysis discussion does not address the full criteria of effect as defined in 36 CFR 800.

2. The impacts of operation section indicates that facility operations would be conducted in compliance with applicable cultural resource laws, regulations, policies, and procedures, but it does not define what these laws, regulations, policies, and procedures are. To the extent that these relate to Section 106 requirements, this document is the place where they need to be spelled out, not just referenced in a general way.

3. Our understanding of the current status of cultural resource identification at the West Range Site:

   A. We reviewed the report of the archaeological survey of the West Range plant site and concurred with the finding of no archaeological properties.
   B. The archaeological survey of the West Range corridors still needs to be completed. We recommend that all project areas be surveyed, not just those of high or medium potential.
   C. The architectural survey of the West Range plant site and the West Range corridors still needs to be completed. The preliminary discussion of these properties at the top of page 4.9-5 is confusing.

4. Our understanding of the current status of cultural resource identification of the East Range Site:

   A. We reviewed the report of the archaeological survey of the East Range plant site in 2006, and concurred with the finding of no archaeological properties.

B. The archaeological survey of the East Range corridors still needs to be completed. We recommend that all project areas be surveyed, not just those of high or medium potential. We note that this area includes previously identified sites; it will be particularly important to address all potential impacts on 21SL0009 and 21SL0390. Since these are identified as mound sites, it will also be important to address the requirements of the Minnesota Private Cemeteries Act.

C. The architectural survey of the East Range plant site and the East Range corridors still needs to be completed. We have reviewed the September 2007 report assessing the project effect on two previously identified historic properties (the Longyear site and the DM&IR Railway line), and concur with the determination that neither will be adversely affected. Any other eligible properties identified in the survey will need to be assessed for effects as well.

5. The information in the Summary of Impacts table (4.9.6) is incomplete. It does not indicate that surveys are still to be completed. Further, the table does not appear to include all of the previously identified properties discussed in the preceding section.

6. We have reviewed the proposed Programmatic Agreement for the project. Such an agreement is an appropriate way to establish a method for identification, evaluation, and treatment of historic properties when such efforts are not complete at the time of a Record of Decision. The "Overview of Programmatic Agreement" statement you submitted explains this situation. Past experience has shown that such agreements are much more effective when they include a clear description of the process to be followed. In this regard, we think the current draft could be strengthened and simplified, to facilitate its use by the project sponsor and consultants.

We look forward to working with you and the other parties involved to complete this review. Contact us at 651-259-3456 with questions or concerns.

Sincerely,

Dennis A. Gimmestad
Government Programs & Compliance

cc: Tom McCulloch, ACHP
Anne Ketz, The 106 Group