



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

Western Federal Lands Highway Division

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May 20, 2008

Dr. Mark Baumler  
State Historic Preservation Officer  
Montana Historical Society  
1410 Eighth Avenue  
Helena, MT 59620

In Reply Refer To:  
HFL-17

Montana Forest Highway 98-1(1)  
Rimini Road  
Determination and Resolution of Adverse Effects to Historic Properties 24LC1268 and  
24LC1868

Dear Dr. Baumler:

Thank you for your quick reply to our February 28, 2008 request for concurrence with our recommended determinations of eligibility and preliminary effects to cultural resource properties. Since your letter, the Western Federal Lands Highway Division (WFLHD) has drafted preliminary plans for the Rimini Road Improvement Project and can now make a final determination of adverse effects to historic properties and recommendations for mitigating these adverse effects.

Based on the preliminary plans, there will be adverse effects to historic properties 24LC1268 (Northern Pacific Railroad Grade) and 24LC1868 (Tenmile Ditch/Old Helena Water Supply Ditch). These adverse effects include the removal and burial of portions of these historic properties and are the result of cut and fill construction activities associated with the roadway obliteration, new alignment, widening, minor bridge work, and bridge replacements along Rimini Road.

Data recovery recommendations at the two adversely affected sites are based upon the recommended minimum discussed at length in Aaberg (2004a). These recommendations are specified by individual site in the following text with citations for specific references.

**24LC1268** is the grade of the Northern Pacific Railroad Helena-Red Mountain Line, present along the west side of Rimini Road from a point just south of Walker Creek, then into and beyond Rimini. The line was completed in 1886 and operated for 38 years. The line was no longer operating in 1925, with the tracks removed shortly thereafter.

Several sections of the Northern Pacific Railroad grade will be removed or otherwise impacted through the realignment and widening of the road and reconstruction of the bridges. The location and a description of adverse effects to the site are listed in Table 1.

The removal of segments of the former grade will result in the loss of integrity of the grade at those locations. Recommended mitigation actions include photo documentation and detailed recording of engineering and dimensional attributes, further archival research for engineering detail and personnel, and historic photo-archival research (Aaberg 2004a: 64).

Areas of the site outside of the construction limits will be delineated with construction fencing to prevent inadvertent entry during the life of the project.

**24LC1868** is the Old Helena Water Supply Ditch, thought to date to the 1860s. The ditch is positively known to exist on an 1897 map. The City of Helena acquired the ditch in 1910-1911, and carried out upgrades in 1915 or 1916. Aaberg (2004: 77) notes the ditch is the single largest component of Helena's early water system, and remains a significant source of water to this day.

The ditch originally extended for about 8.5 miles from the treatment plant through Rimini. Portions of the ditch south of Minnehaha Creek have been destroyed by road construction and other developments. North of Minnehaha Creek and to where the ditch intersects the road approximately 1.1 miles south of the intersection with Highway 12, the ditch is in very good condition. Some segments exhibit fine stone and mortar work, and others exhibit good dry laid stonework.

Aaberg (2004a; 2004b) presents a fairly extensive context for the ditch and water system; he considers the ditch and flume along the east side of the road between Minnehaha Creek and the former water system to be the oldest surviving feature in the Tenmile drainage (2004a: 80). This section of the water system is relatively intact, with good integrity, exhibiting the full range of construction techniques including mortared and dry-laid stone sections, stone flume platform sections, as well as simple dirt segments (2004b; 24LC1868 site form images). The ditch is unquestionably eligible to the National Register under Criteria A through D.

Several sections of the Old Helena Water Supply Ditch will be removed or otherwise impacted through the realignment and widening of the road and reconstruction of the bridges. The location and a description of adverse effects to the site are listed in Table 1. The loss of these feature elements will result in the loss of integrity to significant components of the water system. It is recommended that these adverse effects be mitigated by data recovery including GPS mapping of the entire water system, additional archival research in local Helena resources mentioned by Aaberg (2004a: 86), and thorough mapping and photography of all ditch features.

Post-inventory discovery includes lichen-covered graffiti above the flume section opposite Minnehaha Creek. Specialized photographic or other techniques must be utilized to interpret the lettering on the rock.

Areas of the site outside of the construction limits will be delineated with construction fencing to prevent inadvertent entry during the life of the project.

Please find a 4/22/08 set of preliminary plans included with this letter for your reference. Cultural resources are in solid green, construction clearing limits are in dashed blue, slope lines are in dashed green, and right of way and proposed alignment lines are in solid red.

**Table 1. Adverse Effects to Historic Properties Based on 4/22/08 Preliminary Plans**

Site	Stationing & Sheet Number	Effects
24LC1868	51-53 LT, Sheet D.4-D.5	Roadway obliteration, new alignment, and widening
	57-58 LT & RT, Sheet D.5	Bridge construction, new alignment, and widening
	71-88 LT & RT, Sheet D.5-D.6	New alignment and widening
	89-93 LT, Sheet D.6	New alignment and widening
	97-98 LT, Sheet D.6	New alignment and widening
	102-113 LT, Sheet D.6-D.7	New alignment and widening
	115-125 LT, Sheet D.7	New alignment and widening
	176-182 LT, Sheet D.9	New alignment and widening
	212 LT, Sheet D.10	New alignment and widening
	228-230 LT & RT, Sheet D.10	Minor bridge work, new alignment, and widening
	256-263 LT, Sheet D.11-D.12	New alignment and widening
	270-286 LT, Sheet D.12	New alignment and widening
	293-296 LT, Sheet D.13	New alignment and widening
	299-310 LT & RT, Sheet D.13	New alignment and widening
	312-318 LT & RT, Sheet D.13	New alignment and widening
24LC1268	59-60 RT, Sheet D.5	New alignment and widening
	92-110 RT, Sheet D.6	New alignment, widening, roadway obliteration
	149-170 RT, Sheet D.8	New alignment and widening
	240-244 RT, Sheet D.11	New alignment and widening
	301-307 RT, Sheet D.13	New alignment and widening

The WFLHD requests the Montana State Historic Preservation Office's (SHPO) concurrence with our proposal for mitigating adverse effects to historic sites 24LC1268 and 24LC1868. Upon receiving SHPO concurrence, we will begin working with the SHPO and other interested parties to draft a Memorandum of Agreement for mitigation.

The WFLHD will notify the Advisory Council of the adverse effects and provide all relevant information pertaining to the project per 36 CFR § 800.6 (a) (1).

Every effort has been made to avoid and minimize impacts, but due to design constraints, adverse effects to historic sites 24LC1268 and 24LC1868 cannot be avoided while still meeting the purpose and need of the project. The WFLHD intends to draft a full Section 4(f) evaluation for both sites to comply with Section 4(f) of the Department of Transportation Act.

We sincerely appreciate your attention to this request. If you have any questions, or should you require any additional information, please contact Michael Schurke at the above address, by phone at (360) 619-7636, or by e-mail at michael.schurke@fhwa.dot.gov.

Sincerely,



Michael Schurke  
Cultural Resource Protection Specialist

cc: Project file  
Erin Chipps (WFLHD)  
Michael Schurke (WFLHD)  
Greg Gifford (WFLHD)

Enclosures: 4/22/08 set of preliminary plans

### References Cited

- Aaberg, Stephen, Christine Wiltberger, Jayme Green, and Chris Crofutt.
- 2004a Rimini Road Federal Highway Administration Project MT PFH 98-(1). Class III Cultural Resource Survey Results, Lewis and Clark County, Montana. Volume I: Management Report. Aaberg Cultural Resource Consulting Service, Inc. Billings, MT.
- 2004b Rimini Road Federal Highway Administration Project MT PFH 98-(1). Class III Cultural Resource Survey Results, Lewis and Clark County, Montana. . 24LC935, 24LC1268, 24LC1608, 24LC1866-1885. Aaberg Cultural Resource Consulting Service, Inc. Billings, MT.