

# **APPENDIX CULTURAL**

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CULTURAL RESOURCES DOCUMENTS

# ***APPENDIX CULTURAL-1***

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## ***SECTION 106 CONCURRENCES***

**From:** [Guyah, Timothy J](mailto:Guyah.Timothy.J)  
**To:** [Randa Horton](mailto:Randa.Horton)  
**Subject:** FW: [EXTERNAL] SHPO Review: 24-1608/KN - The Menominee Indian Tribe of Wisconsin Fee-to-Trust Application for the Purpose of Gaming  
**Date:** Tuesday, September 10, 2024 8:27:49 AM

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**From:** [tyler.howe@wisconsinhistory.org](mailto:tyler.howe@wisconsinhistory.org) <[tyler.howe@wisconsinhistory.org](mailto:tyler.howe@wisconsinhistory.org)>  
**Sent:** Thursday, August 1, 2024 3:41 PM  
**To:** Doig, Scott <[Scott.Doig@bia.gov](mailto:Scott.Doig@bia.gov)>  
**Cc:** [dgrignon@mitw.org](mailto:dgrignon@mitw.org) <[dgrignon@mitw.org](mailto:dgrignon@mitw.org)>  
**Subject:** [EXTERNAL] SHPO Review: 24-1608/KN - The Menominee Indian Tribe of Wisconsin Fee-to-Trust Application for the Purpose of Gaming

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Good afternoon, Mr. Guyah:

We have completed our review of WHS #24-1608, The Menominee Indian Tribe of Wisconsin Fee-to-Trust Application for the Purpose of Gaming project and concur with your findings that no historic or cultural resources eligible for, or included on, the National Register of Historic Places (NRHP) were encountered within the project's Area of Potential Effect (APE). Moreover, the WI SHPO concurs with your determination the proposed federal undertaking will have No Effect on historic properties.

It is the opinion of the WI SHPO you have fulfilled your section 106 of the National Historic Preservation Act (NHPA) consultation requirements with our office. If your plans change or cultural materials/human remains are found during the project, please halt all work and contact our office.

Please use this email as your official SHPO concurrence for NHPA requirements of the project. If you require a hard copy signed form, please contact me and I will provide you a signed copy as soon as possible.

Sincerely,

Tyler Howe

Tyler B. Howe, PhD  
Compliance Section Manager  
State Historic Preservation Office

Wisconsin Historical Society  
816 State Street, Madison, WI 53706

[tyler.howe@wisconsinhistory.org](mailto:tyler.howe@wisconsinhistory.org)

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# MENOMINEE INDIAN TRIBE OF WISCONSIN

TRIBAL HISTORIC PRESERVATION OFFICE, CULTURAL AND LOGGING MUSEUM  
P.O. BOX 910  
Keshena WI, 54135  
715-799-5258

June 4, 2024

Ms. Tami Poitra  
Regional Director  
United States Department of Interior  
Bureau of Indian Affairs  
Midwest Regional Office  
Norman Pointe II  
56—American Boulevard West, Suite #500  
Bloomington, Minnesota 55437

**Re: Section 106 Consultation – The Menominee Indian Tribe of Wisconsin Fee to Trust Application for the purpose of gaming (25CF151): Kenosha 2023, City of Kenosha, Wisconsin**

Dear Ms. Poitra:

This letter is in reference to the Menominee Tribe's Fee to Trust application for the purpose of gaming (25CFR151). In compliance with Section 106 of the National Historic Preservation Act consultation must take place and historic properties must be assessed with the Menominee Tribe's Tribal Historic Preservation Officer. The historic properties could be located in the APE or Area of Potential Effect of the proposed federal undertaking is defined as approximately fifty-nine (59) acres to be placed into trust status.

The undertaking is situated in Kenosha County, City of Kenosha, Wisconsin. The proposed site of the undertaking consist of four parcels located directly south of 60<sup>th</sup> Street, north of 75<sup>th</sup> Street, and west of interstate 94 (I-94) in the City of Kenosha, within Section 1, Township 2 North, Range 21 East, as depicted on the "Pleasant Prairie" WI" U.S. Geological Survey (UWGS) 7.5-minute topographic quadrangle. The Kenosha County APNs for the Project Site are as follows: 03-121-01-101-101, 5.80 acres; 03-121-01-102, 18.65 acres; 03-121-01-101-402, 10.55 acres, 03-121-01-101-423, 24.19 acres.

Placing the land into trust status is an undertaking as defined in Section 106 of the National Historic Preservation Act 800.16 (y) since the undertaking involves ground disturbing activity the federal undertaking will involve "ground disturbance" and could have an adverse effect on historic properties. To insure no harm comes to potential historic properties in the APE an archaeological survey was requested by the THPO. The consulting firm of Montrose Environmental conducted a pedestrian "walk over" survey and archaeologist Dr. David Overstreet of Wakec Mehikan, LLC and staff conducted an intense Phase 1 Archaeological Survey.

Dr. Overstreet's Phase 1 archaeological survey consisted of walk over, archives literature search, shovel probes and interviews with local residents. Shovel probes or testing resulted in

[REDACTED]

[REDACTED]

[REDACTED] However, no significant ties to specific events or patterns in history or people could be found (NRHP Criteria A and B), there were no significant artistic or architectural values (NRHP Criteria A and B), and there does not appear to be significant data values (NRHP Criterion D) associated with the [REDACTED] remnants, and therefore this site is recommended not eligible for listing on the NRHP. Alternative A has been designed to avoid site [REDACTED], in keeping with the wishes of the THPO and therefore excluded from the proposed APE. Additionally, it is recommended that a Tribal monitor (THPO recommends staff of Dr. Overstreet are trained monitors), construction within 25 feet of the buffer zone. And that a 15 buffer area be placed around the designated site as approved by the THPO. **With the avoidance of the site mentioned ([REDACTED]) with buffers and monitoring by a qualified archaeologist is recommended by the THPO, a finding of no Historic Properties Affected is recommended by the THPO for construction and operation of Alternative A.**

If the proper buffers are placed around site [REDACTED] and ground disturbing activity is monitored by a qualified monitor [REDACTED] will be avoided and no historic properties affected by the proposed federal undertaking. If you have any questions related to Section 106 compliance of the proposed federal undertaking please call me at 715-799-5258.

Sincerely,



David J. Grignon  
Tribal Historic Preservation Officer  
Menominee Indian Tribe of Wisconsin

Cc: Tim Guyah, BIA Archaeologist

# ***APPENDIX CULTURAL-2***

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***CULTURAL RESOURCES REPORT***

**APPENDIX CULTURAL**  
CULTURAL RESOURCE STUDIES  
KENOSHA CASINO PROJECT

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Appendix CULTURAL-2 has been bound separately to protect potentially sensitive information about the location and nature of cultural resources.