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EI-3039

Mitchell E. Daniels, Jr. Governor
Robert E. Carter, Sr. Director

DNR Indiana Department of Natural Resources

Division of Historic Preservation & Archaeology • 402 W. Washington Street, W274 • Indianapolis, IN 46204-2739
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May 22, 2007

Victoria Rutson
Chief, Section of Environmental Analysis
Surface Transportation Board
1925 K Street, Northwest, Suite 534
Washington, DC 20423-0001

Federal Agency: Surface Transportation Board ("STB")

Re: Notification of the STB's finding of "no adverse effect" regarding the abandonment of 1.4 miles of rail line from Milepost QIM 0.0 to Milepost QIM 1.4 (DHPA #2081)

Dear Ms. Rutson:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f) and 36 C.F.R. Part 800, the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has conducted an analysis of the materials dated July 3, 2007 and received on July 9, 2007, for the above indicated project in Muncie, Center Township, Delaware County, Indiana.

We see no reason to object to the STB's July 3, 2007 finding that no historic properties within the area of potential effects will be adversely affected by the above indicated project. However, we have noted that your identification and evaluation efforts have not been completely documented as specified in 36 C.F.R. § 800.11(e). If you have not already done so, we recommend that you make complete documentation available to the public and all consulting parties for the above indicated project. We would welcome any additional documentation to be attached to the file. However, further coordination and comments from the Indiana SHPO will not be necessary.

Please keep in mind this identification is subject to the project activities remaining within areas disturbed by previous construction. Additionally, if any archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and 29) requires that the discovery must be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and 29 does not obviate the need to adhere to applicable federal statutes and regulations.

A copy of the revised 36 C.F.R. Part 800 that went into effect on August 5, 2004, may be found on the Internet at www.achp.gov for your reference. If you have questions about archaeological issues please contact Cathy Draeger at (317) 234-3791 or cdraeger@dnr.IN.gov. If you have questions about buildings or structures please contact Shana Kelso at (317) 232-3491 or skelso@dnr.IN.gov. Additionally, in all future correspondence regarding the above indicated project, please refer to DHPA #2081.

Very truly yours,

James A. Glass, Ph.D.
Deputy Indiana State Historic Preservation Officer

JAG:SNK:snk

cc: Dave Geraci, CSX Transportation