

Fax copy submitted by Lou Gitomer
of Ball Janik LLP

#E1-1579
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JENNIFER GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF HISTORY, ARTS AND LIBRARIES
LANSING

DR. WILLIAM ANDERSON
DIRECTOR

June 15, 2005

AB-364 (SUB-NO. 10X)

LOUIS GITOMER
MID-MICHIGAN RAILROAD INC
432 E GROVE STREET
GREENVILLE MI 48838

received
7/12/05

Dear Mr. Gitomer:

The State Historic Preservation Officer (SHPO) received your request for review under Section 106 of the National Historic Preservation Act of 1966, as amended. The Section 106 regulations specify what is required for a Section 106 review [36 CFR § 800.11]. The information that you have sent is incomplete. The SHPO cannot initiate the Section 106 review process until we receive complete project information. We are therefore returning your project for resubmittal.

Section 106 requires federal agencies to take into account the effect of their undertakings on historic properties. It is the responsibility of the federal agency, *not the SHPO*, to fulfill the requirements of Section 106. In some instances, the federal agency may delegate legal responsibility to a state, local, or tribal government. Consultants or designees contracted to prepare information, analyses, or recommendations, are *not* recognized as federally-delegated authorities. For your reference, a complete version of the Section 106 regulations can be found at www.achp.gov/regs.html.

The mandatory application form and instructions for submitting projects for review under Section 106 may be downloaded in MS Word format from our website at www.michigan.gov/shpo. Please read each requirement carefully in its respective field, and respond in full. In addition, please ensure that future project submissions will utilize the application form. Incomplete applications and projects not submitted on the application forms will be sent back to the applicant without comment.

Once the required information is received in full by the SHPO, we can proceed with the review. The Section 106 process for this project is not complete. If you have any questions, please contact the Environmental Review section of the SHPO at (517) 335-2721 or by e-mail at ER@michigan.gov.

Thank you for your cooperation.

Sincerely,

Brian G. Grennell

Brian G. Grennell
Environmental Review Specialist

for Brian D. Conway
State Historic Preservation Officer

Enclosure(s)

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