

EI-16983

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April 8, 2009

HAND DELIVERY

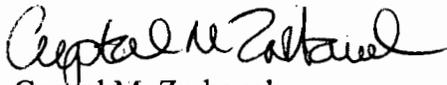
Ms. Victoria Rutson
Director, Section of Environmental Analysis
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423-0001

RE: STB Docket No. AB-308 (Sub-No. 4X), *Central Michigan
Railway Company – Abandonment Exemption – Line In Kent County, MI*

Dear Ms. Rutson:

Recently we received a response from the State of Michigan, Department of History, Arts and Libraries (State Historic Preservation Office), one of the agencies we consulted with in regards to the above abandonment in Kent County, Michigan. I enclose the original letter received from the agency for inclusion in the Surface Transportation Board's database.

If you have any questions concerning this letter, please contact William A. Mullins, counsel for Central Michigan Railway Company by telephone at (202) 663-7823, by e-mail at wmullins@bakerandmiller.com, or by mail at the address shown above.

Sincerely,

Crystal M. Zorbaugh
Legal Assistant

Enclosure



JENNIFER GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF HISTORY, ARTS AND LIBRARIES
LANSING

DR. WILLIAM ANDERSON
DIRECTOR

March 24, 2009

MS. ELAINE K. KAISER
SECTION OF ENVIRONMENTAL ANALYSIS
1201 CONSTITUTION AVENUE
SURFACE TRANSPORTATION BOARD
WASHINGTON DC 20423-0001

RE: ER-03-1023 STB Abandonment Docket AB-308 SUB – NO 4X, City of Grand Rapids, Kent
County (STB)

Dear Ms. Kaiser:

Under the authority of Section 106 of the National Historic Preservation Act of 1966, as amended, we have reviewed the above-cited undertaking at the location noted above. Based on the information provided for our review, it is the opinion of the State Historic Preservation Officer (SHPO) that no historic properties are affected within the area of potential effects of this undertaking.

The views of the public are essential to informed decision making in the Section 106 process. Federal Agency Officials or their delegated authorities must plan to involve the public in a manner that reflects the nature and complexity of the undertaking, its effects on historic properties and other provisions per 36 CFR § 800.2(d). We remind you that Federal Agency Officials or their delegated authorities are required to consult with the appropriate Indian tribe and/or Tribal Historic Preservation Officer (THPO) when the undertaking may occur on or affect any historic properties on tribal lands. In all cases, whether the project occurs on tribal lands or not, Federal Agency Officials or their delegated authorities are also required to make a reasonable and good faith effort to identify any Indian tribes or Native Hawaiian organizations that might attach religious and cultural significance to historic properties in the area of potential effects and invite them to be consulting parties per 36 CFR § 800.2(c-f).

This letter evidences the STB's compliance with 36 CFR § 800.4 "Identification of historic properties", and the fulfillment of the STB's responsibility to notify the SHPO, as a consulting party in the Section 106 process, under 36 CFR § 800.4(d)(1) "No historic properties affected".

The State Historic Preservation Office is not the office of record for this undertaking. You are therefore asked to maintain a copy of this letter with your environmental review record for this undertaking. If the scope of work changes in any way, or if artifacts or bones are discovered, please notify this office immediately.

If you have any questions, please contact Brian Grennell, Environmental Review Specialist, at (517) 335-2721 or by email at ER@michigan.gov. **Please reference our project number in all communication with this office regarding this undertaking.** Thank you for this opportunity to review and comment, and for your cooperation.

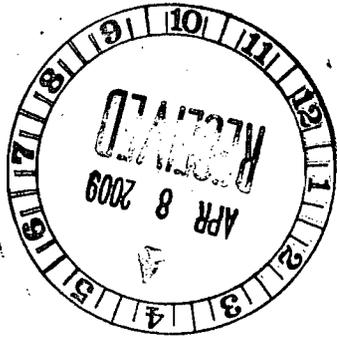
Sincerely,


Martha MacFarlane Faes
Environmental Review Coordinator

for Brian D. Conway
State Historic Preservation Officer

MMF: JRH: ROC: kam

Copy: Robert A. Wimbish, Baker & Miller PLLC



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