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**SURFACE TRANSPORTATION BOARD
SECTION OF ENVIRONMENTAL ANALYSIS**

POST ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN STB DOCKET NO. AB-364 (Sub No. 14X)

August 1, 2008

ABANDONMENT TYPE

The time for comments on the Environmental Assessment (EA) has expired in this:

() Notice of Exemption (X) Petition for Exemption () Regulated Abandonment

() **NO NEW COMMENTS WERE RECEIVED**

(X) **NEW COMMENTS WERE RECEIVED**

RECOMMENDATION: Remove Section 106 Condition in AB-364 (Sub-No. 14X) – Mid-Michigan Railroad, Inc. - Abandonment Exemption - In Kent, Ionia, and Montcalm Counties, Michigan

By decision served on June 9, 2008, the Board imposed a condition requiring Union Pacific Railroad Company to retain its interest in and take no steps to alter the historic integrity of all sites and structures on the right-of-way that are 50 years old or older until completion of the Section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f (NHPA).

Comments on the EA

In a letter dated June 16, 2008, the Michigan Department of History, Arts and Libraries, State Historic Preservation Office (SHPO) submitted comments stating that the proposed project would have no effect on historic properties.

Pursuant to the Section 106 regulations of the NHPA at 36 CFR 800.5(b), and following consultation with the SHPO and the public, we have determined that the proposed abandonment would not affect historic properties listed in or eligible for inclusion in the National Register of Historic Places. The documentation for this finding, as specified at 36 CFR 800.11(e), consists of the railroad's Historic Report, all relevant correspondence, and the April 18, 2008 Environmental Assessment, which have been provided to the SHPO and made available to the public through posting on the Board's website at <http://www.stb.dot.gov>.

Accordingly, we recommend that the Section 106 condition imposed in the Board's June 9, 2008 Decision be removed.

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