

212K4



SIDNEY L. STRICKLAND, JR.
Associate General Counsel

**The Burlington Northern and
Santa Fe Railway Company**
700 13th Street NW, Suite 220
Washington, DC 20005-5915
(202) 347-8667 - Telephone
(202) 347-8675 - Fax
Sidney.Strickland@BNSF.com



VIA UPS OVERNIGHT MAIL

October 4, 2004

Mr. Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423-0001

ENTERED
Office of Proceedings

OCT 05 2004

Part of
Public Record

Re: Surface Transportation Board Docket No. AB-6 (Sub-No. 418X); The Burlington Northern and Santa Fe Railway Company ("BNSF") Abandonment from Hannah Junction to McCanna, North Dakota

Dear Secretary Williams:

BNSF submitted its Environmental and Historical Reports in this docket on April 19, 2004. BNSF plans on filing the Notice of Exemption on or about October 4, 2004. By letter dated February 19, 2004, the North Dakota SHPO replied to BNSF's inquiry for historical comment in this docket. SHPO recommended that the Hannah Junction Station (32GFX60) and any other railway station(s) over 50 years of age on this line that are to be abandoned be recorded and preliminarily evaluated by a state-permitted cultural resource firm.

By letter dated September 1, 2004, BNSF submitted the final archaeological report to the North Dakota State Historical Society ("SHPO") with a copy to SEA. Enclosed is a copy of SHPO's response to BNSF regarding its review of the archaeological report and their concurrence with "No Historic Properties Affected" determination.

If you have any questions, please contact me at (202) 347-8667 or Sidney.Strickland@BNSF.com.

Sincerely,

Sidney L. Strickland, Jr.
by BK

Sidney L. Strickland, Jr.

Enclosure

cc: Richard Batie
Merlan E. Paaverud, Jr. (SHPO)
Victoria Rutson (STB, SEA)



**STATE
HISTORICAL
SOCIETY**
OF NORTH DAKOTA



September 14, 2004

John Hoeven
Governor of North Dakota

North Dakota
State Historical Board

Diane K. Larson
Bismarck - President

Marvin L. Kaiser
Williston - Vice President

Albert I. Berger
Grand Forks - Secretary

Chester E. Nelson, Jr.
Bismarck

Gerold Gerntholz
Valley City

A. Ruric Todd III
Jamestown

Sara Ottc Coleman
Director
Tourism Division

Kathi Gilmore
State Treasurer

Alvin A. Jaeger
Secretary of State

Douglass Prchal
Director
Parks and Recreation
Department

David A. Sprynczynatyk
Director
Department of Transportation

John E. Von Rueden
Bismarck

Merlan E. Paaverud, Jr.
Director

Sidney L. Strickland, Jr.
Burlington Northern and Santa Fe Railway Co.
700 13th Street NW, Suite 220
Washington, DC 30005-5915

ND SHPO REF.: 04-0221, -0222, -0287, and -0288, Final Report, Four Proposed BN&SF Railway Co. Abandonments in Grand Forks, Barnes, Griggs, Bottineau, and Mercer Counties, ND.

Dear Mr. Strickland:

We have reviewed: *Burlington Northern Santa Fe Railway Company Abandonment at Four Locations in North Dakota, Class I and Class II Cultural Resources Inventories* by Cynthia Kordecki, UND, Department of Anthropology, Anthropology Research and Mark Hufstetler, Renewable Technologies, Inc., August 2004, and have found the report acceptable. We cannot, however, advise your office as to whether the report satisfies BNSF's obligations under Section 106 of the NHPA. That, as with the legally binding determination of eligibility for cultural resources, is a determination that the lead agency makes.

If consulted by the lead agency, the ND SHPO would recommend and concur that sites 32BA162, 32ME2222, and 32ME2223 are not eligible for the National Register of Historic Places. Also, in a letter dated May 12, 2004, the ND SHPO previously recommended to the Surface Transportation Board that we would concur with "No Historic Properties Affected" determination for each of these four projects provided they are of the nature specified and take place in the legal descriptions outlined in the report and correspondence.

Thank you for the opportunity to review this project. Please include the ND SHPO Reference number listed above in any further correspondence for this specific project. If you have any questions please contact Duane Klinner at (701) 328-3576.

Sincerely,

Merlan E. Paaverud, Jr.
State Historic Preservation Officer
(North Dakota)

Accredited by the
American Association
of Museums