

#E1-20493



RE: 140300044 Iowa Interstate Railroad, LTD. STB Docket NO. AB-414 (SUB 8X)
Abandonment of line between MP 145.75 to 135

Jones, Doug [DCA]

to:

tlitwiler@fletcher-sippel.com

07/31/2014 09:39 AM

Cc:

"Gourley, Kathy [DCA]", "Christian, Ralph [DCA]", "King, Steve [DCA]",

"Diana.Wood@stb.dot.gov", "Jones, Doug [DCA]", SHPO106

Hide Details

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July 31, 2014

Mr. Litwiler,

We have received and reviewed the additional information that you recently provided to our office regarding the above referenced undertaking. We understand that this project will be a federal undertaking for the Surface Transportation Board (STB) and will need to comply with Section 106 of the National Historic Preservation Act and the National Environmental Policy Act. We make the following comments and recommendations based on our examination of this material and in accordance with Section 106 of the National Historic Preservation Act of 1966 and its implementing regulations, 36 CFR Part 800 (revised, effective August 5, 2004); the Advisory Council on Historic Preservation's Policy Statement on Affordable Housing and Historic Preservation (adopted November 9, 2006); and on The Advisory Council on Historic Preservation recently issued guidance in November 2011 on *Meeting the "Reasonable and Good Faith" Identification Standard in Section 106 Review*.

Based on your information, it appears that two previously recorded archaeological sites are located immediately adjacent to the proposed Area of Potential Effect, 13JP120 and 13MA490. Both of these archaeological sites are former historic period farmsteads neither of which has been fully evaluated for their potential eligibility for listing on the National Register of Historic Places. Since these two sites are adjacent to the Area of Potential Effect, it is our opinion that this undertaking will not affect either one

of these archaeological sites. Therefore, our office would concur with an agency's (STB) determination of No Historic Properties Affected by this undertaking if that determination was provided by the federal agency. Please forward a copy of the agency's letter of determination to our office upon its publication so that we can issue our formal concurrence and conclude our consultation on this project.

Please reference the Review and Compliance Number provided above in all future submitted correspondence to our office for this project. We look forward to further consulting with you and the Surface Transportation Board on this project. If design changes are made for this project which would involve undisturbed new rights-of-way or easements, please forward additional information to our office for further comment along with the Agency Official's determination of effect.

We have provided this **technical assistance** according to our responsibility defined by Federal law. It remains the responsible **Federal agency's decision** on how you will proceed from this point for this project.

This is the official SHPO comment letter for the above-referenced project, provided in accordance with Section 106 of the National Historic Preservation Act of 1966 and its implementing regulations, 36 CFR Part 800 (revised, effective August 5, 2004). Please note that you will not receive a hard copy of this letter by mail. There is no need to reply to this email unless you have specific questions. If you have any further questions, please feel free to contact me.

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