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November 8, 2024

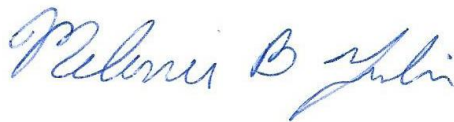
Ms. Danielle Gosselin
Director, Office of Environmental Analysis
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423

Re: **Docket No. AB-55 (Sub-No. 81X), CSX Transportation, Inc.—Abandonment
Exemption—in Marion County, IN**

Dear Ms. Gosselin:

Enclosed for electronic filing is a letter dated November 7, 2024, from the State of Indiana Department of Natural Resources Division of Historic Preservation & Archaeology finding that while the Eagle Creek Bridge may meet the criteria for inclusion in the National Register of Historic Places based on the information provided the DNR does not believe that the characteristics that qualify the bridge for inclusion in the National Register will be diminished as a result of the project. Additionally, DNR recommends that if any prehistoric or historic archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and Indiana Code 14-21-1-29) requires that the discovery be reported to the Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology within two (2) business days.

Sincerely yours,



Melanie B. Yasbin
Attorney for CSX Transportation, Inc.

Enclosure

Division of Historic Preservation & Archaeology 402 W. Washington Street, W274 Indianapolis, IN 46204-2739
Phone 317-232-1646 Fax 317-232-0693 dhpa@dnr.IN.gov

November 7, 2024

Melanie B. Yasbin
The Law Offices of Louis E. Gitomer, LLC
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Towson, Maryland 21204

Federal Agency: Surface Transportation Board

Re: Project information regarding the abandonment of a 1.8 mile length of rail line that runs parallel to
Kentucky Avenue on its Northeast Great Lakes Division, Indianapolis Terminal Subdivision,
Craven Industrial Track (STB Docket No. AB-55 (Sub-No. 818X); DHPA No. 32964)

Pursuant to Section 106 of the National Historic Preservation Act (54 U.S.C. § 306108) and 36 C.F.R. Part 800, the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has conducted an analysis of the materials dated October 8, 2024, and received October 8, 2024, for the above indicated project, which is proposed for areas located in Wayne Township, in the City of Indianapolis, Marion County, Indiana.

In terms of impacts of proposed project-related ground-disturbing activities to archaeological resources, based upon the submitted information and the documentation available to the staff of the Indiana SHPO, we have not identified any currently known archaeological resources listed in or eligible for inclusion in the National Register of Historic Places ("NRHP") within the proposed project area. However, this identification is subject to the ground-disturbing project-related activities remaining within areas disturbed by previous construction of a recent and non-historical nature. If archaeological deposits are encountered from the post-contact period, they will be evaluated regarding their eligibility for the NRHP in consultation with the staff of the Indiana SHPO. Please contact our office if such deposits are encountered. The archaeological recording must be done in accordance with the Secretary of the Interior's "Standards and Guidelines for Archaeology and Historic Preservation" (48 F.R. 44716) and a report of the archaeological documentation must be submitted to our office for review and comment.

If any prehistoric or historic archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and Indiana Code 14-21-1-29) requires that the discovery be reported to the Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and Indiana Code 14-21-1-29 does not obviate the need to adhere to applicable federal statutes and regulations, including but not limited to 36 C.F.R. Part 800.

In regard to buildings and structures, we have identified the following property within the probable area of potential effects, and we believe that it may meet the criteria of eligibility for inclusion in the National Register of Historic Places: Big Eagle Creek Bridge (Historic Bridge ID: HB-1066) as a whole consists of two different bridges, the Pennsylvania RR: Eagle Creek Bridge (Indiana Historic Sites and Structures Inventory ("IHSSI" No. 098-392-02674 and the Iron Rail Road (IHSSI No. 097-392-56145).

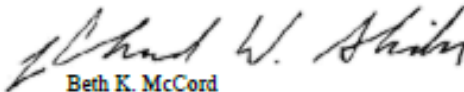
We note that the proposed project, in addition to abandoning the line, intends to remove the remaining rail and crossties, and possibly the upper layer of ballast but will not disturb sub-grade features or structures and will leave all bridges in place. Therefore, based on the information provided to our office, we do not believe the characteristics that qualify the above identified historic properties for inclusion in the National Register will be diminished as a result of this project.

Upon completing its own identification and evaluation efforts, it would be appropriate for the Surface Transportation Board to analyze the information that has been gathered from the Indiana SHPO, the general public, and any other consulting parties and make the necessary determinations and findings. Please refer to the following comments for guidance:

- 1) If the Surface Transportation Board believe that a finding of "No Adverse Effect" accurately reflects its assessment, then it shall provide documentation of its finding as set forth in 36 C.F.R. §800.11(e) to the Indiana SHPO, notify all consulting parties, and make the documentation available for public inspection (36 C.F.R. §§800.5 [b-c] and 800.2[d][2]).
- 2) If, on the other hand, the Surface Transportation Board believes that a finding of "Adverse Effect" accurately reflects its assessment, then it shall provide notification to the Advisory Council on Historic Preservation by providing the documentation in 36 C.F.R. §800.11(e) as stated in 36 C.F.R. §800.6(a)(1). Additionally, the Surface Transportation Board may proceed to provide documentation of its finding as set forth in 36 C.F.R. §800.11(e) to the Indiana SHPO, all consulting parties, and make the documentation available for public inspection and proceed to seek ways to avoid, reduce, and mitigate effects as stated in 36 C.F.R. §800.6(a)(2-5).

A copy of the revised 36 C.F.R. Part 800 that went into effect on August 5, 2004, may be found on the Internet at www.achp.gov for your reference. If you have questions about archaeological issues, please contact Wade T. Tharp at (317) 232-1650 or wtharp1@dnr.IN.gov. If you have questions about buildings or structures, please contact Toni Lynn Giffin at (317) 233-2803 or tgiffin@dnr.IN.gov. Additionally, in all future correspondence regarding the above indicated project, please refer to DHPA No. 32964.

Very truly yours,



Beth K. McCord
Deputy State Historic Preservation Officer

BKM:TLG:WTT:wtt

enc: Kevin Hardie, CSX Transportation, Inc.
David C. Navecky, Environmental Protection Specialist, Surface Transportation Board
Melanie B. Yashin, The Law Offices of Louis E. Gitomer, LLC