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Osage Nation Historic Preservation Office

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Date: April 20, 2023

File: 2223-3992IN-11

RE: STB, Norfolk Southern Railway Company, AB 290 (Sub-No. 411X) Abandonment Exemption, Evansville, Vanderburgh County, Indiana

Surface Transportation Board
Josh Wayland
395 East Street SW
Washington, D.C. 20423-0001

Sent via email

Dear Mr. Wayland,

The Osage Nation Historic Preservation Office has evaluated your submission and concurs that the proposed STB, Norfolk Southern Railway Company, AB 290 (Sub-No. 411X) Abandonment Exemption, Evansville, Vanderburgh County, Indiana **most likely will not adversely affect any sacred properties and/or properties of cultural significance to the Osage Nation.** For direct effect, the finding of this NHPA Section 106 review is a determination of "No Effect," as will be avoided.

In accordance with the National Historic Preservation Act, (NHPA) [16 U.S.C. 470 §§ 470-470w-6] 1966, undertakings subject to the review process are referred to in S101 (d) (6) (A), which clarifies that historic properties may have religious and cultural significance to Indian tribes. Additionally, Section 106 of NHPA requires Federal agencies to consider the effects of their actions on historic properties (36 CFR Part 800) as does the National Environmental Policy Act (43 U.S.C. 4321 and 4331-35 and 40 CFR 1501.7(a) of 1969). **The Osage Nation concurs that the Surface Transportation Board has fulfilled NHPA compliance by consulting with the Osage Nation Historic Preservation Office in regard to the proposed STB, Norfolk Southern Railway Company, AB 290 (Sub-No. 411X) Abandonment Exemption, Evansville, Vanderburgh County, Indiana.**

The Osage Nation has a vital interest in protecting its historic and ancestral cultural resources. With the recommended avoidance measures, we do not anticipate that this project will adversely impact any cultural resources or human remains protected under the NHPA, NEPA, the Native American Graves Protection and Repatriation Act, or Osage law. **If artifacts or human remains are discovered during project construction, we ask that work cease immediately and the Osage Nation Historic Preservation Office be contacted.**

Should you have any questions or need any additional information please feel free to contact me at the number and/or email address listed below. Thank you for consulting with the Osage Nation on this matter.

Andrea A. Hunter, Ph.D.
Director, Tribal Historic Preservation Officer

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Archaeologist