

From: [Tabachnick, Alan](#)
To: [Burns Yancho, Katlyn \(LEO\)](#); [Campbell, Coley](#); [Haag, Crista](#)
Cc: [Surface-Evans, Sarah \(LEO\)](#); [Assenza, Adam](#); [Gosselin, Danielle](#)
Subject: RE: Sec. 106 Consultation Request Response ER22-802 CNAE UDP
Date: Monday, October 30, 2023 11:31:55 AM
Attachments: [22-802 CNAE UDP Signed.pdf](#)
[image001.png](#)

Thank you for your review of our documentation and concurrence with our No Adverse Effect finding. We accept your request for the development of an Unanticipated Discoveries Plan and will be modifying your provided template to adopt for this project. We have attached the signed form, as per your request.

We appreciate your timely response to our submittal of additional information. If you have any questions, please let me know.

Alan Tabachnick

Federal Preservation Officer
 Surface Transportation Board
 Office of Environmental Analysis
 395 E St SW
 Washington, DC 20423

202-215-0367 (o)

202-934-8469 (e)

alan.tabachnick@stb.gov

From: Burns Yancho, Katlyn (LEO) <BurnsYanchoK@michigan.gov>
Sent: Monday, October 30, 2023 9:39 AM
To: Assenza, Adam <Adam.Assenza@stb.gov>; Tabachnick, Alan <alan.tabachnick@stb.gov>; Campbell, Coley <coley_J_campbell@csx.com>; Haag, Crista <Crista.Haag@arcadis.com>
Cc: Surface-Evans, Sarah (LEO) <SurfaceEvansS1@michigan.gov>
Subject: Sec. 106 Consultation Request Response ER22-802 CNAE UDP

Some people who received this message don't often get email from burnsyanchok@michigan.gov. [Learn why this is important](#)

Hello,

Please find the attached response to the consultation request noted above. Hard copies of our response can be mailed on request.

Please let me know if you have any questions.

Katlyn Burns Yancho
 Historian
State Historic Preservation Office
 300 N. Washington Square
 Lansing, MI 48913



Office: 517.335.9840 Direct: 517.256.3416
michigan.gov/shpo

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GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
MICHIGAN STRATEGIC FUND
STATE HISTORIC PRESERVATION OFFICE

QUENTIN L. MESSER, JR.
PRESIDENT

October 30, 2023

ADAM ASSENZA
SURFACE TRANSPORTATION BOARD
OFFICE OF ENVIRONMENTAL ANALYSIS
395 E STREET SW
WASHINGTON DC 20423

RE: ER22-802 CSX CGC Line Abandonment Project, T10N, R17W, Sec. 25, 33, 34, 35, 36, Muskegon,
Muskegon County (STB)

Dear Adam Assenza:

Under the authority of Section 106 of the National Historic Preservation Act of 1966, as amended, we have reviewed the above-referenced undertaking. Based on the information provided for our review, it is the opinion of the State Historic Preservation Officer (SHPO) that the proposed undertaking will have **no adverse effect** [36 CFR § 800.5(b)] on historic properties within the area of potential effects for the above-cited undertaking **provided the following condition is met:**

- Given the possibility for inadvertent discovery of human remains or archaeological material during the proposed construction activities, **SHPO requests development of an Unanticipated Discoveries Plan prior to construction and in consultation with SHPO.** A sample template for an Inadvertent Discovery Plan is enclosed. This document can be modified to suite your agency.

If you concur, the accompanying form must be signed by an agency official with legal authority to act on behalf of the agency [36 CFR § 800.2(a)]. Please return the signed original to us. Please note that the Section 106 review process will not be complete and STB's responsibility to comply with 36 CFR § 800.4, "Identification of historic properties," and 36 CFR § 800.5, "Assessment of adverse effects," will not be fulfilled until we have received this letter with the original signature of the agency official. **If the agency official disagrees with this condition, then consultation with this office shall be reopened per 36 CFR § 800.5(a).**

We remind you that federal agency officials or their delegated authorities are required to involve the public in a manner that reflects the nature and complexity of the undertaking and its effects on historic properties per 36 CFR § 800.2(d). The National Historic Preservation Act also requires that federal agencies consult with any Indian tribe and/or Tribal Historic Preservation Officer (THPO) that attach religious and cultural significance to historic properties that may be affected by the agency's undertakings per 36 CFR § 800.2(c)(2)(ii).

The State Historic Preservation Office is not the office of record for this undertaking. You are therefore asked to maintain a copy of this letter with your environmental review record for this undertaking. **If the scope of work changes in any way, please notify this office immediately. In the unlikely event that human remains, or archaeological material are encountered during construction activities related to the above-cited undertaking, work must be halted, and the Michigan SHPO and other appropriate authorities must be contacted immediately.**

STATE HISTORIC PRESERVATION OFFICE

300 North Washington Square | Lansing, MI 48913 | 888.522.0103

If you have any questions, please contact Katlyn Yancho, Historian, at 517-256-3416 or by email at yancho@michigan.gov. **Please reference our project number in all communication with this office regarding this undertaking.** Thank you for this opportunity to review and comment, and for your cooperation.

Sincerely,

A handwritten signature in blue ink, reading "Martha MacFarlane Faes".

Martha MacFarlane Faes
Deputy State Historic Preservation Officer

MMF:SES:SSE:KMBY

Enclosure: Unanticipated Discoveries Plan Template

copy: Crista M. Haag, Arcadis US, Inc
Coley J. Campbell, CSX Transportation, Inc.



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GOVERNOR

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PRESIDENT

October 30, 2023

ADAM ASSENZA
SURFACE TRANSPORTATION BOARD
OFFICE OF ENVIRONMENTAL ANALYSIS
395 E STREET SW
WASHINGTON DC 20423

RE: ACCEPTANCE LETTER

ER22-802 CSX CGC Line Abandonment Project, T10N, R17W, Sec. 25, 33, 34, 35, 36, Muskegon,
Muskegon County (STB)

We have received comments from the State Historic Preservation Office (SHPO) regarding the above-cited undertaking at the location noted above. We intend to follow the conditions as specified by the SHPO.

I concur:

Date: 10/30/23

Printed name and title of agency official: Danielle Gosselin, Director, Office of Environmental Analysis, STB



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