

From: [Wood, Diana](#)
To: bmc@harkinscunningham.com
Cc: [Tabachnick, Alan](#)
Subject: RE: Question Re: Section 106 Process in AB 1332X
Date: Friday, May 17, 2024 12:49:32 PM
Attachments: [Section 106 Regulations 36 CFR 800.pdf](#)
[36 CFR 800.5 Adverse Effects.docx](#)

Dear Mr. Chapdelaine,

There are a number of steps that need to be taken to resolve (potentially) adverse effects related to the 106 review. Please see the attached Federal Register Notice, and specifically 36 CFR 800.3; .4, and .5 for details of the review process, and also the second attachment outlining the steps in 36 CFR 800.5.

In additions, the following links to the Board's web site provide a summary of what is expected during the historic review.

<https://www.stb.gov/resources/environmental/historic-preservation-overview/>

<https://www.stb.gov/resources/environmental/faqs/>

Please let me know if you have additional questions. I've cc'ed Alan Tabachnick, our Federal Preservation Officer, who will be working on this with the SHPO to resolve the adverse effects.

Thanks,
Diana Wood

From: bmc@harkinscunningham.com <bmc@harkinscunningham.com>
Sent: Friday, May 17, 2024 11:35 AM
To: Wood, Diana <Diana.Wood@stb.gov>
Subject: Question Re: Section 106 Process in AB 1332X

Dear Ms. Wood,

I have a question regarding the STB/OEA's and Athens Transportation Partner's (ATP) role in the completion of the Section 106 process. It was my understanding that ATP's role in the Section 106 process concluded upon ATP filing its Environmental Report with the STB, and the STB/OEA would develop an MOA with SHPO (and ATP may or may not be a signatory).

However, I am a little confused by the language in the proposed condition in OEA's Draft Environmental Assessment which states: "ATP shall report back to [OEA] regarding any consultations with [SHPO]." Does this suggest ATP should conduct further consultation with SHPO? Is ATP to have a role in developing the MOA, other than (perhaps) signing it?

Thank you very much,

Brett Chapdelaine

Paralegal
Harkins Cunningham LLP