

From: [Tabachnick, Alan](#)
To: ER@dca.ga.gov
Cc: [Wood, Diana](#)
Subject: Environmental Review Form - Surface Transportation Board Docket No. AB 1332X, Abandonment in Clarke County
Date: Tuesday, July 9, 2024 5:23:14 PM
Attachments: [Env Review Form for GA SHPO 7-9-24.pdf](#)

We are pleased to submit this completed Environmental Review Form for the proposed abandonment of a segment of the Macon-Athens Railway, by the applicant, Athens Transportation Partners, LLC (ATP). This project was previously reviewed by your office and has an ID of: HP-230522-001. The project involves the National Register eligible Macon-Athens Railway. Your office noted that this resource was eligible and that the proposed abandonment would have an adverse effect. OEA has reviewed all of the project materials, as well as your comment letter from June 20, 2023, and has determined that the project could have an adverse effect if the Board authorizes the abandonment and the line is salvaged. The removal of rail infrastructure from the corridor would impact the integrity of the resource.

We look forward to consulting with your office on a memorandum of agreement for this project. If you have any questions, please let me know.

Thanks very much.

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 (c)
alan.tabachnick@stb.gov

Environmental Review Form

At a minimum, the Historic Preservation Division (HPD) requires the following information in order to review projects in accordance with applicable federal or state laws. Please note that the responsibility for preparing documentation, including items listed below, rests with the federal or state agency or its designated applicant. *HPD's ability to complete a timely project review largely depends on the quality and detail of the material submitted. If insufficient information is provided, HPD may need to request additional materials, which will prolong the review process. For complex projects, some applicants may find it advantageous to hire a preservation professional with expertise in history, architectural history, and/or archaeology, who would have access to the Georgia Archaeological Site Files and an understanding of HPD's publicly available files.*

**THERE IS A 30-DAY REVIEW PERIOD FROM THE DATE HPD RECEIVES THE SUBMITTAL.
SHOULD ADDITIONAL INFORMATION BE REQUESTED, PLEASE NOTE THE 30-DAY PERIOD RESTARTS.**

I. General Information

A. Project Name: _Docket No. AB 1332X - Athens Transportation Partners, LLC Abandonment Exemption_____

Project Address: 6.5 miles along rail corridor _____

City: _____ Athens _____ County: _____ Clarke County _____

B. Federal Agency Involved: _Surface Transportation Board, Office of Environmental Analysis _____

State Agency Involved (if applicable): _____

C. Agency's Involvement (check all that are applicable):

☐ Funding (grant, loan, etc.)

☐ Unknown

☒ License/Permit

☐ Other, please explain: _____

☐ Direct/Agency is performing the action

D. Type of Review Requested:

☒ Section 106 of the National Historic Preservation Act (Federal agency involvement)

☐ Section 110 of the National Historic Preservation Act (Federally owned properties)

☐ Georgia Environmental Policy Act (GEPA; State agency involvement)

☐ State Agency Historic Property Stewardship Program/State Stewardship (State owned properties)

☐ Unknown

E. Contact Information: ☒ **Applicant** ☐ **Consultant**

Name/Title/Company: Paul A. Cunningham, Counsel for Athens Transportation Partners LLC _____

Address: 1750 K St. N.W. Suite 300 _____

City/State/Zip: Washington, DC 20006 _____

Phone: 202-973-7601 _____ Email: pac@harkinscunningham.com _____

Agency Contact Info (either State or Federal, according to review type):

Name/Title/Agency: Alan Tabachnick, Federal Preservation Officer, Surface Transportation Board _____

Address: 395 E Street SW _____

City/State/Zip: Washington, DC 20423 _____

Phone: 202-934-8469 _____ Email: alan.tabachnick@stb.gov _____

B. Project Description and Plans This should include a *detailed scope of work*, including *any* actions to be taken in relation to the project, such as all aspects of new construction, replacement/repair, demolition, ground disturbance, and all ancillary work (temporary roads, etc.), as applicable. Attach additional pages if necessary. If a detailed scope of work is not available yet, please explain and include all preliminary information:

The proposed project is the abandonment of 6.5 miles of railroad located in Clarke County, GA. Athens Transportation Partners LLC (ATP) filed a notice of exemption with the STB seeking authority to abandon. The rail line proposed for abandonment extends from the northern side of the Oconee River trestle bridge in Athens-Clarke County north to a point near East Broad Street in the city of Athens. If the Board grants abandonment authority, ATP will be able to salvage any track and related material from the rail corridor, dismantle any rail related structures within the corridor and dispose of the right-of-way (ROW).

C. Land Disturbing Activity This should include a detailed description of all horizontal and vertical ground disturbance, such as haul roads, cut or fill areas, excavations, landscaping activities, ditching, utility burial, grading, water tower construction, etc., as applicable:

Land disturbing activities would likely include equipment staged within the rail ROW as part of the salvage activities, as well as possible disturbance to the ground surface within the ROW as the materials are being salvaged. It is unknown what methodology might be used to undertake salvage activities, if authority for abandonment is granted by the Board.

D. Has this identical project or a related project been previously submitted to HPD for review? YES ☒ NO ☐

**If yes, please enclose a copy of HPD's previous response*

SHPO response letter is included in the attached materials. Letter dated 6/30/23, HP-230522-001

E. Is this project also being reviewed under a tax incentive program administered through HPD? YES ☐ NO ☒

F. Is this review request in order to satisfy an application requirement, such as for a grant? YES ☐ NO ☒

**If yes, are project plans/scope of work available yet?* YES ☐ NO ☐

**If yes, please enclose a copy of the project plans/scope of work as outlined in II.B and II.C above*

III. Site Information

A. In the past this property has been used for:

- | | | |
|----------------------|------------------------------|-----------------------------|
| 1. Farming | YES ☐ | NO ☐ |
| 2. Pasture | YES ☐ | NO ☐ |
| 3. Mining | YES ☐ | NO ☐ |
| 4. Timbering | YES ☐ | NO ☐ |
| 5. Road construction | YES ☐ | NO ☐ |
| 6. Housing | YES ☐ | NO ☐ |
| 7. Landfill | YES ☐ | NO ☐ |
| 8. Commercial | YES ☐ | NO ☐ |
| 9. Industrial | YES ☐ | NO ☐ |
| 10. Other (explain): | Railroad Corridor | |

B. Describe what currently exists on the property today and give approximate construction dates for existing buildings along with any known history (i.e. buildings, parking lot, outbuildings, woods, grass, garden, etc.):

Unused railroad line, tracks, ballast, rail, culverts. No buildings.

Cultural Resources

Background research for previously identified properties within the project area may be undertaken at HPD, including National Register of Historic Places files, county and city surveys, and identified sites files. Additionally, research at the Georgia Archaeological Site Files (GASF) in Athens may be undertaken by a qualified archaeologist or site file staff. To make a research appointment or find contact information for GASF, please visit our website. **Please note that as part of the review process, HPD may request an archaeological survey or resource identification.**

C. To your knowledge, has a cultural resources assessment or a historic resources survey been conducted in the project area? YES ☒ NO _____ DO NOT KNOW _____ (see: <https://www.dca.ga.gov/georgia-historic-preservation-division/national-register-research-survey/historic-resource-surveys>)

**If yes, provide the title, author, and date of the report:*

Information was submitted to the SHPO in 2023, and a response was received on 6/20/23 noting that the segment of the Macon-Athens Railway line proposed for abandonment was eligible for the National Register, and that the abandonment would have an adverse effect.

D. Area of Potential Effect (APE)

The APE is the geographic area or areas within which a project may cause changes (or effects). These changes can be direct (physical) or indirect (visual, noise, vibrations) effects. The APE varies with the project type and should factor in topography, vegetation, existing development, physical siting of the project, and existing/planned development. For example:

<i>If your project includes...</i>	<i>Then your APE would be...</i>
Rehabilitation, renovation, and/or demolition of a building or structure, or new construction	the building or property itself and the surrounding properties/setting with a view of the project
Road/Highway construction or improvements, streetscapes, pedestrian or bicycle facilities	the length of the project corridor and the surrounding properties/setting with a view of the project
Above ground utilities, such as siren/radio towers, water towers, pump stations, retention ponds, etc.	the area of ground disturbance and the surrounding properties/setting with a view of the project
Underground utilities	the area of ground disturbance

Based on this information, **identify the APE for your project, similar to above AND describe what exists within it.**

Please provide approximate construction dates for existing buildings within the APE (ie. is it modern or historic residential or commercial development, undeveloped, etc.):

The APE for the proposed abandonment includes the entire right-of-way for the approximately 6.5 miles, ranging from 75 to 100 feet in width. There would be no changes outside of the right-of-way if the abandonment is approved by the Board. The line was constructed between 1885 and 1888.

E. Is the project located within or adjacent to a National Register of Historic Places (NRHP) listed or eligible historic property or district or a locally designated property or district?

YES ☒ NO _____ DO NOT KNOW _____

**If yes, please provide names:* A segment of the Macon-Athens Railway line

F. Within the project APE as identified in IV.B, are there any other buildings or structures that are 50 years old or older?

YES _____ NO ☒ DO NOT KNOW _____

**If yes, provide current photographs of each building or structure and key the photos to a site map.*

G. Are any of the buildings or structures identified in IV.D listed or eligible for listing in the NRHP?

YES ☒ NO _____ DO NOT KNOW _____

**If yes, please identify the properties (by name or photo #).* The railroad itself is eligible for the NRHP

H. Effects Information

1. Does the project involve the rehabilitation, renovation, relocation, demolition or addition to any building or structure that is 50 years old or older? YES ☒ NO _____

2. Will the project take away or change anything within the apparent or existing boundary of any of these historic properties? YES ☒ NO _____

**If yes, please explain:* _____ The segment of rail line would be salvaged, if abandonment is approved, removing railroad related infrastructure. OEA has reviewed all project materials, and the SHPO's letter, and has determined that the abandonment, if approved by the Board, could have an adverse effect on the Macon-Athens Railway line by removing character-defining features and the materials of the line, impacting its integrity. OEA also agrees with SHPO that the preparation of a MOA is appropriate.

Will the project change the view from or of any of these properties?

YES _____ NO ☒

**If yes, please explain:* _____

3. Will the project introduce any audible or atmospheric elements to the setting of any of these historic properties (such as light, noise, or vibration pollution)? YES ____ NO **X**

**If yes, please explain:* _____

4. Will the project result in a change of ownership for any historic properties? YES ____ NO **X**

**If yes, please explain:* _____

IV. Required Materials (Submittal Checklist)

- ☐ Complete Environmental Review Form
 - Include all contact information as HPD will respond via email to the submitter.
- ☐ Map indicating:
 - Precise location of the project (USGS topographic map preferred: <http://www.digital-topo-maps.com/>¹).
 - In urban areas, please also include a city map that shows more detail
 - Boundaries of the APE as noted in section II above
 - Location of resources indicated in section IV.C through E
- ☐ Detailed project plans to supplement section II.B, including (if applicable and available):
 - Detailed scope of work
 - Site plans (before and after)
 - Project plans
 - Elevations
- ☐ High-resolution current color photographs (max 2 photos per page) illustrating:
 - The project area, the entire APE as defined in section IV, and resources indicated in section IV.C through E
 - Any adjacent properties that are within the APE, with clear views of buildings or structures, if applicable
 - If the project entails the alteration of existing historic structures, please provide **detail** photographs of existing conditions of sites, buildings, and interior areas/materials to be impacted
 - ****Google Street view and publicly available Tax Assessor images will not be accepted**
- ☐ Photography key (map or project plans can be used) indicating:
 - Location of all photographs by photo number
 - Direction of view for all photographs
- ☐ Any available information concerning known or suspected archaeological resources in the APE.

HPD recommends submitting projects online using our ER Online Project Submittal Portal—to register as a system user & create projects in the system, see the guidance document found here: <https://www.dca.ga.gov/node/8233>

Electronic submission of projects via email to ER@dca.ga.gov remains an option when technical issues arise with the online portal.

Documents too large to send via email may be shared only through Microsoft OneDrive file sharing; however, large documents are easily appended to projects created in the online system

HPD no longer accepts project materials for review via mail, with the exception of archival mitigation documentation, as applicable.

¹ Please note, this is not a complete list of websites with topographic map information. This website is not controlled by HPD and HPD bears no responsibility for its content.



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

July 9, 2024

Jennifer Dixon
Division Director
Deputy State Historic Preservation Officer
Georgia Department of Community Affairs, Historic Preservation Division
60 Executive Park South, NE
Atlanta, GA 30329-2231

Re: Docket No. AB 1332X, Athens Transportation Partners, LLC — Abandonment
Exemption — In Clarke County, Ga.; SHPO Case - HP-230522-001; Finding of
Adverse Effect

Dear Ms. Dixon:

Athens Transportation Partners, LLC (ATP) has filed for authority from the Surface Transportation Board (Board) to abandon a line of railroad in Clarke County, Georgia. The rail line proposed for abandonment is approximately 6.5 miles in length and extends from milepost F-MP 98.8 on the north side of the Oconee River trestle bridge in Athens-Clarke County north to milepost F-MP 105.3 near East Broad Street in the city of Athens (the Line). On May 17, 2024, the Board's Office of Environmental Analysis (OEA) issued a Draft Environmental Assessment (EA) for the proposed abandonment and issued a Final EA on June 7, 2024. In the Final EA, OEA recommended that the Board impose a Section 106 condition on any decision granting abandonment authority requiring ATP to retain its interest in and take no steps to alter historic properties eligible for listing on the National Register of Historic Places (National Register) until completion of the Section 106 process. If approved by the Board, ATP would be able to salvage the track, and other railroad appurtenances and to dispose of the right-of-way after the Section 106 condition is removed.

Prior to filing for abandonment authority, ATP submitted an historic report as required by the Board's environmental rules [49 C.F.R. § 1105.8(a)] and provided the report to the Georgia Department of Community Affairs, Historic Preservation Division (State Historic Preservation Office or SHPO), pursuant to 49 C.F.R. § 1105.8(c).¹ By letter dated June 20, 2023

¹ Applicants seeking authority from the Board to abandon railroad lines may act on behalf of the Board when complying with the Section 106 regulations of the NHPA. Applicants are authorized to initiate the Section 106 review process and carry out some of its steps, but the

(Project #HP-230522-001), your office noted that the Line is a segment of the Macon-Athens Railway line and is eligible for listing on the National Register. Your office also stated that the proposed abandonment would have an adverse effect on historic resources pursuant to the National Historic Preservation Act (NHPA) and that preparation of a Memorandum of Agreement (MOA) in accordance with 36 C.F.R. § 800.5(a)(2) would be needed to resolve the adverse effects.

OEA has reviewed the materials, including the historic report and the comments and findings submitted by the SHPO. Based on this review, OEA has determined that the proposed abandonment would have an Adverse Effect on the eligible Macon-Athens Railway due to the salvage and removal of all railroad-related infrastructure within the right-of-way, which would impact the integrity of the resource. Accordingly, OEA intends to prepare a Memorandum of Agreement (MOA), in consultation with the SHPO, which will include appropriate measures to address the adverse effect of the proposed undertaking.

OEA will follow up with your office to continue consultation regarding the preparation of the MOA for this project. If you have any questions, or require additional information, please contact Alan Tabachnick, the Board's Federal Preservation Officer at alan.tabachnick@stb.gov or 202-934-8469.

Sincerely,



Danielle Gosselin
Director
Office of Environmental Analysis

Cc: Athens Transportation Partners
Alabama-Quassarte Tribal Town
Cherokee Nation
Coushatta Tribe of Louisiana
Muscogee (Creek) Nation

Board retains overall responsibility for the Section 106 review. See 36 C.F.R. § 800.2(c)(4); 49 C.F.R. Part 1105; Delegation Letter (Dec. 9, 2009). The Delegation Letter can be found on the Board's website at <https://stb.gov/resources/environmental/historic-preservation-overview/>.

June 20, 2023

Anna Ingwersen
Project Manager
CHA Consulting
270 Peachtree Street Northwest Suite 1500,
Atlanta, Georgia 30303

**RE: Proposed Rail Abandonment: Macon-Athens Railroad, Oconee River to F-MP
105.3, Athens
Clarke County, Georgia
HP-230522-001**

Dear Ms. Ingwersen:

The Historic Preservation Division (HPD) has received the information submitted concerning the above referenced project. Our comments are offered to assist the Surface Transportation Board (STB) and its applicants in complying with the provisions of Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA).

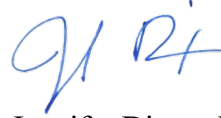
The subject project consists of the proposed abandonment of a segment of the Macon-Athens Railway line from the northern end of the Oconee River trestle bridge to approximate milepost F-MP 105.3 near East Broad Street in Athens. Based on the information provided, HPD finds that the Macon-Athens Railway is eligible for listing in the National Register of Historic Places (NRHP) at a state level of significance under Criteria A and C for its contributions to the transportation and engineering history of the State of Georgia. Therefore, it is HPD's opinion that the subject project of abandonment constitutes an **adverse effect** to historic properties that are eligible for or listed in the NRHP, as defined in 36 CFR Part 800.5(a)(2), by definition.

HPD would like to note that this determination of an adverse effect is not the end of the Section 106 consultation process. When an adverse effect to a historic property is found, the federal agency must notify the Advisory Council on Historic Preservation (ACHP) of the determination and draft a Memorandum of Agreement (MOA) in order to resolve the adverse effect. If the federal agency delegates ACHP notification responsibility to the applicant, the applicant should utilize the ACHP's e-notification system available here: <https://www.achp.gov/e106-email-form>. If the federal agency delegates the drafting of a MOA to the applicant, the applicant should visit the ACHP's Guidance on Agreement Documents webpage, found here: <https://www.achp.gov/initiatives/guidance-agreement-documents> and utilize the MOA template found therein.

Please include all avoidance and minimization measures as stipulations in the draft MOA. HPD will review the draft MOA and should be provided the opportunity to review any associated deliverables stipulated therein, within 30 days of receipt. Absent federal agency involvement, HPD is available to provide technical assistance in resolving adverse effects.

Please refer to project number **HP-230522-001** in any future correspondence regarding this project. If we may be of further assistance, please contact Olivia Kendrick, Environmental Review Historian, at Olivia.Kendrick@dca.ga.gov or (404) 448-6425 or Elijah Huszagh, Compliance Review Archaeologist, at Elijah.Huszagh@dca.ga.gov.

Sincerely,



Jennifer Dixon, MHP, LEED Green
Associate
Division Director
Deputy State Historic Preservation Officer

JAD/olk

cc: Lydia Joffray, Northeast Georgia Regional Commission
Beth Evanson, DCA Regional Commission, Region 5
Paul Cunningham, Harkins and Cunningham LLP