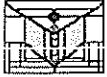


EO-2432



Re: FD 35523 Flat Rock River Bridge MOA 
David Navecky to: Louis E. Gitomer

12/04/2014 07:59 AM

Lou -

I have spoken with Cathy Draeger-Williams at the Indiana SHPO's office about your changes. We concur with the deletion of "dating on or before December 31, 1939." However, we both feel that defining the area subject to a stop work order in the event of an unanticipated discovery to the land within a 25-foot radius of the discovery to be too loose. The areal extent of an unanticipated discovery could readily extend beyond a 25-foot radius; and therefore, that radius could provide insufficient protection to the subject discovery. Cathy and I agree that a 100-foot radius would be more appropriate. The 100-foot distance mirrors that used by Indiana to define when a cemetery plan is required (i.e., when ground-disturbing activities would occur within 100-feet of a cemetery).

If these revisions are acceptable to you, I'll circulate the MOA for signature.

Thanks,

Dave

Dave Navecky
Office of Environmental Analysis
Surface Transportation Board
395 E Street SW
Washington, DC 20423
202-245-0294
www.stb.dot.gov

"Louis E. Gitomer" Dave - Attached is a redline of the MOA for the... 11/28/2014 11:05:07 AM

From: "Louis E. Gitomer" <Lou@lgrailaw.com>
To: "David.Navecky@stb.dot.gov" <David.Navecky@stb.dot.gov>,
Date: 11/28/2014 11:05 AM
Subject: FD 35523 Flat Rock River Bridge MOA

Dave – Attached is a redline of the MOA for the Flat Rock River Bridge. With these minor changes the MOA is acceptable to CSXT. If you have any questions or disagree with the changes, let me know. Thanks. Lou

Louis E. Gitomer
600 Baltimore Avenue, Suite 301
Towson, MD 21204
(410) 296-2250
Lou@lgrailaw.com

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or email at Lou@lgrailaw.com, and destroy the original message. Thank you.
[attachment "20141126 Draft MOA Redline.doc" deleted by David Navecky/STB]