



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

August 1, 2014

Charlene Dwin Vaughn, AICP
Assistant Director, Office of Federal Agency Programs
Federal Permitting, Licensing and Assistance Section
Advisory Council on Historic Preservation
401 F Street NW, Suite 308
Washington, D.C. 20001-2637

**Re: STB Docket No. FD 35756—Hartwell Railroad Company—Notice of
Exemption to Construct—In Elbert County, GA; Notification of Adverse Effect**

Dear Ms. Vaughn:

In this proceeding, the Hartwell Railroad Company (Hartwell) filed a verified notice of exemption with the Surface Transportation Board (STB or Board) seeking the Board's authority to construct approximately 1,360 feet of rail line (the Proposed Action) that would connect the existing Hartwell rail lines with a rail line owned and operated by CSX Transportation, Inc. (CSXT) in Elberton, Elbert County, Georgia. The Proposed Action would occur on land within existing rail right-of-way owned by Hartwell. The Board's approval of this proposed construction is considered the Undertaking under Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f) (NHPA) and is thus covered under its provisions.

The Board's Office of Environmental Analysis (OEA) is responsible for ensuring the agency's compliance with the National Environmental Policy Act (NEPA) and NHPA. Based on available information, the Georgia Department of Natural Resources, State Historic Preservation Office (SHPO) submitted comments to OEA indicating that the Hartwell and CSXT rail lines are both eligible for listing on the National Register of Historic Places (National Register) for transportation and commerce, but that the Proposed Action would have no adverse effect on these resources because both lines are still active.

SHPO did, however, comment that the **buildings at the former Century Granite Company are eligible for listing on the National Register for industry due to their association with Elberton's unique status as "Granite Capital of the World,"** and that the demolition of these buildings as a result of the Proposed Project constitutes an adverse effect to these resources. We concur with this finding, and pursuant to the Advisory Council on Historic Preservation's regulations for implementing the Section 106 process of the NHPA at 36 CFR

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800.6(a)(1), are notifying you that the Proposed Action may adversely affect these historic resources.

OEA has initiated consultation, has completed an Environmental Assessment identifying historic resources, by this letter is determining an adverse effect, and is now developing a Memorandum of Agreement (MOA) with SHPO and Hartwell to mitigate adverse effects to the National Register eligible resource. Because this matter is not controversial and because SHPO, Hartwell, and OEA are working closely together and are in agreement, we do not believe that your participation in the resolution of adverse effects is necessary at this time.

The following documents, which describe the proposed undertaking and provide information regarding the rail line pursuant to 36 CFR 800.11(e), are enclosed for your review: 1) the Verified Notice of Exemption that describes the Proposed Action and the Undertaking by the Board; 2) the July 1, 2014 Environmental Assessment prepared by OEA, which describes the area of potential effect, and includes photographs and maps, describes the steps taken by OEA to identify historic properties, describes the Proposed Action's effects on historic properties; and describes OEA's efforts to engage consulting parties, and 3) correspondence, dated January 9, 2014 and January 16, 2014, from the SHPO. Furthermore, all outgoing and incoming correspondence to and from federal, state, and local agencies, organizations, Tribes, individuals, and other interested parties is posted and available for public review on the Board's website. All correspondence between signatory and any consulting parties to the MOA, including draft copies of the MOA and the executed MOA, will also be posted on the Board's website for public review.

If you have any questions, require additional information regarding this proceeding, or have any concerns, please do not hesitate to contact Diana Wood of my staff at 202-245-0302.

Sincerely,



Victoria Rutson
Director
Office of Environmental Analysis

Attachments

cc: Najah Duvall-Gabriel, ACHP
Jennifer Dixon, Georgia SHPO (HP-131217-002)
Matthew Williams, Attorney for Hartwell Railroad
Kevin Starner, Skelly and Loy, Inc.