

Arthur Daughton
2269 Lyell Avenue
Rochester, NY 14606
October 11, 2012

Catherine Glidden
Environmental Protection Specialist
Office of Environmental Analysis
The Surface Transportation Board
Washington, DC 20423

**Re: Finance Docket AB 167 (Sub-No. 1162X): Surface Transportation Board
Memorandum of Agreement for Review and Comment**

Dear Ms. Glidden,

I am writing to you regarding the 1905 Hojack Swing Bridge in the Port of Rochester, NY. As you are undoubtedly aware, the Hojack is eligible under the guidelines promulgated by section 106 of the National Historic Preservation Act of 1966 (NHPA) for inclusion on the National Register of Historic Places. Considering that this 107 year old bridge is eligible for inclusion on the above referenced Register, we are requesting a full review of the Memorandum of Agreement (MOA) put forth by the Surface Transportation Board, dated September 24, 2012.

As indicated by the MOA, the Presidential Advisory Council on Historic Preservation chose not respond to this MOA.

Section 106 of the NHPA clearly indicates that before any action is undertaken by any Federal Agency which would affect any district, site, building, structure or object that is included in or eligible for inclusion on the National Register, the effect of said action must be reviewed and the Presidential Advisory Council on Historic Preservation allowed sufficient time and opportunity to comment with regard to said action.

The Surface Transportation Board failed in its Federally mandated responsibility to allow sufficient time and opportunity for the Rochester Community at large, including but not limited to various local and national Historic Preservation organizations, businesses and entrepreneurs to review and comment on the MOA of September 24, 2012.

Hojack's Heroes, a group of business leaders, professionals and volunteers have set forth a detailed business plan with professionally rendered architectural conceptualizations, to re-purpose the 1905 Hojack Swing Bridge into a viable economic endeavor and tourist attraction. As such, we at Hojack's Heroes are requesting a complete, detailed and concise (Section 106) review of the September 24, 2012 MOA.

We would like thank you in advance for your time and attention to this request. Your prompt response is anticipated.

Very Best Regards,

Arthur Daughton
Hojack's Heroes Board Member