

**OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION**

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May 24, 2010

Reply In Reference To: STB070814A

Amador County Historical Society
Gary Reinoehl, Board Member
P.O. Box 761
Jackson, CA 95642

RE: Abandonment Exemption, Amador Central Railroad, STB Docket No. AB-512X, Amador County, CA

Dear Mr. Reinoehl:

Thank you for your letter dated March 15, 2010, in which you outlined the positions of the Amador County Historical Society (ACHS) regarding the above-mentioned Undertaking. In brief, Sierra Pacific Industries (SPI) submitted a request to the Surface Transportation Board (STB) for an abandonment exemption for approximately 12 miles of the Amador Central Railroad between milepost 0.0 at Lone and milepost 12.0 at Martell in Amador County. In consultation between my office, STB, SPI, and ACHS, this abandonment was determined to constitute an adverse effect as defined by Section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. 470f), as amended, and its implementing regulation at 36 CFR Part 800.

In order to resolve the adverse effects, my office, STB, and SPI signed a Memorandum of Agreement (MOA) in 2008. While the Amador County Board of Supervisors also signed the document as a concurring party, ACHS declined to sign the document. In a letter dated March 3, 2010, STB notified ACHS that SPI had met all but one of the stipulations included in the MOA, with the installation of a marker or plaque being the only action remaining. It is now my understanding that a plaque has been installed, so no outstanding stipulations remain.

In your March 15, 2010, letter, you state that SPI has not complied with the stipulations contained in the MOA in a manner satisfactory to ACHS. You also requested that I consider proposing an amendment to the MOA in accordance with the process outlined in that document. Your letter specifies a number of complaints regarding the MOA and the way its stipulations have been carried out. Your specific proposed amendments are summarized as follows:

1. HABS/HAER recordation of the entire historic property.
2. Negotiate a new leaseholder/owner of the rail line.
3. ACHS and SHPO approval of the placement, design, and content of the plaque.
4. Determine the appropriate video recordation of the historic property.
5. Designate the Amador County Library and Amador County Archives as repositories of the final report.
6. Funding from SPI to Amador County to reopen the Amador County Museum.
7. Funding from SPI to prepare recovered materials for archival storage.
8. Transfer the safe from the Martell Station to the Amador County Museum.
9. Provide an opportunity for County staff and other interested parties to remove materials and buildings of historic value from the Martell Depot area.
10. Consider a reduction of the cost for long-term lease or sale price of the right of way for preservation.

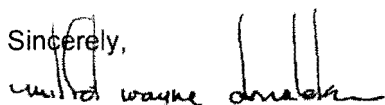
While I agree that circumstances that followed the execution of the MOA have been unfortunate, I do not believe they warrant an amendment to the MOA. Most of the specific items you listed in your letter

have either been resolved by the existing MOA or are beyond the appropriate level of involvement for my office. However, in accordance with Stipulation IV.A.2 (Distribution of Final Report), I encourage STB and SPI, who are being copied on this letter, to consider point number 6 above and to ensure that copies of the final report and any other documentation efforts be provided to the Amador County Library and Amador County Archives. These are appropriate repositories for public access to these records.

Some of the other items, such as the transfer of the safe and other artifact recovery efforts, would be excellent gestures for SPI to accept and undertake, but I do not feel it would be appropriate to propose an amendment to the MOA to enforce those actions. However, because this rail line has been determined eligible for the National Register of Historic Resources (NRHP), it is a historic resource for the purposes of the California Environmental Quality Act (CEQA). Therefore, it will be necessary for Amador County to comply with CEQA regulations for future rail removal proposals within these NRHP-eligible 12 miles of the Amador Central Railroad.

If you require further information, please contact Mark Beason, State Historian II, at 916-653-8902 or mbeason@parks.ca.gov.

Sincerely,



Milford Wayne Donaldson, FAIA
State Historic Preservation Officer

Cc:

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