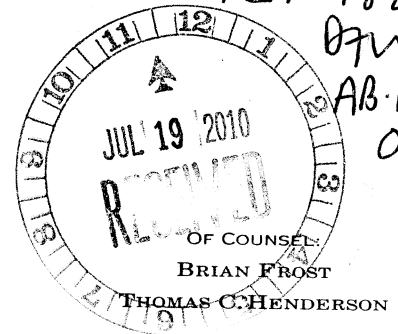


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July 12, 2010

Section of Environmental Analysis
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423-0001

Re: *Michigan Air-Line Railway Co.-Abandonment
Exemption-Line in Oakland County, Michigan,
STB Docket No. AB-1053*

Greetings:

I am an attorney for Michigan Air-Line Railway Co., which filed a Notice of Exemption with the STB's office of proceedings on July 8, 2010, in the above-referenced docket. Prior to filing the exemption notice, I sent a copy of the proposed Environmental and Historic Report to 18 governmental agencies, with a request that each agency review the proposed report and advise the Section of Environmental Analysis and me as to any questions or concerns regarding the report.

One of the agencies receiving a copy of the proposed Environmental and Historic Report is the Michigan State Historic Preservation Office. Subsequent to mailing the exemption notice for filing at the STB, I received a letter from that office in response to the proposed Environmental and Historic Report. I am enclosing a copy of that letter, which explains the submission of projects for review under Section 106 [36 CFR § 800.11]. However, I do not understand this letter as requiring Michigan Air-Line Railway Co. to submit the abandonment exemption notice for review under Section 106, and it is my opinion that no such submission is required. As indicated in the Environmental and Historic Report, which is included in the recently-filed Notice of Exemption, there are no structures on the line to be abandoned which are 50 years old or older.

Section of Environmental Analysis
Surface Transportation Board
July 12, 2010
Page 2 of 2

However, if you should determine that a submission to the Michigan State Historic Preservation office is needed, please let me know at your earliest convenience.

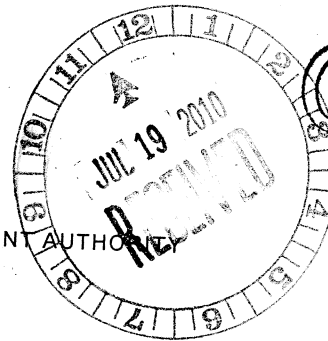
Very truly yours,

A handwritten signature in black ink, appearing to read 'W. Robert Alderson', written in a cursive style.

W. Robert Alderson
ALDERSON, ALDERSON, WEILER,
CONKLIN, BURGHART & CROW, L.L.C.

WRA:bjb

cc: R. Robert Butler
Dirk H. Beckwith, Esq.



COPY

JENNIFER GRANHOLM
GOVERNOR

STATE OF MICHIGAN
MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY
LANSING

KEITH MOLIN
EXECUTIVE DIRECTOR

June 25, 2010

W ROBERT ALDERSON
ALDERSON ALDERSON WEILER
CONKLIN BURGHART & CROW LLC
P O BOX 237
TOPEKA KS 66601-0237

RECEIVED

JUL 06 2010

ALDERSON, ALDERSON, WEILER
CONKLIN, BURGHART & CROW, LLC

RE: Michigan Air-Line Railway Co. - Abandonment Exemption - Line In Oakland County, MI,
STB Docket No. AB-1053

Dear Mr. Alderson:

It appears that you are initiating consultation with the State Historic Preservation Office (SHPO) under Section 106 of the National Historic Preservation Act of 1966, as amended.

Section 106 requires federal agencies to take into account the effect of their undertakings on historic properties. The Section 106 regulations specify what is required for a Section 106 review [36 CFR § 800.11]. It is the responsibility of the federal agency, not the SHPO, to fulfill the requirements of Section 106. Thus, it is *the federal agency's* responsibility to apply the criteria for listing on the National Register of Historic Places to properties within the project's area of potential effects and provide the SHPO with a determination regarding the impact on historic properties. In some instances, the federal agency may delegate legal responsibility to a state, local, or tribal government. Consultants or designees contracted to prepare information, analyses, or recommendations, are not recognized as federally-delegated authorities. For your reference, a complete version of the Section 106 regulations can be found at www.achp.gov/regis.html.

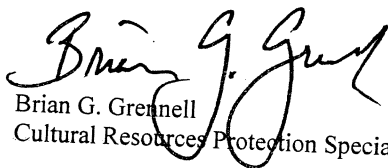
The mandatory application form and instructions for submitting projects for review under Section 106 may be downloaded in MS Word format from our website at <http://www.michigan.gov/shposection106>. Please read each requirement carefully in its respective field, and respond in full. In addition, please ensure that future project submissions will utilize the application form. Incomplete applications and projects not submitted on the application forms will be sent back to the applicant without comment.

If at this time, you are seeking information on above-ground historic resources that are listed in the National Register of Historic Places or in the State Register of Historic Sites, please refer to the Michigan Sites Online website at: <http://www.michiganhistory.org/preserve/michsite/index.html>. The SHPO cannot conduct such research on your behalf. For information regarding archaeological sites, please contact the State Archaeologist, Dr. John Halsey, at (517) 373-6358.

If you have any questions, please contact Brian Grennell, Environmental Review Specialist, at (517) 335-2721 or by email at ER@michigan.gov. **Please reference our project number in all communication with this office regarding this undertaking.** Thank you for your cooperation.

Thank you for your cooperation.

Sincerely,


Brian G. Grennell
Cultural Resources Protection Specialist

for Brian D. Conway
State Historic Preservation Officer

Enclosure(s)

