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CHARLES H. MONTANGE

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5 December 2003

(express delivery)



Mark A. Miles,
Director and Deputy State
Historic Preservation Officer
Judith Deel
State Historic Preservation Office
100 East High Street
Jefferson City, MO 65101

AB-863X

Re: SHPO Log Number (012-SLC-04)
STB dkt. AB 863, Notice of Exempt
Abandonment, City of Venice

Dear Mr. Miles and Ms. Deel:

This letter, on behalf of City of Venice, is in referenced to your letter of November 18, attached, and follows up several calls I attempted to place during the week of December 1. In the referenced letter, Missouri SHPO determines that "the proposed abandonment and subsequent renovation for highway use" of a two mile line of railroad owned by City of Venice (IL), approximately one half mile of which lies within Missouri, "could have an adverse effect on the historic fabric of the McKinley Bridge." You then call on STB to submit the matter to the Executive Director of the Advisory Council on Historic Preservation.

Please understand that the last use of the bridge was for highway (not rail) purposes. The Bridge is in deteriorated condition and is currently closed to all traffic. City of Venice plans no alteration to the Bridge. City of Venice seeks only formally to terminate any railroad common carrier obligation it has for the Bridge and approximately two miles of rail line which it acquired in 1958.

City of Venice anticipates transfer of the bridge to Illinois Department of Transportation (IDOT) for renovation. Although IDOT in turn may designate local agencies for ownership, it is our understanding that IDOT will remain in charge of renovation. The IDOT bridge renovation is not a City of Venice project, but is a separate project by another agency (namely, IDOT).

IDOT (contact person: Bridgett Calhoun, Environmental Engineer, IDOT Region 8, 618-346-3156) has informed us that it met with Missouri officials in January 2001, concerning the

proposed bridge renovation. IDOT (per Ms. Calhoun) was informed that Illinois Historic Preservation Agency would be the lead agency for compliance with the National Historic Preservation Act in connection with the bridge renovation. See 36 C.F.R. § 800.3(c)(2).

IDOT informs us that it submitted bridge renovation plans to Illinois Historic Preservation Agency (the Illinois SHPO). IDOT informs us that its plans conform to the Secretary of Interior's "Standards for the Rehabilitation and Guidelines for Rehabilitating Historic Buildings." The Illinois Historic Preservation Agency by letter dated May 2, 2002, concurred in IDOT's view, stating "[i]n our opinion, these plans meet The Secretary of Interior's 'Standards for the Rehabilitation and Guidelines for Rehabilitating Historic Buildings.'" The Illinois Historic Preservation Agency issued, as indicated in the May 2, 2002, letter, a "No Adverse Effect" determination for the IDOT project.

On behalf of City of Venice, I previously supplied you with a copy of this May 2, 2002 letter. Another copy is attached for your files herewith.

IDOT (per Ms. Calhoun) confirms to us that Illinois Department of Historic Preservation reviewed the entire McKinley Bridge renovation project, including Missouri components. We understand that IDOT's project extends beyond the boundaries of City of Venice's proposed rail line abandonment in Missouri.

City of Venice notes that it is cooperating with Madison County Transit to "railbank" the entire alignment under 16 U.S.C. § 1247(d). This should facilitate the formation of a trail along the alignment in St. Louis, a result commonly regarded as favorable for historic preservation purposes in projects like that which the City is proposing.

Illinois Historic Preservation Agency has supplied City of Venice with a letter indicating that City of Venice's project (the mere abandonment of common carrier obligations on the Bridge) will have no effect on historic properties. Letter from Ms. Haaker to Mr. Montange, November 21, 2003, attached. We understand that to be a determination under 36 C.F.R. § 800.16(i) that Venice's "project" will not alter the characteristics of a historic property insofar as eligibility for the National Register is concerned, and insofar as IDOT undertakes a bridge renovation, there will be no alteration either in light of IDOT's conformity to applicable historic renovation standards. City of Venice believes in the circumstances that this is a correct determination.

On the basis of the above, City of Venice respectfully suggests that continued consultation by your agency is

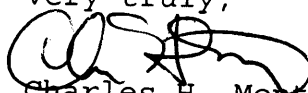
appropriate, or at least consultation over alleged adverse effects (see 36 C.F.R. § 800.6) is appropriate, rather than a referral to the Advisory Council as requested in your letter of November 18. A referral to the Advisory Council seems to us premature at this point, since STB has not yet made any finding and is in an information gathering mode.

On re-examination by your office, City of Venice requests that your office concur that the project will not have an effect on historic properties, or defer to the determination by the Illinois Historic Preservation Agency. Assuming arguendo that IDOT's separate bridge renovation project is associated with City of Venice's common carrier obligation abandonment project, then it is our understanding from IDOT Region 8 (per Ms. Calhoun) that Illinois Historic Preservation Agency is the lead agency. Illinois Historic Preservation Agency has examined the entire project and determined that the renovation conforms to the applicable standards and that therefore there is no adverse effect on historic properties.

Alternatively, if IDOT is incorrect in its understanding that Illinois Historic Preservation Agency is the lead agency for purposes of the bridge renovation, then please inform me immediately so IDOT can engage in whatever additional procedures are required to clear its renovation project with your office. The Secretary of Interior's rehabilitation guidelines are the same in Illinois and Missouri, and if acceptable to the SHPO in Illinois, the IDOT renovation per the guidelines should be acceptable in Missouri as well. It is City of Venice's desire to facilitate resolution of any misunderstandings with regard to IDOT's bridge renovation project. The bridge is currently out of service due to deterioration and badly needs renovation.

Accordingly, please do not hesitate to call me or to fax inquiries with regard to any further information on this matter which you require. If Missouri SHPO's concern is with the renovation, as we believe it to be, Ms. Calhoun is a more direct source of information, and I have provided her telephone number to you. City of Venice wishes to resolve this matter as quickly as possible, and in light of the determinations by Illinois Historic Preservation Agency, feels that the crux of the problem may simply be some mis-communications.

Very truly,



Charles H. Montange
for City of Venice

Atts. Ill. HPA May 2, 2002

Ill. HPA Nov. 21, 2003

cc. Section on Environmental Analysis, STB



**Illinois Historic
Preservation Agency**

1 Old State Capitol Plaza • Springfield, Illinois 62701-1507 • (217) 782-4836 • TTY (217) 524-7128

Madison County
Venice

McKinley Bridge Rehabilitation
SN 060-6002 over the Mississippi River
IHPA LOG #0201090031WMS

May 2, 2002

Michael Hine
Illinois Department of Transportation
2300 S. Dirksen Parkway
Attn: John Walthall
Springfield, IL 62764

Dear Mr. Hine:

We have reviewed the preliminary design information regarding historic conditions for the above referenced project. In our opinion, these plans meet The Secretary of the Interior's "Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings".

Please retain this letter in your files as evidence of a No Adverse Effect determination and compliance with Section 106 of the National Historic Preservation Act of 1966, as amended.

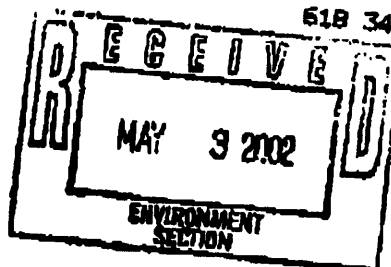
If you have any further questions, please contact Cody Wright, Cultural Resource Manager, 1 Old State Capitol Plaza, Springfield, IL 62701, 217/785-3977.

Sincerely,

Inne E. Haaker

Inne E. Haaker
Deputy State Historic
Preservation Officer

EH:CW:ly



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P.02/02



Illinois Historic Preservation Agency

1 Old State Capitol Plaza • Springfield, Illinois 62701-1507 • Teletypewriter Only (217) 524-7128

Voice (217) 782-4836

Madison County

Venice

Railroad Abandonment Exemption

Milepost 1.45 from state line

STB-Docket #AB 863

IHPA Log #014110303

November 21, 2003

Charles Montange
426 NW 162nd St.
Seattle, WA 98177

Dear Mr. Montange:

We have reviewed the documentation submitted for the referenced project(s) in accordance with 36 CFR Part 800.4. Based upon the information provided, no historic properties are affected. We, therefore, have no objection to the undertaking proceeding as planned.

Please retain this letter in your files as evidence of compliance with section 106 of the National Historic Preservation Act of 1966, as amended. This clearance remains in effect for two years from date of issuance. It does not pertain to any discovery during construction, nor is it a clearance for purposes of the Illinois Human Skeletal Remains Protection Act (20 ILCS 3440). The Illinois Department of Transportation has already received approval from our office for the rehabilitation of the McKinley Bridge under IHPA Log #0201090031WMS.

If you have any further questions, please contact Cody Wright, Cultural Resources Manager, Illinois Historic Preservation Agency, 1 Old State Capitol Plaza, Springfield, IL 62701, 217/785-3977.

Sincerely,

Anne E. Haaker

Anne E. Haaker

Deputy State Historic

Preservation Officer

AEH