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RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY
STATE HISTORIC PRESERVATION OFFICE

SCOTT WOOSLEY
EXECUTIVE DIRECTOR

January 4, 2013

ROBERT WIMBISH
BAKER & MILER PLLC
2401 PENNSYLVANIA AVENUE NW
SUITE 300
WASHINGTON DC 20037

Re: STB Docket No. AB-1107X - West Michigan Railroad Co. Abandonment Exemption in Van Buren County, MI

Dear Mr. Wimbish:

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/regs.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. We will hold the project information you have already submitted for ninety (90) days, after which the SHPO will dispose of it, unless otherwise notified.

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>, or on the National Register Information System database at: <http://nhrp.focus.nps.gov/natreghome.do?searchtype=natreghome>. The SHPO cannot conduct such research on your behalf. For information regarding archaeological sites, please contact the State Archaeologist, Dr. Dean Anderson, at (517) 373-6358.

If you have any questions, please contact Brian Grennell, Environmental Review Specialist, at (517) 335-2721 or by email at grennellb@michigan.gov. Thank you for your cooperation.

Sincerely,


Brian G. Grennell
Cultural Resources Protection Specialist

for Brian D. Conway
State Historic Preservation Officer

Enclosure(s)



STATE HISTORIC PRESERVATION OFFICE
702 WEST KALAMAZOO STREET • P.O. BOX 30740 • LANSING, MICHIGAN 48909-8240
www.michigan.gov/shpo (517) 373-1630 FAX (517) 335 0348