

8/30/04

E1-978
9/3/04**FAX**TO: David Nevecky DATE: August 30,
2004FAX No: 202-565-9001 # of pages including
cover sheet 3*Please deliver promptly - If you do not receive the entire fax please*
FROM: Eric Gilbertson, Deputy State Historic Preservation
Officer

Vermont Division for Historic Preservation
National Life, Drawer 20 - Montpelier, VT 05620-0501
Fax - 802-828-3206 Telephone: 802-828- 3043

Attached is my letter of Feb. 6, 2004 to James B. Fitzgerald regarding the abandonment of the Lamaille Valley Railroad in Vermont. That letter is a comment letter under Section 106 rather than a sign-off regarding the abandonment and salvage operation.

I will send you a letter that is a sign-off as a "conditional no adverse effect." The conditions will be as stated in the Feb 6 letter.

1. Continued Maintenance of any identified Historic Structures
2. National Register evaluation of the structures that will be impacted by any work.
3. SHPO review of all plans impacting historic structures prior to any construction.

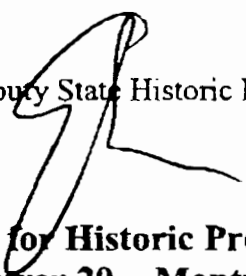
You should get that next week.

*I am also including my fax to Davis
Anderson re. Twin State.*

FAX

TO: David Anderson DATE: August 30, 2004FAX No: 978-392-9996 # of pages including cover sheet 4

Please deliver promptly – If you do not receive the entire fax please call the number below.

FROM: Eric Gilbertson, Deputy State Historic Preservation Officer

Vermont Division for Historic Preservation
National Life, Drawer 20 - Montpelier, VT 05620-0501
Fax – 802-828-3206 Telephone: 802-828-3043

Enclosed is a copy of my letter of Feb 6, 2004 on the Lamoille Valley RR to James Fitzgerald and a copy of my FAX to David Navecky regarding a new letter that is a "sign off." Thank you for finding a copy of the Lamoille Valley RR report on historic resources. We would expect the same type of report on the Twin State abandonment including clearly marked USGS maps, a table of resources and a photo of each structure. A simple statement that "no significant structures are located on the line will not suffice.

I would anticipate that you would get a similar letter to the Lamoille Valley once you have the information to us. It is the same information that we requested in our October 9 2003 letter to you. Vermont has determined that it is the Federal Agencies responsibility to supply information of the SHPO to evaluate and expect that the Agency will transfer that responsibility to any applicant.

Section 8 of your environmental report of November 7, 2003 addresses archeology. Your evaluation does not address the issue. It is highly likely that the construction of the RR did impact archeological resources and that the construction would make any recovery impractical of impossible. I would expect that the salvage operation or abandonment would not effect archeological resources since there will be little or no new ground disturbance as a result of these actions. You should include a statement to that effect in your new assessment.

I suggest that you have the person doing the assessment contact me prior to beginning work.

If you have any questions do not hesitate to call.

**STATE OF VERMONT****AGENCY OF COMMERCE AND COMMUNITY DEVELOPMENT**

February 6, 2004

James B. Fitzgerald
Lamoille Valley Railroad Company
c/o Vermont Agency of Transportation, Rail Section
National Life Building
Drawer 33
Montpelier, VT 05633-5001

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OF HOUSING &
COMMUNITY
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- Historic Preservation
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**Re: Proposed Abandonment and Discontinuance Exemption, Lamoille Valley Railroad Company Line (1) from Swanton, Vermont to St. Johnsbury, Vermont and (2) along the Hardwick & Woodbury Connecting Track in Hardwick, Vermont.
Docket No. AB-444 (Sub-No. 1X).**

Dear Mr. Fitzgerald:

Thank you for the opportunity to comment on the above project and the inventory of resources over 50 years old along the proposed abandonment.

As you are aware, the Division for Historic Preservation reviews proposed federal undertakings pursuant to 36 CFR 800.4, regulations established by the Advisory Council on Historic Preservation to implement Section 106 of the National Historic Preservation Act. Project review consists of identifying the project's potential impacts to historic buildings and structures, historic districts, historic landscapes and settings, and to known or potential archeological resources.

Since the state of Vermont is going to continue ownership of the trackage, the Division for Historic Preservation is only commenting on the continuing responsibility for maintenance of historic resources identified in your Environmental and Historic Reports, Section 1105.8 and the sections proposed for abandonment that involve property where the Division has had or does have some ownership interest or question.

The structures you identified have not yet been evaluated for eligibility for the National or State Register of Historic Places. Since all the structures you identified are older than 50 years, the Division will assume that these resources are eligible for the State and

February 6, 2004

Multiple, Lamoille Valley Railroad Company

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National Register until sufficient information is provided to make a formal evaluation. Therefore, the Division for Historic Preservation will need to review all plans before any work is begun on these structures. It is particularly important that the truss bridges and stone arch bridges be protected.

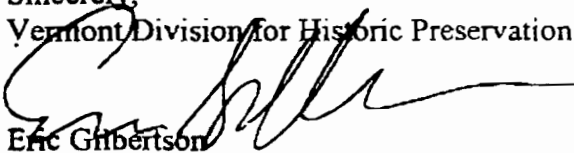
The Division understands you intend to leave trackage on large bridges such as the Fisher Covered Bridge in Walcott. The issue of ownership of the covered bridge part of that structure should be resolved as part of the process.

We concur with the abandonment of the section of trackage at the western end of the line on land in Swanton that was transferred to the Division for Historic Preservation ca. 1974.

We look forward reviewing plans for future work on the identified historic structures along the railroad line. If you have any questions or need clarification regarding any of the above, please do not hesitate to contact Walter Maros, Assistant Environmental Review Coordinator, at (802) 828-3049.

Sincerely,

Vermont Division for Historic Preservation



Eric Gilbertson

Deputy State Historic Preservation Officer

Cc: April D. Hensel, Linda Matteson and Patrick Dakin, District 2 Coordinators
Edward Stanak, District 5 Coordinator
Charles Gallagher and Diana Peduzzi, District 7 Coordinators
Elizabeth Lord, Agency of Natural Resources Planning Division