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June 23, 2008

Honorable Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423

RE: Docket No. AB-364 (Sub-No. 12X), *Mid-Michigan Railroad, Inc. –
Abandonment Exemption—in Kent and Ionia Counties, MI*

Dear Acting Secretary Quinlan:

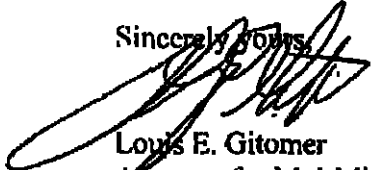
On February 28, 2008, the Mid-Michigan Railroad, Inc. ("MMRR") filed a Petition for Exemption to abandon a 15.83-mile rail line (the Line) between milepost 137.83, southeast of Lowell, and milepost 122.00, east of Prairie Center, the end of the Line, in Kent and Ionia Counties, MI (the "Line"). By decision served on April 4, 2008, the Surface Transportation Board granted the Petition subject to requiring MMRR to "retain its interest in and take no steps to alter the historic integrity of all historic properties including sites, buildings, structures and objects within the project right-of-way (the Area of Potential Effect) eligible for listing or listed in the National Register until completion of the section 106 process of the NHPA. MMRR shall report back to SEA regarding any consultations with the SHPO and the public." *Mid-Michigan Railroad, Inc.—Abandonment Exemption—in Kent and Ionia Counties, MI*, STB Docket No. AB-364 (Sub-No. 12X) (STB served April 4, 2008), at 5 (the "Decision").

MMRR has completed its consultation with the Michigan Department of History, Arts and Libraries, and received the enclosed letter indicating that "no adverse affect . . . on the Grand River Railroad Bridge . . . provided the following condition is met: The Grand River Railroad Bridge, located at Milepost 126.28 will remain in place." In the Petition, MMRR indicated that it would not remove the bridges on the Line because it intended to sell the Line for interim trail use/rail banking. MMRR will accept this condition and make it a requirement in any contract it enters to sell the Line for interim trail use/rail banking. As a result of this successful consultation and MMRR's acceptance of the condition, MMRR respectfully requests the Surface Transportation Board to remove the historic condition imposed in ordering paragraph 1(3) of the *Decision* so that

Honorable Anne K. Quinlan
June 23, 2008
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MMRR may move forward with the sale of the line for interim trail use/rail banking.

MMRR is efilng this letter. Thank you for your assistance. If you have any questions please call or email me.

Sincerely,


Louis E. Gitomer
Attorney for Mid-Michigan Railroad, Inc

Enclosure

Cc: Parties of Record



STATE OF MICHIGAN

JENNIFER GRANHOLM
GOVERNOR

DEPARTMENT OF HISTORY, ARTS AND LIBRARIES
LANSING

DR WILLIAM ANDERSON
DIRECTOR

June 16, 2008

TROY BRADY
SURFACE TRANSPORTATION BOARD
SECTION OF ENVIRONMENTAL ANALYSIS
395 E STREET SW SUITE 1100
WASHINGTON DC 20423

RE: ER-99-392 STB Docket No AB-364 (Sub-No 12X), Kent and Ionia Counties (STB)

Dear Mr. Brady

Under the authority of Section 106 of the National Historic Preservation Act of 1966, as amended, we have reviewed the above-cited undertaking at the location noted above. Based on the information provided for our review, it is the opinion of the State Historic Preservation Officer (SHPO) that the proposed undertaking will have no adverse effect [36 CFR § 800 5(b)] on the Grand River Railroad Bridge, which appears to meet the criteria for listing in the National Register of Historic Places, provided the following condition is met

- The Grand River Railroad Bridge, located at Milepost 126 28 will remain in place

If you concur, the accompanying form must be signed by an agency official with legal and financial responsibility for the above-cited undertaking [36 CFR § 800 2(a)]. Please return the signed original to us. Please note that the Section 106 review process will not be complete and the STB's responsibility to comply with 36 CFR § 800.4, "Identification of historic properties," and 36 CFR § 800.5, "Assessment of adverse effects", will not be fulfilled until we have received this letter with the original signature of the agency official. If the agency official disagrees with this condition, then consultation with this office shall be reopened per 36 CFR § 800 5(a)

The views of the public are essential to informed decision making in the Section 106 process. Federal Agency Officials or their delegated authorities must plan to involve the public in a manner that reflects the nature and complexity of the undertaking, its effects on historic properties and other provisions per 36 CFR § 800 2(d). We remind you that Federal Agency Officials or their delegated authorities are required to consult with the appropriate Indian tribe and/or Tribal Historic Preservation Officer (THPO) when the undertaking may occur on or affect any historic properties on tribal lands. In all cases, whether the project occurs on tribal lands or not, Federal Agency Officials or their delegated authorities are also required to make a reasonable and good faith effort to identify any Indian tribes or Native Hawaiian organizations that might attach religious and cultural significance to historic properties in the area of potential effects and invite them to be consulting parties per 36 CFR § 800 2(c-f)

The State Historic Preservation Office is not the office of record for this undertaking. You are therefore asked to maintain a copy of this letter with your environmental review record for this undertaking. If the scope of work changes in any way, or if artifacts or bones are discovered, please notify this office immediately.

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 this opportunity to review and comment, and for your cooperation.

Sincerely,



Brian D. Conway
State Historic Preservation Officer

BDC.JRH ROC bgg

Enclosure(s)

~~Copy to Louis Gitterman~~



STATE OF MICHIGAN

JENNIFER GRANHOLM
GOVERNOR

DEPARTMENT OF HISTORY, ARTS AND LIBRARIES
LANSING

DR WILLIAM ANDERSON
DIRECTOR

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SECTION OF ENVIRONMENTAL ANALYSIS
395 E STREET SW SUITE 1100
WASHINGTON DC 20423

RE. ACCEPTANCE LETTER

ER-99-392 STB Docket No AB-364 (Sub-No 12X), Kent and Ionia Counties (STB),

We have received comments from the State Historic Preservation Office (SHPO) in regards to the above-cited undertaking at the location noted above. We intend to follow the conditions as specified by the SHPO

I concur _____ Date: _____

Printed name and title of agency official. _____