

From: [Tabachnick, Alan](#)
To: [Marks, Justin J.](#)
Cc: [Hocky, Eric M.](#); [Blodgett, Kenneth](#)
Subject: RE: Canonie Atlantic Co. Abandonment Exemption STB Docket No AB 1266 (Sub.No. 1X)
Date: Friday, January 15, 2021 3:01:24 PM

Hi. I would recommend completing the information that the SHPO has requested, including the archives search request and the project review form. This is standard procedure with the VA SHPO. You should be able to take the information in your environmental and historic report and just cut and paste appropriately into their project review form. I would have them do the archives search for you, for the small charge of \$75. That is much cheaper than it would be to hire a firm to do the background work for you. Once you get the results of the archive search, you can append that to the project review form and send the whole package over to the SHPO. You have to submit it both digitally and in hard copy, but they will start the clock once they have the digital submission.

If you have any additional questions, please let me or Ken know.

Thanks, and stay safe.

Alan Tabachnick

Historic Preservation Specialist
Office of Environmental Analysis
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395 E Street SW
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From: Marks, Justin J. <jmarks@ClarkHill.com>
Sent: Friday, January 15, 2021 1:45 PM
To: Tabachnick, Alan <alan.tabachnick@stb.gov>
Cc: Hocky, Eric M. <ehocky@clarkhill.com>
Subject: FW: Canonie Atlantic Co. Abandonment Exemption STB Docket No AB 1266 (Sub.No. 1X)

Hi Alan:

My colleague Eric Hocky and I represent Canonie Atlantic Co. (CAC) in a Petition for Abandonment proceeding before the Board. CAC is abandoning a short line of railroad and will then be selling it to the Virginia Department of Rail and Public Transportation (DRPT) for DRPT to use as private track in support passenger rail.

As part of our agency consultation we received the below response from the Virginia SHPO which copied you. Due to the fact that use of the line will not change, we were a little bit surprised by the request for an archives search.

Do you have experience with the Virginia SHPO and any suggestions for how best to respond?

Thank you,

Justin

Justin J. Marks

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From: Birge-wilson, Adrienne <adrienne.birge-wilson@dhr.virginia.gov>

Sent: Monday, November 16, 2020 8:39 AM

To: Marks, Justin J. <jmarks@ClarkHill.com>

Cc: Tabachnick, Alan <alan.tabachnick@stb.gov>

Subject: Re: Canonie Atlantic Co. Abandonment Exemption STB Docket No AB 1266 (Sub.No. 1X)

[External Message]

Justin,

I was forwarded this message as I am the lead for abandonment projects. This sounds like it is an undertaking. If so, it will require a Section 106 review. Undertaking means a project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency, including those carried out by or on behalf of a Federal agency; those carried out with Federal financial assistance; and those requiring a Federal permit, license or approval. Section 106 is referring to Section 106 (54 U.S.C. 306108) of the National Historic Preservation Act (54 U.S.C. 300101 et seq.) and it's implementing regulation, "Protection of Historic Properties" (36 CFR Part 800).

Project review applicants are asked to complete an archives search before submitting the project for review. This is how you will find out if the property has been evaluated for archaeological or historical importance. What Federal Agency is the lead on this project? I am copying my contact at STB just in case they are involved.

To get an archives search done, applicants can either go to DHR's archives (available by appointment only) or request an archives search by emailing the (attached) form to quatro.hubbard@dhr.virginia.gov (for a fee). The archives search is not done by the same division at DHR that does the actual project review. When the archives search is complete, the Review and Compliance Division (my Division) can begin a review, assuming all the additional documentation is complete.

I am also attaching a project review form you can fill out. You can email it to me when it is complete and send the hard copy in the mail. We have a 30-day review time period after everything is turned in. I will put you in my 30-day queue with a digital submission just as long as I receive the hard copies within a couple of weeks from that. I attached a project review form for you. The last two pages are

the form to fill out and the other pages are instructional.

V/R,

Adrienne Birge-Wilson

Review and Compliance Division
Virginia Department of Historic Resources
2801 Kensington Avenue
Richmond, VA 23221
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adrienne.birge-wilson@dhr.virginia.gov

COVID-19 Update: DHR is open for business and the majority of staff is teleworking. Our offices are temporarily closed to the public.

Please take our brief [on-line survey](#) that seeks to capture your ideas and opinions about the current and future state of historic preservation in the Commonwealth of Virginia.

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On Thu, Nov 5, 2020 at 3:28 PM Kirchen, Roger <roger.kirchen@dhr.virginia.gov> wrote:

----- Forwarded message -----

From: **Wagner, Marc** <marc.wagner@dhr.virginia.gov>

Date: Thursday, November 5, 2020

Subject: Fwd: Canonic Atlantic Co. Abandonment Exemption STB Docket No AB 1266 (Sub.No. 1X)

To: Roger Kirchen <roger.kirchen@dhr.virginia.gov>, "Williams, Stephanie"

<stephanie.williams@dhr.virginia.gov>, Elizabeth Lipford <elizabeth.lipford@dhr.virginia.gov>

Hi Stephanie and Roger: See the attached letter. I am not sure what project this relates to. Marc

----- Forwarded message -----

From: **Marks, Justin J.** <jmarks@clarkhill.com>

Date: Thu, Nov 5, 2020 at 2:43 PM

Subject: Canonic Atlantic Co. Abandonment Exemption STB Docket No AB 1266 (Sub.No. 1X)

To: Trenton.howell@usda.gov <Trenton.howell@usda.gov>, dll-cenao-pa@usace.army.mil <dll-cenao-pa@usace.army.mil>, Northeast@fws.gov <Northeast@fws.gov>, ngs.infocenter@noaa.gov <ngs.infocenter@noaa.gov>, mayor@norfolk.gov <mayor@norfolk.gov>, city.manager@norfolk.gov <city.manager@norfolk.gov>, drptpr@drpt.virginia.gov <drptpr@drpt.virginia.gov>, Ann.regn@deq.virginia.gov <Ann.regn@deq.virginia.gov>, Marc.wagner@dhr.virginia.gov <Marc.wagner@dhr.virginia.gov>

Please find the attached letter introducing the Canonic Atlantic Co. (CAC) environmental and historical report required as part of CAC's abandonment of a line of railroad in Norfolk, VA.

The environmental and historic report may be downloaded at the link below.

<https://clarkhill.box.com/s/eqlezytgpc4x2l4s4sskeq wz01glrhwp>

Thank you,

Justin J. Marks

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Marc C. Wagner
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[Richmond, Virginia 23221](#)
Direct Phone Line: 804-482-6099

Due to COVID-19, DHR is open for business but temporarily closed to the public and the majority of staff is teleworking.



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Roger W. Kirchen, Director
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