

AZER Post EA
Appendix F
Post EA Correspondence

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#E1-16030
FD-34836
DAW

November 5, 2008

Ms. Diana Wood
Section of Environmental Assessment
Surface Transportation Board
395 E Street, N.W.
Washington, D.C. 20423-0001

**RE: STB Finance Docket No. 34836, Arizona Eastern Railway-
Construction and Operation-Graham County, AZ**

**Subject: ADOT Proposed US70 San Simon River Bridge
Reconstruction Project - Arizona Eastern Railway Project
Participation**

Dear Ms. Wood:

I am writing on the behalf of the Arizona Eastern Railway (AZER) to affirm its commitment to work with the Arizona Department of Transportation (ADOT) when it rebuilds the US 70 highway bridge over the San Simon River into a five-lane elevated structure. More specifically, AZER will agree to participate in the planning and funding of a fair share of the costs related to a bridge span that will replace the proposed AZER Safford Branch US70 railroad at-grade crossing that is currently in the alignment plans submitted to the Surface Transportation Board's environmental assessment section for permitting.

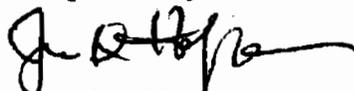
We anticipate that the STB will likely grant AZER's petition to build the subject rail line in early 2009. Following that, and working with ADOT and the Arizona Corporation Commission, AZER is proposing to design and construct a two-lane at-grade crossing traversing US 70, perhaps as soon as in early 2010. We realize that construction of the new ADOT US70 highway bridge could start within two years or so after that date, and that as a

consequence, the new AZER US70 at-grade highway crossing may need to be removed as soon as the new ADOT bridge is built. Even so, having the ADOT bridge built over the rail line would, in the long view, make for good engineering practice for both the highway and railroad rights-of-way and AZER would like to participate in this plan.

In the meantime, AZER is putting together work plans to perform survey and engineering work for the proposed two-lane US70 at-grade highway crossing, and will be starting to work with ADOT on the specific requirements for accessing the US70 right-of-way and designing a crossing that meets ADOT engineering design criteria.

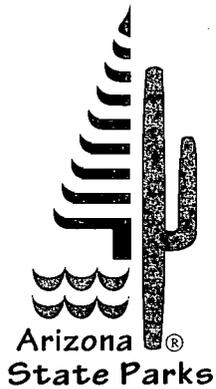
Please contact me if you have any questions or require additional information.

Respectfully submitted,



John D. Heffner

cc: Mr. Jeff Barker
environmental contact list



MOA signed

March 12, 2009

Diana Wood
Section of Environmental Analysis
Surface Transportation Board
395 E Street SW, 11th Floor
Washington, DC 20243

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RE: Memorandum of Agreement (MOA) and Historic Properties Treatment Plan (HPTP)
for Arizona Eastern Railway Project
STB Finance Docket No. 34836
SHPO-2006-1264 (39245 and 39177)

Dear Ms. Wood:

Thank you for continuing to consult with our office pursuant to 36 CFR 800 regarding the
above referenced federal undertaking.

Enclosed are five copies of the Memorandum of Agreement that were each signed by James
W. Garrison, Arizona State Historic Preservation Officer, on May 10, 2009.

The revised Historic Properties Treatment Plan dated February 20, 2009 is acceptable.

We look forward to continuing to consult pursuant to the MOA.

Sincerely,

Jo Anne Medley
Compliance Specialist/Archaeologist
State Historic Preservation Office

Enclosures(5)