



## CATEGORICAL EXCLUSION PROGRAMMATIC DETERMINATION CHECKLIST

**Action/Project Name:** Claremont-Lebanon / (23RT Yankee)      **State Project Number:** 13355  
**Federal Project Number:** STP-TE-X-000S(393)      **CE Action Number:** 1

**Description of Project:**

This project (NHDOT Bureau of Environment tracking # 23RT Yankee) consists of the disposition of the Flying Yankee train (B&M #6000) built in 1935, to the entity proposing the best overall preservation plan. Consistent with procedure ENV 1-1FY: Disposition of the Flying Yankee, the train will be sold for \$1.00 to an organization most responsive to the preservation goals outlined in an RFP. This project re-evaluation to facilitate the disposition of the Flying Yankee Train is associated with former NHDOT project Claremont-Lebanon 13355 (STP-TE-X-000S (393)).

### PROGRAMMATIC CATEGORICAL EXCLUSION (CE) CRITERIA

	NO	YES
1 <u>Right-of-Way</u> – Does the proposed action result in any residential or non-residential displacements, or acquisition of property rights to an extent that impairs the functions of the affected property? Does the proposed action include acquisition of land for hardship or protective purposes?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2 <u>Traffic</u> – Does the proposed action result in capacity expansion of a roadway by addition of through lanes?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3 <u>Roadway Access</u> – Does the proposed action involve the construction of temporary access, or the closure of existing road, bridge, or ramps that would result in major traffic disruptions? Does the proposed action involve changes in access that pertain to interstate highways, or that have wide-reaching ramifications?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4 <u>Cultural Resources</u> – Does the proposed action use CE Action Number 26, 27, or 28 <u>AND</u> have an Adverse Effect on historic properties pursuant to Section 106 of the National Historic Preservation Act?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5 <u>Section 4(f)</u> – Does the proposed action require the use of any property protected by Section 4(f) of the 1966 USDOT Act, that cannot be documented with a <i>de minimis</i> impact determination, or a programmatic Section 4(f) evaluation, other than the programmatic evaluation for the use of historic bridges?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6 <u>Section 6(f)</u> – Does the proposed action require the acquisition or conversion of any land under the protection of Section 6(f) of the Land and Water Conservation Act of 1965?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7 <u>Wetlands/Surface Waters</u> – Does the proposed action require an Army Corps of Engineers Individual Permit pursuant to the Clean Water Act, and/or a Section 10 permit pursuant to the Rivers and Harbors Act of 1899?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8 <u>US Coast Guard</u> – Does the proposed action require a US Coast Guard bridge permit?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9 <u>Floodways/Floodplains</u> – Does the proposed action encroach on the regulatory floodway of water courses or water bodies, resulting in more than a nominal increase in base flood elevation? Does the proposed action have a significant or adverse impact on floodplain values, or create a significant risk to human life or property?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10 <u>Water Quality</u> – Does the proposed action have more than a negligible impact on water quality?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11 <u>Wild and Scenic Rivers</u> – Does the proposed action use CE Action Number 26, 27, or 28 <u>AND</u> require any work below the ordinary high water mark of a river designated as a component of, or proposed for inclusion in, the National System of Wild and Scenic Rivers, or below the ordinary high water mark of a tributary to such river?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12 <u>Noise</u> – Is the proposed action a Type I highway project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
13 <u>Endangered Species</u> – Does the proposed action result in a finding of “ <i>may affect, likely to adversely affect</i> ” threatened or endangered species or critical habitat under the Endangered Species Act, and is not included in an approved Biological Opinion for a FHWA Programmatic Agreement, or result in impacts subject to the conditions of the Bald and Golden Eagle Protection Act?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
14 <u>Air Quality</u> – Is the proposed action inconsistent with the State Implementation Plan in air quality non-attainment areas, or the Statewide Transportation Improvement Program, or in applicable urbanized areas the Transportation Improvement Program? Does the proposed action cause or contribute to violations of the National Ambient Air Quality Standards (NAAQS)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
15 <u>CZMA</u> – Is the proposed action inconsistent with the State’s Coastal Zone Management Plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- 16 Other – Are there any unusual circumstances that would require additional environmental studies to determine if the action would qualify for processing programmatically (e.g. substantial environmental controversy, inconsistency with other environmental requirements, or significant sources of contamination)?

- ❖ If the answer to all of these questions is **NO**, the proposed action **qualifies for classification as a Programmatic Categorical Exclusion**.
- ❖ If the answer to any of these questions is **YES**, the proposed action **does not qualify for classification as a Programmatic Categorical Exclusion**.

### **DETAILED DISCUSSION OF PROGRAMMATIC CE CRITERIA**

Provide a brief narrative response as to how your project qualifies for a Programmatic Categorical Exclusion.

1. Right-of-Way – Does the proposed action result in any residential or non-residential displacements, or acquisition of property rights to an extent that impairs the functions of the affected property? Does the proposed action include acquisition of land for hardship or protective purposes?

No. The proposed action, (i.e., disposition of the Flying Yankee Train), will not result in any residential or non-residential displacements, or acquisition of property rights to an extent that impairs the functions of the affected property. NHDOT does not own the property on which the train is currently located and does not yet know to where the successful proposer will relocate the train. However, it shall be the responsibility of the successful proposer to ensure an environmental review is completed for the removal of the train from its current location in Lincoln NH, as well as for the train's future location (wherever that may be).

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2. Traffic – Does the proposed action result in capacity expansion of a roadway by addition of through lanes?

No. The proposed action of selling the Flying Yankee Train does not result in capacity expansion of a roadway by addition of through lanes.

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3. Roadway Access – Does the proposed action involve the construction of temporary access, or the closure of existing road, bridge, or ramps that would result in major traffic disruptions? Does the proposed action involve changes in access that pertain to interstate highways, or that have wide-reaching ramifications?

No. The proposed action of selling the Flying Yankee Train does not involve construction of temporary access or the closure of an existing road, bridge, or ramp that would result in major traffic disruptions. However, it shall be the responsibility of the successful proposer to complete an environmental review that includes an evaluation as to whether or not the removal of the train from its current location and the transport of the train to its relocated destination will have an effect that would require the construction of temporary access, or the closure of existing road, or ramps that would result in major traffic disruption.

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4. Cultural Resources – Does the proposed action use CE Action Number 26, 27, or 28 AND have an Adverse Effect on historic properties pursuant to Section 106 of the National Historic Preservation Act?

No. The purpose of this project is to dispose of the Flying Yankee to an entity most suitable to relocate and preserve it in a location available for public enjoyment. Furthermore, as part of the request for proposals (RFP) to find a suitable party interested in purchasing the train, the Department will require the submission of preservation proposals and will execute a Historic Preservation Deed Restriction (Covenant) for the relocation of the Flying Yankee. In the event that there are no successful preservation proposals from interested parties, the Department will retain ownership of the train and periodically/annually solicit for new proposals until a successful party is identified.

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5. Section 4(f) – Does the proposed action require the use of any property protected by Section 4(f) of the 1966 USDOT Act, that cannot be documented with a *de minimis* impact determination, or a programmatic Section 4(f) evaluation, other than the programmatic evaluation for the use of historic bridges?

No. As the proposed action of selling the train does not involve any land-based impacts, it is not anticipated that there will be any use (direct, constructive, or otherwise) of any publicly owned parks or wildlife refuges protected by Section 4(f). As a result, the proposed action is not anticipated to result in a use of any properties protected by Section 4(f) of the USDOT Act. However, it shall be the responsibility of the successful proposer to complete an environmental review that includes an evaluation of Section 4(f) resources and impacts.

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6. Section 6(f)/Conservation Properties – Does the proposed action require the acquisition or conversion of any land under the protection of Section 6(f) of the Land and Water Conservation Act of 1965?

No. As the proposed action of selling the train does not involve any land-based impacts, it is not anticipated that there will be a need for acquisition or conversion of any land under the protection of Section 6(f) of the Land and Water Conservation Act of 1965. However, it shall be the responsibility of the successful proposer to complete an environmental review that includes an evaluation of Section 6(f) and conservation properties.

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7. Wetlands/Surface Waters – Does the proposed action require an Army Corps of Engineers Individual Permit pursuant to the Clean Water Act, and/or a Section 10 permit pursuant to the Rivers and Harbors Act of 1899?

*If the proposed action includes construction in wetlands, check this box:*

No. As the proposed action of selling the train does not involve any land or water-based impacts it anticipated that an Army Corps of Engineers Individual Permit pursuant to the Clean Water Act, and/or a section 10 permit would be required. However, it shall be the responsibility of the successful proposer to obtain all appropriate permits from the NH Wetlands Bureau and the US Army Corps of Engineers prior to the commencement of work as necessary.

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8. US Coast Guard – Does the proposed action require a US Coast Guard bridge permit?

No. The project does not require a US Coast Guard bridge permit.

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9. Floodways/Floodplains – Does the proposed action encroach on the regulatory floodway of water courses or water bodies, resulting in more than a nominal increase in base flood elevation? Does the proposed action have a significant or adverse impact on floodplain values, or create a significant risk to human life or property?

*If the proposed action includes construction in Floodplains, check this box:*

No. As the proposed action of selling the train does not include and land-based or water-based impacts it is not anticipated that the proposed action would encroach on the regulatory floodway of a watercourse or waterbodies, resulting in more than a nominal increase in base flood elevation. However, it shall be the responsibility of the successful proposer to complete an environmental review that includes an evaluation of floodways/floodplains associated with the new location.

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10. Water Quality – Does the proposed action have more than a negligible impact on water quality?

No. As the proposed action of selling the train does not include and land-based or water-based impacts the proposed action will not result in more than a negligible impact on water quality. However, it shall be the responsibility of the successful proposer to complete an environmental review that includes an evaluation of water quality impacts.

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11. Wild and Scenic Rivers – Does the proposed action use CE Action Number 26, 27, or 28 AND require any work below the ordinary high water mark of a river designated as a component of, or proposed for inclusion
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in, the National System of Wild and Scenic Rivers, or below the high water mark of a tributary to any such river?

No. This proposed action does not impact a river designated as a component of, or proposed for inclusion in, the National System of Wild and Scenic Rivers. However, it shall be the responsibility of the successful proposer to complete an environmental review that includes an evaluation of potential impacts to Wild and Scenic Rivers.

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12. Noise – Is the proposed action a Type I highway project?

No. As this proposed action would not involve the construction of a new highway, the addition of through traffic lanes or substantial alterations to either the vertical or horizontal alignment of the existing roadway, the subject project would not be a Type I highway project. Since this project would not be a Type I highway project a noise impact assessment is not necessary.

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13. Endangered Species – Does the proposed action result in a finding of “*may affect, likely to adversely affect*” threatened or endangered species or critical habitat under the Endangered Species Act, and is not in an approved Biological Opinion for a FHWA Programmatic Agreement, or result in impacts subject to the conditions of the Bald and Golden Eagle Protection Act?

No. The proposed action of selling the train will not result in any species or habitat impacts that would result in a finding of “may affect, likely to adversely affect” threatened or endangered species or critical habitat under the Endangered Species Act or the Bald and Golden Eagle Protection Act. However, it shall be the responsibility of the successful proposer to complete an environmental review that includes an evaluation of endangered species associated with the future location of the train. This shall be determined through USFWS IPaC search and coordination and a NH NHB search and coordination with NH NHB and NH F&G, as necessary.

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14. Air Quality – Is the proposed action inconsistent with the State Implementation Plan in air quality non-attainment areas, or the Statewide Transportation Improvement Program, or, in applicable urbanized areas the Transportation Improvement Program? Does the proposed action cause or contribute to violations of the National Ambient Air Quality Standards (NAAQS)?

No. This proposed action is consistent with those types of projects listed in Table 2 of 40 CFR 93.126 which are exempt from requiring a regional emissions analysis. For this reason, a regional conformity determination would not be required. This effort would also not require a project level conformity analysis as it would not be located within either a non-attainment or maintenance area for either of the transportation related criteria pollutants of concern at the project level (carbon monoxide and particulate matter). Additionally, when completed, the project would not have been expected to result in any meaningful changes in traffic volumes, vehicle mix, location of the existing facility, or any other factor that would cause an increase in emissions impacts relative to the no-build alternative or contribute to violations of the NAAQS. As a result, it can be concluded that this project did not have an adverse impact on air quality. No further air quality review is warranted.

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15. CZMA – Is the proposed action inconsistent with the State’s Coastal Zone Management Plan?

No. This project is not located within a community subject to the State’s Coastal Zone Management Plan.

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16. Other - Are there any unusual circumstances that would require additional environmental studies to determine if the action would qualify for processing programmatically (e.g. substantial environmental controversy, inconsistency with other environmental requirements, or significant sources of contamination)?

No.

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**SUMMARY OF PUBLIC INVOLVEMENT**

Initial Contact Letters sent to local officials? Yes  No  Date Date  
Public Informational Meeting held? Yes  No  Date Date  
Public Hearing Required? Yes  No  Date Date  
Natural Resource Agency Meeting(s) held? Yes  No  Date(s) Date  
Cultural Resource Agency Meeting(s) held? Yes  No  Date(s) Date

Discuss below any other opportunities for public input, as well as any relevant changes that were made as a result of public input.

None.

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**LIST OF EXHIBITS**

Attach and list below, documentation/correspondence, as appropriate, that demonstrates how you were able to check each 'NO' box identified on Page 1, in accordance with Section IV(A)(1)(b) of the Programmatic Agreement. Attach such exhibits as maps, plans, letters, figures, tables and permits.

1. Topo Map (current location)
2. Aerial Map (current location)
3. Env1-1FY (Disposition Process)
4. Photos

**NEPA RE-EVALUATION**

If this Categorical Exclusion Programmatic Determination Checklist is a re-evaluation of an approved environmental document, check the box below and describe the changes, if any, in design and environmental impact. Ensure that any additional or revised environmental commitments that resulted from the changes are detailed in the **ENVIRONMENTAL COMMITMENTS** section below.

In accordance with 23 CFR 771.129, this Programmatic Determination Checklist is a re-evaluation of an approved environmental document, and the original approval remains valid.

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### **ENVIRONMENTAL COMMITMENTS**

List each environmental commitment made for the project, indicating the entity responsible for ensuring successful implementation.

1. It shall be the responsibility of the purchasing party to ensure an environmental review is completed for the removal of the train from its current location in Lincoln NH, as well as for the train's future permanent resting location for compliance with NEPA, including consideration of right-of-way displacements, access, Section 4(f), Section 6(f), floodways/floodplains, water quality, Wild and Scenic Rivers, and threatened/endangered species. **(Rail & Transit, Environment, Right-of-Way)**
2. It shall be the responsibility of the successful proposer to complete an environmental review that includes an evaluation as to whether or not the removal of the train from its current location and the transport of the train to its relocated destination will require work within jurisdictional areas, and if so, all appropriate permits from the NH Wetlands Bureau and the US Army Corps of Engineers shall be obtained prior to the commencement of work. **(Rail & Transit, Environment)**
3. All other necessary environmental permits and/or approvals shall be obtained prior to the relocation of the train. **(Rail & Transit, Environment)**
4. The Request for Proposal and subsequent bill of sale shall detail stipulations necessary to ensure that the Flying Yankee is managed consistent with the requirements of the National Historic Preservation Act and any relevant rules thereunto. **(Rail & Transit, Environment, Right-of-Way)**
5. In the event that there are no successful preservation proposals from interested parties, the Department will retain ownership of the train and periodically/annually solicit for new RFP's until a successful party is determined. **(Rail & Transit, Environment, Right-of-Way)**



**ACTIVITIES THAT QUALIFY FOR PROGRAMMATIC CATEGORICAL EXCLUSION**

CE Action Number	Activity Description (See Appendix A of the Programmatic Agreement for more information)
1	Activities which do not lead directly to construction.
2	Approval of utility installations along or across a transportation facility.
3	Construction of bicycle and pedestrian lanes, paths, and facilities.
4	Activities included in the State's "highway safety plan" under 23 U.S.C. 402.
5	Transfer of Federal lands pursuant to 23 U.S.C. 107(d) and/ or 23 U.S.C. 317 when the land transfer is in support of an action that is not otherwise subject to FHWA review under NEPA.
6	The installation of noise barriers or alterations to existing publicly owned buildings to provide for noise reduction.
7	Landscaping.
8	Installation of fencing, signs, pavement markings, small passenger shelters, traffic signals, and railroad warning devices where no substantial land acquisition or traffic disruption will occur.
9	Emergency repairs under 23 U.S.C. 125.
10	Acquisition of scenic easements.
11	Determination of payback under 23 U.S.C. 156 for property previously acquired with Federal-aid participation.
12	Improvements to existing rest areas and truck weigh stations.
13	Ridesharing activities.
14	Bus and rail car rehabilitation.
15	Alterations to facilities or vehicles in order to make them accessible for elderly and handicapped persons.
16	Program administration, technical assistance activities, and operating assistance to transit authorities to continue existing service or increase service to meet routine changes in demand.
17	The purchase of vehicles by the applicant where the use of these vehicles can be accommodated by existing facilities or by new facilities which themselves are within a CE.
18	Track and railbed maintenance and improvements when carried out within the existing right-of-way.
19	Purchase and installation of operating or maintenance equipment located within the transit facility, with no significant impacts off site.
20	Promulgation of rules, regulations, and directives.
21	Deployment of electronics, photonics, communications, or information processing used singly or in combination, or as components of a fully integrated system, to improve the efficiency or safety of a surface transportation system.
22	Projects, as defined in 23 U.S.C. 101, that would take place entirely within the existing operational right-of-way.
23*	Projects of Limited Federal Assistance pursuant to 23 CFR 771.117(c)(23). Limited Federal Assistance is defined as any project that (A) receives less than \$5,000,000 in Federal funds or (B) has a total estimated cost of less than \$30,000,000, with Federal funds comprising less than 15 percent of the total estimated cost of the project.
24	Localized geotechnical and other investigation for preliminary design and for environmental analyses and permitting purposes.
25	Environmental restoration and pollution abatement actions to minimize or mitigate the impacts of any existing transportation facility (including retrofitting and construction of stormwater treatment systems to meet Federal and State requirements under sections 401 and 402 of the Federal Water Pollution Control Act (33 U.S.C. 1341; 1342)) carried out to address water pollution or environmental degradation
26	Modernization of a highway by resurfacing, restoration, rehabilitation, reconstruction, adding shoulders, or adding auxiliary lanes (including parking, weaving, turning, and climbing lanes).
27	Highway safety or traffic operations improvement projects, including the installation of ramp metering control devices and lighting.
28	Bridge rehabilitation, reconstruction, or replacement or the construction of grade separation to replace existing at grade railroad crossings.
29	Purchase, construction, replacement, or rehabilitation of ferry vessels (including improvements to ferry vessel safety, navigation, and security systems) that would not require a change in the function of the ferry terminals and can be accommodated by existing facilities or by new facilities which themselves are within a CE.
30	Rehabilitation or reconstruction of existing ferry facilities that occupy substantially the same geographic footprint, do not result in a change in their functional use, and do not result in a substantial increase in the existing facility's capacity.
31	Transportation corridor fringe parking facilities.
32	Construction of new truck weigh stations or rest areas.
33	Approvals for disposal of excess right-of-way or for joint or limited use of right-of-way, where the proposed use does not have significant adverse impacts
34	Approvals for changes in access control.
35	Construction of new bus storage and maintenance facilities in areas used predominantly for industrial or transportation purposes where such construction is not inconsistent with existing zoning and located on or near a street with adequate capacity to handle anticipated bus and support vehicle traffic.
36	Rehabilitation or reconstruction of existing rail and bus buildings and ancillary facilities where only minor amounts of additional land are required and there is not a substantial increase in the number of users.
37	Construction of bus transfer facilities when located in a commercial area or other high activity center in which there is adequate street capacity for projected bus traffic
38	Construction of rail storage and maintenance facilities in areas used predominantly for industrial or transportation purposes where such construction is not inconsistent with existing zoning and where there is no significant noise impact on the surrounding community.

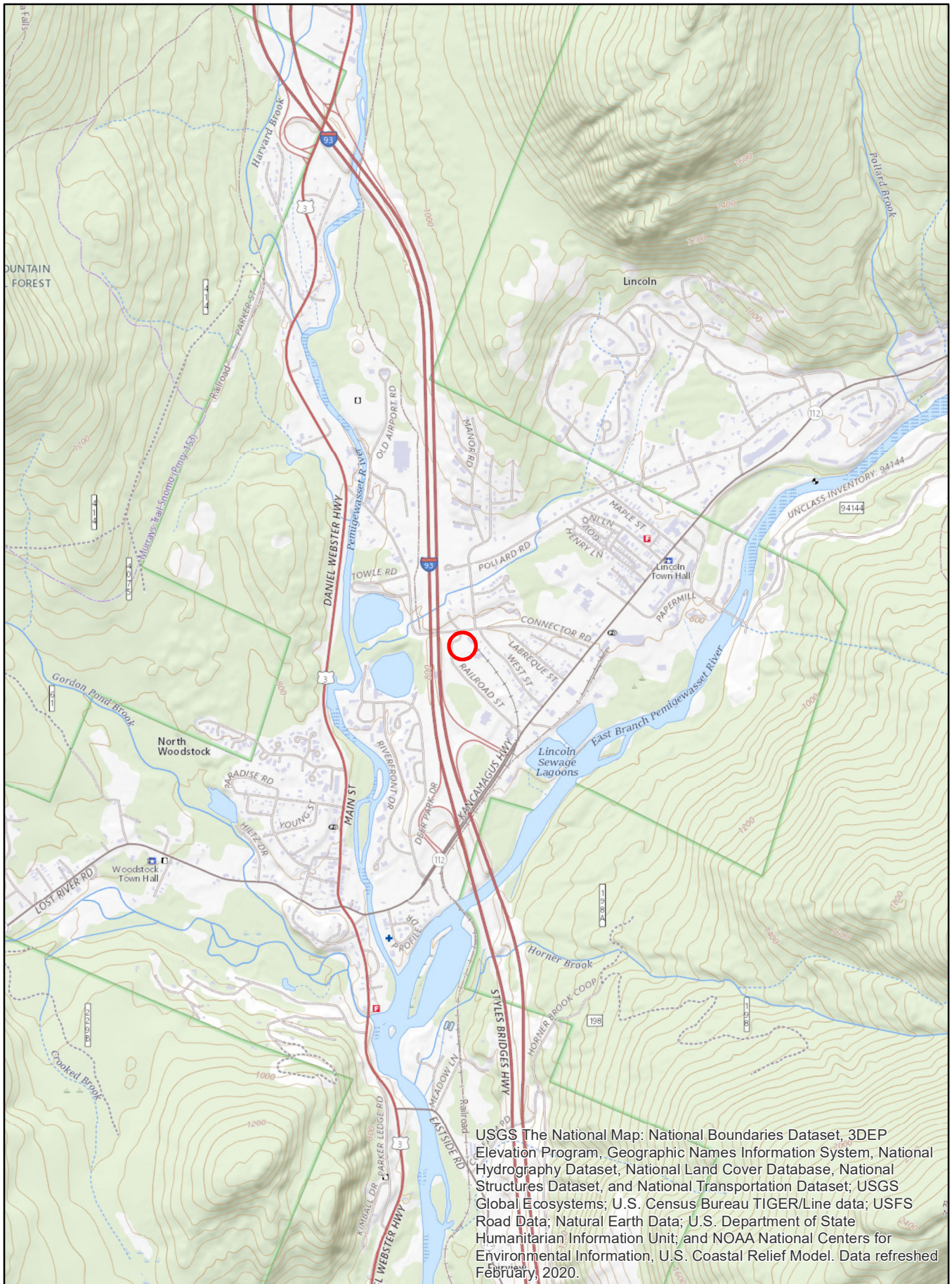
\* Dollar amounts are adjusted annually. When CE Action Number 23 is selected, attach documentation indicating the annual figures used and total Federal funds, or the total project cost and Federal percentage, as appropriate. Updates are posted at: [https://www.environment.fhwa.dot.gov/legislation/authorizations/fastact/FAST\\_ACT\\_Section1314\\_Implementation\\_Guide.aspx](https://www.environment.fhwa.dot.gov/legislation/authorizations/fastact/FAST_ACT_Section1314_Implementation_Guide.aspx)



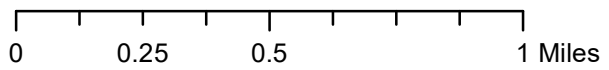
**STOP HERE IF YOUR PROJECT QUALIFIES FOR A PROGRAMMATIC CATEGORICAL EXCLUSION AND DOES NOT REQUIRE A PUBLIC HEARING.**



# Statewide (Flying Yankee) 23RT-Yankee



USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line data; USFS Road Data; Natural Earth Data; U.S. Department of State Humanitarian Information Unit; and NOAA National Centers for Environmental Information, U.S. Coastal Relief Model. Data refreshed February, 2020.



1:24,000



# Statewide (Flying Yankee) 23RT-Yankee



0 0.125 0.25 0.5 Miles

1:10,000



<b>PROCEDURE NUMBER:</b> <i>ENV 1-1FY</i>	<b>PROCEDURE NAME:</b> <i>Disposition of the Flying Yankee</i>
<b>ADOPTION DATE:</b>	<b>LAST UPDATED:</b>
<b>PROCEDURE APPROVED BY:</b> <i>Commissioner</i>	<b>SIGNATURE:</b> <i>William Carr</i>
<b>RESPONSIBLE OFFICE:</b> <i>Bureau of Environment</i>	<b>CONTACT PERSON:</b> <i>Administrator, Bureau of Environment</i>
<b>RELATED POLICY:</b> <a href="#">ENV 1 Environmental Policy</a> <a href="#">ENV 1-1 Disposition of Historic Bridges</a>	<b>RELATED FORMS:</b>

**PURPOSE**

Modeled after ENV 1-1 Disposition of Historic Bridges, the purpose of this procedure is to outline the Department’s process for disposing of the Flying Yankee, B&M #6000, built in 1935, a recognized historic resource. The Flying Yankee will be offered for sale for \$1.00 to the proposer with the best overall preservation plan.

**SCOPE**

This procedure shall apply to the disposal/sale of the Flying Yankee train, owned by the Department, and currently located on privately-owned railroad property in Lincoln, NH.

**GENERAL PROVISIONS**

[RSA 227-C:9 Directive for Cooperation in the Protection of Historic Resources](#)  
[“The Secretary of the Interior’s Standards for the Treatment of Historic Properties.”](#)  
[36 CFR Part 68](#)  
[“The Secretary of the Interior’s Standards for Rehabilitation” \(36 CFR Part 67\)](#)

**DEFINITIONS**

Definitions related to this procedure may be viewed on the SOS [Approved Definitions](#) page.

**RESPONSIBILITY**

1. Bureau of Environment Administrator: Flying Yankee Disposition Evaluation Team member
2. Cultural Resources Program Manager: Flying Yankee Disposition Evaluation Team member
3. Bureau of Right-of-Way Administrator, or designee: Flying Yankee Disposition Evaluation Team member

4. Bureau of Rail and Transit Railroad Planner: Flying Yankee Disposition Evaluation Team member
5. Federal Highway Administration (FHWA), NH Environmental Program Manager: Flying Yankee Disposition Evaluation Team member
6. NH State Historic Preservation Officer: Flying Yankee Disposition Evaluation Team member

## PROCEDURES

1. Solicitation for Flying Yankee Proposals
  - a. Flying Yankee Disposition Evaluation Team (“the Team”) develops a draft solicitation/Request for Proposals (RFP) for disposition of the Flying Yankee.
  - b. The Team reviews the draft solicitation and makes recommendations for revision.
  - c. Bureau of Environment Administrator routes the RFP to the Director of Aeronautics, Rail and Transit (“the Director”) for approval.
  - d. The Bureau of Rail and Transit will have the Public Information Office post a link to the RFP at <https://www.nh.gov/dot/org/administration/finance/bids/invitations/index.htm> under “OTHER PROJECTS / PROPOSALS.”
  - e. The Team will develop a Press Release for the Public Information Office that will include the location of the Flying Yankee and a link to the RFP.
  - f. The Team will determine appropriate entities that should receive notification of the RFP, which might include, but not be limited to tenant railroads operating on state-owned railroad lines, local governmental entities of surrounding towns, NH Division of Historical Resources, and NH Preservation Alliance, or other interested non-profit.
  - g. The Bureau of Environment will receive proposals at [Bureau16@dot.nh.gov](mailto:Bureau16@dot.nh.gov). Proposals will be saved in SharePoint at [Project Central - Flying Yankee Disposition - All Documents \(sharepoint.com\)](#).
2. Flying Yankee Disposition Evaluation Team Proposal Rating
  - a. The Team shall consist of:
    - Bureau of Environment Administrator
    - Cultural Resources Program Manager
    - Bureau of Right-of-Way Administrator, or designee
    - Bureau of Rail and Transit Railroad Planner
    - FHWA-NH Environmental Program Manager, and if interested
    - NH State Historic Preservation Officer, or designee
  - b. The Bureau of Environment Administrator will set a meeting date for the Team to rate proposals.
  - c. At the meeting, members of the Team will present a summary of their individual reviews of the proposals.
  - d. After hearing all discussions and presentations relative to the proposals, the Committee will evaluate and rate the proposals, and rank them in the order of preference.
  - e. The evaluation criteria include:

- i. The overall quality, and feasibility of the proposal (20%).
  - ii. Articulation of how the Flying Yankee would be moved, including the project schedule, site cleanup, and overall project cost (20%).
  - iii. Articulation of how the Flying Yankee will be preserved and reused, ideally in New Hampshire, including the proposed setting, long-term maintenance provisions, and opportunities for public access (40%).
  - iv. Understanding and applicability of “*The Secretary of the Interior Standards for Treatment of Historic Properties*” (36 CFR Part 68) and “*The Secretary of the Interior’s Standards for Rehabilitation*” (36 CFR Part 67) (20%).
  - f. The overall order of ranking will be determined by a written vote of the Team.
  - g. The Bureau of Environment Administrator will prepare a memo to the Director outlining the Team’s recommendation.
3. Acceptance of Proposal and Bill of Sale
- a. Once approved by the Director, the Director will notify the successful proposer. It is important to note that the contents of the proposals shall be considered confidential until a Bill of Sale is approved by Governor & Council.
  - b. Once approved by the Director, the Bureau of Environment Administrator will have the Public Information Office place the results of the proposal(s) evaluation on the SB 86 Procurement Information webpage at <https://www.nh.gov/dot/procurement/index.htm>.
  - c. The Team will work with the successful proposer on any modifications or additional suggestions resulting from the review, as well as the process for transfer in ownership of the Flying Yankee, which would be stipulated in the RFP.
  - d. The Bureau of Right-of-Way Administrator, or designee will work with the proposer in the development and execution of the Bill of Sale, appropriate property lien, and Governor & Council approval.

**TRAINING**

If assistance is required beyond the procedures in this document, please contact the Bureau of Environment.

**DISCIPLINE**

Disciplinary action related to this procedure can be found in the referenced policy.

**AMENDMENT RECORD**

Date	Comments	Name	Authority
4/2/2023	Approved by the Commissioner	William Cass	Commissioner





MAINE CENTRAL

6000

4617

617

PACIFIC





6000

BOSTON AND MAINE

MAINE CENTRAL