

FAX 202-245-0454

Mack H. Shumate, Jr.
Senior General Attorney, Law Department

EJ-3212

September 18, 2007

Mr. Vernon Williams, Secretary
Surface Transportation Board
Environmental Section
395 E Street, S.W., Room 1149
Washington, D.C. 20423-0001

ATTN: Victoria Rutson

Re: Internal Procedural Adjustments Implemented by the Law Department of the Union Pacific Railroad Company to Assure Compliance with the Section 106 Process concerning the Preservation and Documentation of Historic Structures located on Railroad Lines for which Union Pacific Seeks Abandonment Authority utilizing either the Notice of Exemption, Petition or Application Process.

Dear Ms. Rutson:

As you are aware, the Union Pacific has pending before the Surface Transportation Board ("STB"), a combined request to remove pending Section 106 conditions regarding the proposed abandonment of a portion of the Sunset Subdivision between Levee at Milepost 18.3 and Taft at Milepost 36.3 for a total distance of 18 miles in Kern County, California (STB Docket AB-170 (Sub-No 1X)) and the proposed abandonment of a portion of the Sunset Subdivision between Milepost 19.80 and Milepost 220.00, for a total distance of .20 miles also in Kern County, California (STB Docket No. AB-170 (Sub-No. 2X)).

As referenced in my letter dated August 7, 2007, and the accompanying Memorandum dated May 11, 2007 to Natalie Lindquist with the California Office of Historic Preservation ("Cal. SHPO"), Union Pacific erroneously undertook salvaging activities because of the mistaken belief by Union Pacific's Historic Preservation Representative that the Cal. SHPO had in fact made the determination that there were no historic structures on the Line that warranted additional historical documentation. The Union Pacific Historic Preservation Representative responsible for the erroneous assumption has retired and is no longer a representative of the Union Pacific.

Handwritten note:
Mack H. Shumate, Jr.
MRS

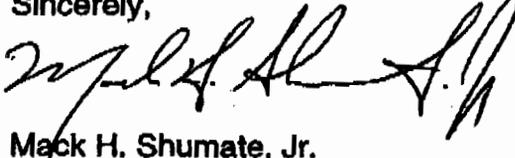
September 18, 2007
Mr. Vernon Williams, Secretary
Surface Transportation Board
Environmental Section

ATTN: Victoria Rutson

In order to assure that this type of error will not be repeated and that the Section 106 Process shall be correctly applied and complied with, the Law Department of the Union Pacific has assigned a paralegal, Annette Aughe, to oversee the Section 106 Process for abandonment proceedings that involve the Union Pacific. Ms. Aughe has already undertaken these activities and is coordinating her efforts with the administrative staff and attorneys that are charged with responsibility for Union Pacific's abandonment program. When the case is made by a state historic preservation officer that a particular structure needs additional documentation to satisfy the Section 106 Process, Annette will make the necessary arrangements for securing the services of the historians on the pre-approved SHPO list for the type of structure involved. After completion of the historic review, Annette will coordinate with the state SHPO and obtain the necessary documentation that confirms completion of the Section 106 requirements from the state SHPO for filing with the STB.

This process should provide for a more efficient, accurate and comprehensive fulfillment of the Section 106 Process of the National Historic Preservation Act and the implementing regulations codified at 36 C.F.R. Part 800.

Sincerely,



Mack H. Shumate, Jr.

Enclosures

cc: Kenneth Blodgett
Annette Aughe
Chuck Saylor
Ray Allmaong
Bob Opal
Gabe Meyer

O:\ABANDONMENTS\170-2\STB3-Ltr

**bcc: Larry Wzorek
Ron Cuchna**

UNION PACIFIC RAILROAD COMPANY

LAW DEPARTMENT

RONALD J. CUCHNA
GENERAL SOLICITOR
312777-2040



101 NORTH WACKER DRIVE
SUITE 1920
CHICAGO, ILLINOIS 60606
FAX 312-777-2065

GEORGE H. BRANT
312777-2051
THOMAS W. CUSHING
312777-2053
MACK H. SHUMATE, JR.
312777-2055
DANIEL R. LaFAVE
312777-2046
FREDERICK P. JOHNSTON, JR.
312777-2047
CONNIE S. ROSEBERRY
312777-2056

FAX TRANSMITTAL SHEET

DATE: Oct. 4, 2007

Fax: 312/777-2065

TO: Ken Blodgett

FAX NO. 202-245-0454

FROM: Mack Shumate

TELEPHONE NO. 312-777-2055

4 COPIES, INCLUDING COVER

MESSAGE: As per phone call - Kern Co. California
AB 170 (Sub NO 1X)
AB 170 (Sub NO. 2X)

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE. If the reader of this message is not the intended recipient or an employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us by mail. Thank you.

UNION PACIFIC RAILROAD COMPANY
TYPE OF MACHINE: IMAGISTICS SX2100

IF YOU DID NOT RECEIVE THE CORRECT AMOUNT OF COPIES SHOWN, OR FOR CONFIRMATION OF FAX SENT, PLEASE CALL SENDER.