



Preserving America's Heritage

H. EI-11601  
AB-33 237X  
OTW

September 15, 2008

Victoria Rutson  
Chief  
Section of Environmental Analysis  
Surface Transportation Board  
Washington, DC 20423

Ref: *Proposed Rail Abandonment and Transfer Project  
Union Pacific Railroad Company and Salt Lake City Corporation  
Salt Lake City, Utah*

Dear Ms. Rutson:

On September 9, 2008, the Advisory Council on Historic Preservation (ACHP) received your notification regarding the adverse effects of the referenced undertaking. Based upon the information you provided, we have concluded that Appendix A, *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, of our regulations, "Protection of Historic Properties" (36 CFR Part 800), does not apply to this undertaking. Accordingly, we do not believe that our participation in the consultation to resolve adverse effects is needed. However, if we receive a request for participation from the State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer, affected Indian tribe, a consulting party, or other party, we may reconsider this decision. Additionally, should circumstances change, and you determine that our participation is needed to conclude the consultation process, please notify us.

Pursuant to 36 CFR §800.6(b)(1)(iv), you will need to file the final Memorandum of Agreement (MOA), developed in consultation with the Utah SHPO, and any other consulting parties, and related documentation at the conclusion of the consultation process. The filing of the MOA with the ACHP and fulfillment of its stipulations are required to complete your compliance responsibilities under Section 106 of the National Historic Preservation Act.

Thank you for providing us with your notification of adverse effect. If you have any questions or require further assistance, please contact Martha Catlin at 202-606-8529 or [mcatlin@achp.gov](mailto:mcatlin@achp.gov).

Sincerely,

LaShavio Johnson  
Historic Preservation Technician  
Federal Permitting, Licensing and Assistance Section  
Office of Federal Agency Programs