

FAX 202-245-0454

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



ET-3213

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)).

MAP # 5
HPC
WRING

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.

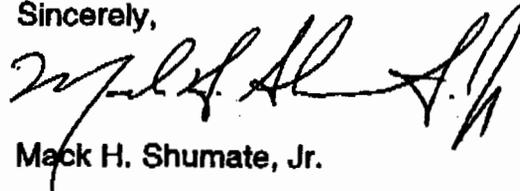
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In order to assure that this type of error will not be repeated and that the Section 106 Process shall be correctly applied and complied with, the Law Department of the Union Pacific has assigned a paralegal, Annette Aughe, to oversee the Section 106 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

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FAX TRANSMITTAL SHEET

DATE: Oct. 4, 2007

Fax: 312/777-2065

TO: Kew 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)
AA 170 (Sub No. 2X)

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