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SURFACE TRANSPORTATION BOARD
395 JB Street, Sit
Washington, DC 20423-0001
Section of Environmental Analysis

May 6, 2008

John Fowler, Executive Director
Advisory Council on Historic Preservation
Old Post Office Building
1100 Pennsylvania Avenue, NW, Suite 803
Washington, DC 20004

**Re: Finance Docket No. 33407, Dakota, Minnesota & Eastern Railroad Corporation
Construction into the Powder River Basin: Section 106 PA Extension**

Dear Mr. Fowler;

As you know, the Surface Transportation Board's Section 106 Programmatic Agreement (PA) for the Dakota, Minnesota & Eastern Railroad Corporation Construction into the Powder River Basin project will expire on May 15, 2008. We are therefore extending the existing PA to ensure that its provisions remain in effect for another 10 years, or until May 15, 2018.

We have included the PA Extension document for your signature. Once signed, we will forward copies of the executed document to all the appropriate signatory parties. In order to remain in effect, the PA Extension document will need to be signed by you no later than this coming Wednesday, May 14, 2008. Consequently, we would greatly appreciate your immediate attention to this matter.

If you have any questions regarding the PA Extension document, please do not hesitate to contact me at 202-245-0295 (Rutsosaiv@sfc.dot.gov) or Catherine Olidden of my staff at 202-245-0293 (fGliddcnct&stb.dot.gov). Thank you for your assistance.

Sincerely,

Victoria Rutsonj, Chief
Section of Environmental Analysis