

212856

December 27, 2004

**VIA UPS NEXT DAY AIR**

Mr. Vernon Williams, Secretary  
Surface Transportation Board  
1925 "K" Street, N.W., Room 504  
Washington, DC 20423-0001

ENTERED  
Office of Proceedings

DEC 27 2004

Part of  
Public Record

**RE: Docket No. AB-33(Sub-No.221X), Union Pacific Railroad Company  
- Abandonment Exemption - - In Santa Clara County, California  
(San Jose Industrial Lead)**

Dear Mr. Williams:

This is to advise that as of December 26, 2004, the Union Pacific Railroad Company ("UP"), with regard to the subject Petition for Exemption has consummated the abandonment for that portion of the San Jose Industrial Lead between Milepost 16.3 and Milepost 19.6 a distance of 3.30 miles in Santa Clara County, California, pursuant to authority granted in the Surface Transportation Board's ("Board") Decision of November 18, 2004 and served November 26, 2004.

The Board's Decision in the above referenced matter imposed three conditions with regard to the abandonment of the Line. The three conditions are as follows: UP shall (1) consult with National Geodetic Survey ("NGS") and notify NGS 90 days prior to salvage activities to plan for the relocation of the identified station marker; (2) retain its interest in and take no steps to alter the historic integrity of all sites and structures located on the right-of-way that are fifty (50) years old or older until completion of the Section 106 process of the National Historic Preservation Act; and (3) consult with the California Coastal Commission ("CCC") before beginning salvage activities to determine whether a California State Coastal Management ("CSCM") consistency certification is required. The UP has consulted with the NGS regarding relocation of the identified station marker. By letter dated September 14, 2004, from the Office of Historic Preservation of the State of California the State Historic Preservation Officer has determined that the proposed abandonment will have no affect on historic properties. The UP and its salvage contractor will consult with the CCC regarding a CSCM consistency certificate prior to any salvage of the Line.

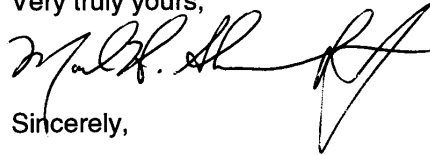
Mack H. Shumate, Jr.  
Senior General Attorney, Law Department

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Mr. Vernon Williams  
Surface Transportation Board  
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An additional ten (10) copies of this letter are enclosed for the Board's further use and distribution.

Very truly yours,

A handwritten signature in black ink, appearing to be "M. H. Williams", written over the word "Sincerely,".

Sincerely,

Enclosures

O:\Abandonments\33-221x\Certification.Ltr