

231923

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

JEREMY M. BERMAN
(312) 252-1510
jberman@fletcher-sippel.com

February 29, 2012

RECEIVED
MAR 1 2012
MANAGEMENT
STB Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

VIA FEDERAL EXPRESS

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, DC 20024

FEE RECEIVED
MAR 1 - 2012
SURFACE
TRANSPORTATION BOARD

Re: **Docket No. AB-392 (Sub-No. 1X)**
Arkansas Midland Railroad Company, Inc. -
Abandonment Exemption -- In Phillips County, AR

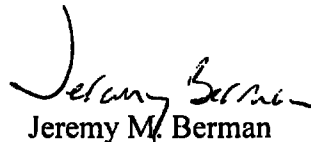
Dear Ms. Brown:

Enclosed for filing in the above-captioned proceeding are an original and ten copies of the **Verified Notice of Exemption of Arkansas Midland Railroad Company, Inc. Pursuant to 49 C.F.R. § 1152.50**, dated February 29, 2012. A check in the amount of \$3,600, representing the appropriate fee for this filing, is attached.

One extra copy of the Notice and this letter also are enclosed. Please date-stamp those items to show receipt of this filing and return them to me in the provided envelope.

The original copy of the Environmental/Historic Report accompanying the Notice has been provided directly to the Board's Office of Environmental Analysis. If you have any questions regarding this filing, please feel free to contact me. Thank you for your assistance on this matter.

Respectfully submitted,



Jeremy M. Berman
Attorney for Arkansas Midland
Railroad Company, Inc.

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Office of Proceedings
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Public Record

JMB:jb

Enclosures

FILED
TRANSPORTATION BOARD

231923

BEFORE THE
SURFACE TRANSPORTATION BOARD



DOCKET NO. AB-392 (SUB-NO. 1X)

ARKANSAS MIDLAND RAILROAD COMPANY, INC.
-- ABANDONMENT EXEMPTION --
IN PHILLIPS COUNTY, ARKANSAS

FEE RECEIVED
MAR 1 - 2012
SURFACE
TRANSPORTATION BOARD

VERIFIED NOTICE OF EXEMPTION OF
ARKANSAS MIDLAND RAILROAD COMPANY, INC.
PURSUANT TO 49 C.F.R. § 1152.50

FILED
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Public Record

Thomas J. Litwiler
Jeremy M. Berman
Fletcher & Sippel LLC
29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832
(312) 252-1500

ATTORNEYS FOR ARKANSAS MIDLAND
RAILROAD COMPANY, INC.

Dated: February 29, 2012

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-392 (SUB-NO. 1X)

ARKANSAS MIDLAND RAILROAD COMPANY, INC.
-- ABANDONMENT EXEMPTION --
IN PHILLIPS COUNTY, ARKANSAS

**VERIFIED NOTICE OF EXEMPTION OF
ARKANSAS MIDLAND RAILROAD COMPANY, INC.
PURSUANT TO 49 C.F.R. § 1150.50**

Arkansas Midland Railroad Company, Inc. ("AKMD") hereby submits this Verified Notice of Exemption under 49 C.F.R. § 1152.50 for the abandonment of AKMD's line of railroad (the "West Helena Industrial Lead") extending from milepost 0.00 to the end of track at milepost 2.66 in West Helena, Arkansas, a distance of approximately 2.66 miles in Phillips County, Arkansas. A map showing the line to be abandoned is attached hereto as Exhibit A.

In accordance with the requirements of 49 C.F.R. § 1152.50(d)(2), AKMD submits the following information:

General Corporate Information: 49 C.F.R. § 1152.22(a)(1) - (2)

AKMD is a Class III common carrier by rail subject to the jurisdiction of the Surface Transportation Board under the Interstate Commerce Act, Subtitle IV, Chapter 105 of Title 49 of the United States Code. AKMD operates approximately 125 miles of rail line throughout Arkansas, and commenced operations in 1992 after acquiring several lines (including the line to be abandoned) from Missouri Pacific Railroad Company ("Missouri Pacific"). Arkansas Midland Railroad Company -- Acquisition and Operation Exemption -- Missouri Pacific Railroad Company, Finance Docket No. 31999 (ICC served March 6, 1992). AKMD

later leased additional lines from Union Pacific Railroad Company. Arkansas Midland Railroad Company -- Lease and Operation Exemption -- Union Pacific Railroad Company, Finance Docket No. 33908 (STB served August 23, 2000); Arkansas Midland Railroad Company, Inc. -- Change in Operators Exemption -- Line of Union Pacific Railroad Company, Finance Docket No. 34567 (STB served November 17, 2004); Arkansas Midland Railroad Company, Inc. -- Lease and Operation Exemption -- Union Pacific Railroad Company, Finance Docket No. 34714 (STB served August 30, 2005). AKMD also leases and operates the Jacksonville Industrial Spur, owned by the City of Jacksonville, Arkansas. Arkansas Midland Railroad Company, Inc. -- Operation Exemption -- In Jacksonville, AR, Finance Docket No. 35152 (STB served September 12, 2008).

AKMD is a wholly-owned subsidiary of Pinsly Railroad Company, a non-carrier holding company which also controls six other Class III rail carriers in Arkansas, Florida and Massachusetts. See Pinsly Railroad Company -- Continuance in Control Exemption -- Arkansas Midland Railroad Company, Inc., Finance Docket No. 32001 (ICC served March 6, 1992).

The complete name and address of AKMD is:

Arkansas Midland Railroad Company, Inc.
314 Reynolds Road, Building 41
Malvern, AR 72104
(501) 844-4444

Relief Sought: 49 C.F.R. § 1152.22(a)(3)

Pursuant to the Board's class exemption for the abandonment of out-of-service rail lines, codified at 49 C.F.R. § 1152.50(b), AKMD seeks to abandon its line of railroad extending from milepost 0.00 to the end of track at milepost 2.66 in West Helena, Arkansas, a distance of approximately 2.66 miles in Phillips County, Arkansas. No rail freight service has been provided or requested on the West Helena Industrial Lead since 2007.

The West Helena Industrial Lead was built by Missouri Pacific in 1936. Its primary purpose was to serve local lumber-related industries in West Helena, Arkansas. As traffic dwindled in the Helena–West Helena area, this line was sold by Missouri Pacific to AKMD in 1992. The last carload moved over this line in 2007. The line was embargoed in mid-2011 due to the deteriorated condition of the sole bridge on the line.

Map: 49 C.F.R. § 1152.22(a)(4)

A map showing the location of the West Helena Industrial Lead and its relation to other rail lines, highways and geographic features in the area is attached hereto as Exhibit A.

Applicant's Representative: 49 C.F.R. § 1152.22(a)(7)

Any correspondence regarding the proposed abandonment should be sent to AKMD's representative at the following address:

Jeremy M. Berman
Fletcher & Sippel LLC
29 North Wacker Drive
Suite 920
Chicago, IL 60606-2832
(312) 252-1500

ZIP Codes Traversed: 49 C.F.R. § 1152.22(a)(8)

The West Helena Industrial Lead traverses United States Postal Service ZIP Codes 72342 and 72390.

Qualification for Class Exemption: 49 C.F.R. § 1152.50(b)

AKMD certifies that no local traffic has moved over the West Helena Industrial Lead for at least two years and that no overhead traffic was or could be handled on the stub-ended line. AKMD further certifies that no formal complaint by a user of rail service on the West

Helena Industrial Lead (or a state or local governmental entity acting on behalf of such user) regarding cessation of service on the line either is pending with the Board or any U.S. District Court or has been decided in favor of such complainant during the last two years. See Certification and Verification of Charles Laggan, attached hereto as Exhibit B.

Proposed Consummation Date: 49 C.F.R. § 1152.50(d)(2)

AKMD intends to consummate abandonment of the West Helena Industrial Lead on or shortly after April 20, 2012.

Suitability for Other Public Purposes: 49 C.F.R. § 1152.22(e)(4)

AKMD does not believe that the right-of-way would be of interest to the State or any other entity as a highway or mass transportation line or other similar public use because it sits in a developed area with a mature roadway system. Based on information in AKMD's possession, the subject line does not appear to contain any federally granted right of way.

Notice Requirement: 49 C.F.R. §§ 1152.50(d)(2), 1105.11

A certificate that the agencies designated in 49 C.F.R. § 1152.50(d)(1) have been served with written prefiling notice of the proposed abandonment is attached hereto as Exhibit C. A certificate that the Environmental/Historic Report accompanying this Notice as Exhibit D has been served on the agencies designated in 49 C.F.R. § 1105.7(b) is attached as Appendix Q to that Report.

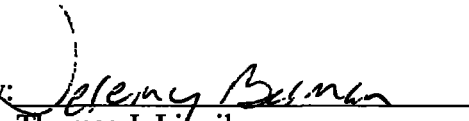
Labor Protection: 49 C.F.R. § 1152.50(d)(2)

The appropriate level of labor protection for the transaction proposed herein is that set forth in Oregon Short Line R. Co. -- Abandonment -- Goshen, 360 I.C.C. 91 (1979). No AKMD employees will be adversely affected by the proposed abandonment.

Environmental and Historic Preservation Data: 49 C.F.R. § 1105

An Environmental/Historic Report prepared in compliance with the requirements and specifications of 49 C.F.R. § 1105 is attached hereto as Exhibit D. That report concludes that the proposed abandonment, if implemented, will not significantly affect either the quality of the human environment or the conservation of energy resources.

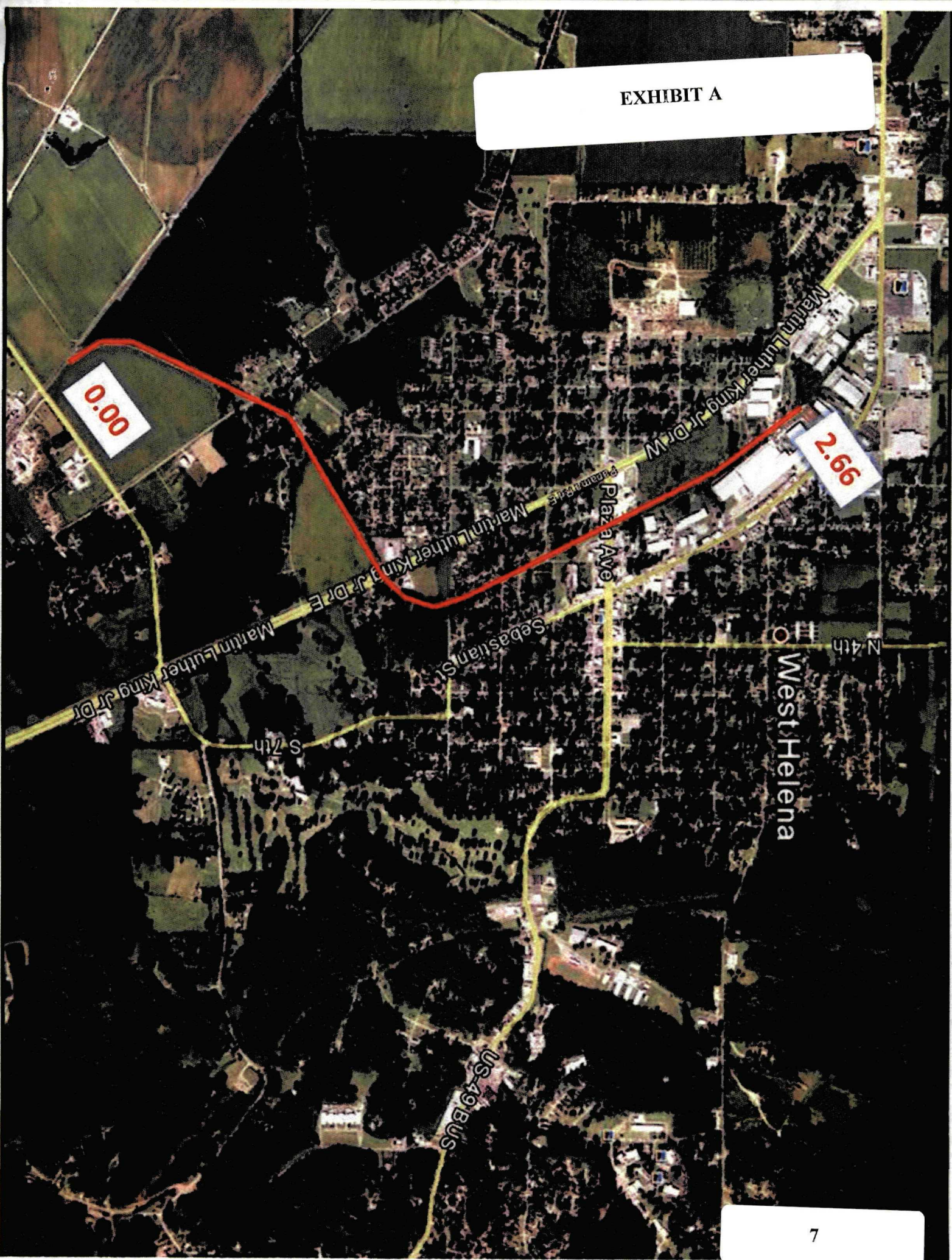
Respectfully submitted,

By: 
Thomas J. Litwiler
Jeremy M. Berman
Fletcher & Sippel LLC
29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832
(312) 252-1500

**ATTORNEYS FOR ARKANSAS MIDLAND
RAILROAD COMPANY, INC.**

Dated: February 29, 2012

EXHIBIT A



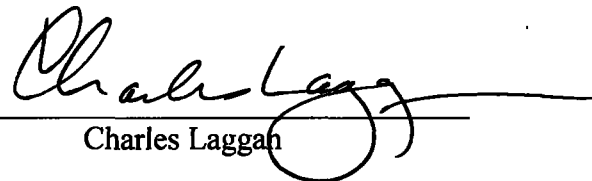
CERTIFICATION AND VERIFICATION

State of Arkansas)
) ss:
County of Hot Spring)

Charles Laggan, being duly sworn, deposes and says that he is Vice President and General Manager of Arkansas Midland Railroad Company, Inc. ("AKMD") and that:

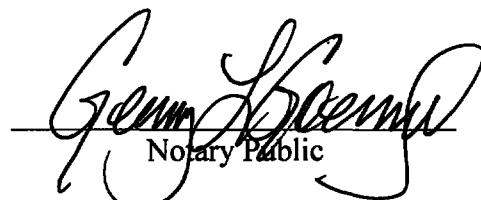
1) No local traffic has moved over AKMD's rail line between milepost 0.00 and milepost 2.66 in West Helena, Phillips County, Arkansas for at least two years; no overhead traffic was or could be handled on the stub-ended line; and no formal complaint filed by a user of rail service on the line (or a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Board or any U.S. District Court or has been decided in favor of such complainant during the last two years; and

2) He has read the foregoing Notice of Exemption and knows the facts asserted therein, and the same are true as stated.



Charles Laggan

SUBSCRIBED AND SWORN TO
before me this 24 day
of February, 2012.



Notary Public

My Commission expires:



CERTIFICATE OF NOTIFICATION

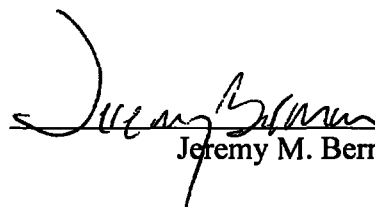
I hereby certify that on February 20, 2012, written notice in the form attached hereto and containing the information specified in 49 C.F.R. § 1152.50(d)(1) was served by first class mail, postage prepaid, upon the following agencies designated in that subsection:

Mr. Cliff McKinney
Intermodal Transportation Planner
Arkansas State Highway and Transportation Department
P.O. Box 2261
Little Rock, AR 72203

Railroads for National Defense Program
Transportation Engineering Agency
Surface Deployment and Distribution Command
1 Soldier Way
Scott AFB, IL 62225

Mr. Charlie Stockman
Chief, Rivers, Trails & Conservation Assistance Program
National Park Service
1849 C Street, N.W., Org. Code 2220
Washington, DC 20240-0001

Mr. Thomas L. Tidwell
Chief of the Forest Service
U.S. Department of Agriculture
1400 Independence Avenue, S.W.
Washington, DC 20250-0003



Jeremy M. Berman

[ENVIRONMENTAL/HISTORIC REPORT]

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
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Phone: (312) 252-1500
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JEREMY M. BERMAN
(312) 252-1510
jberman@fletcher-sippel.com

February 9, 2012

Mr. J. Eric Gilliland
Staff Archeologist
Arkansas Historic Preservation Program
1500 Tower Building
323 Center Street
Little Rock, AR 72201

Re: **Docket No. AB-392 (Sub-No. 1X)**
Arkansas Midland Railroad Company, Inc. --
Abandonment Exemption -- In Phillips County, AR

Dear Mr. Gilliland:

On or about February 29, 2012, Arkansas Midland Railroad Company, Inc. ("AKMD") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of AKMD's line of railroad, referred to herein as the West Helena Industrial Lead, extending from the connection with AKMD's main line at milepost 0.00 to the end of track at milepost 2.66 in West Helena, Phillips County, Arkansas, a distance of approximately 2.66 miles. Your review of and comments on this project were previously requested by letter dated October 4, 2011.

In accordance with 49 C.F.R. §§ 1105.7(b) and 1105.11, we are providing for your information the enclosed Environmental/Historic Report which will accompany the notice of exemption and which describes the proposed action and any expected environmental or historic effects. The Report also includes a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the Board's independent environmental analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Office of Environmental Analysis at the following address:

Surface Transportation Board
Office of Environmental Analysis
395 E Street, S.W., Room 1106
Washington, DC 20423-0001
(202) 245-0295

FLETCHER & SIPPEL LLC

Mr. J. Eric Gilliland

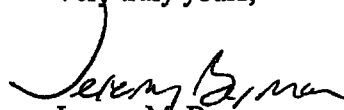
February 9, 2012

Page 2

Your comments should reference Docket No. AB-392 (Sub-No. 1X) and, if written, should include a copy to the undersigned. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to the Office of Environmental Analysis would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental and historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, you should feel free to contact me directly at 312-252-1510. Thank you for your assistance on this matter. Kind regards.

Very truly yours,



Jeremy M. Berman
Attorney for Arkansas Midland
Railroad Company, Inc.

JMB:tjl

Enclosure

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-392 (SUB-NO. 1X)

ARKANSAS MIDLAND RAILROAD COMPANY, INC.
-- ABANDONMENT EXEMPTION --
IN PHILLIPS COUNTY, ARKANSAS

ENVIRONMENTAL/HISTORICAL REPORT

Arkansas Midland Railroad Company, Inc. ("AKMD") submits this Environmental/Historic Report in compliance with the reporting requirements of 49 C.F.R. §§ 1105.7 and 1105.8. Supporting correspondence is attached. It is the conclusion of this Report that the proposed abandonment, if implemented, will not significantly affect either the quality of the human environment or the conservation of energy resources.

ENVIRONMENTAL REPORT - 49 C.F.R. § 1105.7(e)

1. **Proposed Action and Alternatives.** AKMD seeks to abandon its line of railroad extending from milepost 0.00 to the end of track at milepost 2.66 in West Helena, Arkansas (the "Line"). The Line is situated in Phillips County, Arkansas and extends a total distance of approximately 2.66 miles.

The Line has not been required to serve any customer in recent years. There have been no rail shipments of any kind on the Line since 2007, and no reasonably foreseeable possibility for the development of new rail traffic exists. The Line has been embargoed since August 12, 2011 due to the condition of the sole bridge on the Line.

Following abandonment, AKMD intends to salvage rail, ties and track material from most of the Line and dispose of that portion of the right-of-way. AKMD will retain

approximately four-tenths of a mile of trackage connecting with AKMD's main line at milepost 0.00 for storage and switching purposes. AKMD is not aware that the remainder of the right-of-way of the Line would be suitable for use as a trail. Given the already-developed road system in the area, the remainder of the Line's right-of-way also would not be suitable for a roadway.

No alternatives to the proposed abandonment have been considered. The only alternative is retention of the Line in its current unused state, which would have no environmental impact but would prevent the redeployment of AKMD's assets elsewhere and preclude removal of numerous inactive grade crossings described below.

A map showing the location of the Line is attached hereto as **Appendix A**.

2. Transportation System. AKMD does not anticipate that existing regional or local transportation systems or patterns will be affected by the proposed abandonment. No rail service is currently provided on the Line, and no traffic has been handled on the Line since 2007. Thus, no traffic will be diverted to other transportation systems or modes as a result of the proposed abandonment. There is no overhead traffic on the stub-ended Line, and no passenger trains are operated over the Line.

Abandonment of the Line will allow for the permanent closure and removal of eight public highway crossings: Little Rock Road (DOT 425189M), Renee Street (DOT 934745U), Highway 49 B (DOT 426402L), Russel Avenue (DOT 425191N), Park Avenue (DOT 425190G), Cleburne/Connection Street (DOT 425192V), Plaza Street (DOT 433838E), and Helena Chemical Co. Entrance (DOT 426227X). Abandonment of the Line also will allow for the removal of three private at-grade road crossings with federal identification numbers DOT 934746B, DOT 934747H, and DOT 934744M.

compliance with State and Federal laws." See correspondence attached hereto as **Appendix E-1**. AKMD has received no comments to date from NOAA.

(iv) AKMD does not believe that the right-of-way of the Line is suitable for alternative public use under 49 U.S.C. § 10905. The road system close to the Line is already developed, and particularly at its northern end the Line is directly adjacent to residential and industrial properties.

4. Energy.

(i) The proposed abandonment will not have any effect on the transportation of energy resources. No freight traffic has moved on the Line for five years, and AKMD foresees little or no possibility that on-line energy resource traffic would develop in the future.

(ii) The movement and/or recovery of recyclable commodities will not be adversely affected by this abandonment. To the best of AKMD's knowledge, no such traffic has been handled on this line, and AKMD foresees little or no possibility that any online recyclable commodity traffic would develop in the future.

(iii) Abandonment will not result in an increase or decrease in overall energy efficiency. There is no freight traffic on the Line and thus there will be no changes in existing transportation patterns or energy usage as a result of the proposed abandonment.

(iv) Not applicable. Abandonment of the Line will not cause the diversion of more than 1,000 rail carloads per year or an average of 50 rail carloads per mile per year to motor carriers.

5. Air.

(i) Not applicable. Abandonment will not result in (A) a minimum increase in rail traffic of 100% or eight trains per day on any segment of rail line, (B) an increase in rail yard activity of at least 100%, or (C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles per day on any road segment.

(ii) Not applicable. Phillips County is not a class I or nonattainment area under the Clean Air Act. In any event, abandonment of the Line will not result in traffic increases which exceed the thresholds specified in 49 C.F.R. § 1105.7(e)(5)(ii)(A), (B) or (C).

(iii) Not applicable. No ozone depleting materials have been transported over the Line for at least five years, and no such shipments will be diverted as a result of this abandonment.

AKMD has contacted and requested comments from ADEQ and the U.S Environmental Protection Agency ("EPA"). See correspondence attached hereto as **Appendices E and G**. The response of ADEQ does not indicate concerns regarding air quality and states that the proposed abandonment appears "environmentally sound and in compliance with State and Federal laws." See correspondence attached hereto as **Appendix E-1**. In a letter dated October 17, 2011, the EPA indicated that it referred AKMD's letter to the EPA Region 6 office in Dallas, Texas. See correspondence attached hereto as **Appendix G-1**. AKMD contacted the EPA Region 6 office separately as well. See correspondence attached hereto as **Appendix H**. In its comments dated November 23, 2011, EPA Region 6 raised no concerns regarding air quality. See correspondence attached as **Appendix H-1**.

6. Noise. Not applicable. As indicated above, none of the thresholds identified in 49 C.F.R § 1105.7(c)(5)(i) will be exceeded as a result of the abandonment.

7. Safety.

(i) The proposed action will have no adverse effect upon public health or safety. Abandonment of the Line will allow a total of eight public rail/highway grade crossings to be eliminated. During any salvage operations on the Line, precautions will be taken to ensure public safety.

(ii) Not applicable. As the Line has not had any traffic for five years, the proposed abandonment will have no effect on the transportation of hazardous materials.

(iii) There are no known hazardous waste sites or sites where there have been known hazardous material spills on right-of-way of the Line.

8. Biological Resources.

(i) The Line is located in a well-developed, urban residential, commercial and industrial area. Salvage operations will be handled using existing access routes. AKMD thus does not believe that any critical habitat will be destroyed, altered or affected as a result of the proposed abandonment, or that any endangered or threatened species are present in the area or would be adversely affected. The U.S. Fish and Wildlife Service ("FWS") has been contacted and has confirmed that no trust resources protected under the Endangered Species Act are present in the area of the Line. See correspondence attached hereto as **Appendices I and I-1**. In a response provided to the Arkansas State Clearinghouse, the Arkansas Game and Fish Commission has indicated that it has no comment on the proposed abandonment. See correspondence attached as **Appendix M-1**, at page 8.

(ii) The Line does not pass through or adjacent to any wildlife sanctuaries or refuges or any national or state parks or forests and, accordingly, none will be adversely affected. AKMD has contacted and requested comments from the National Park Service, as set forth in **Appendix J**. In a response provided to the Arkansas State Clearinghouse, the Arkansas Forestry Commission indicated that it had no comment on the proposed abandonment. See correspondence attached hereto as **Appendix M-1**, at page 5.

9. Water.

(i) AKMD believes that the proposed abandonment of the Line is consistent with applicable federal, state and local water quality standards. In its comments dated October 17, 2011, ADEQ indicated that AKMD's proposed abandonment appears "environmentally sound and in compliance with State and Federal laws." See correspondence attached hereto as **Appendix E-1**. ADEQ further advised that if salvage activity will disturb in excess of one acre, AKMD must comply with the terms of Stormwater Construction General Permit ARR150000 prior to the start salvage. AKMD will comply with these permit terms if necessary.

AKMD also contacted and requested comments from the Arkansas Natural Resources Commission ("ANRC"). See correspondence attached hereto as **Appendix K**. In a letter dated October 13, 2011, ANRC advised that the rail line should be removed according to the appropriate assessment method for wetlands and streams to "obtain no overall net loss to wetlands." See correspondence attached hereto as **Appendix K-1**. As discussed below, the U.S. Army Corps of Engineers has determined that there are no designated wetlands within the area of the Line. AKMD thus does not

anticipate any impacts to wetlands or streams as a result of this proposed abandonment. ANRC further advised that the proposed abandonment will cause no adverse effects relative to the 100-year floodplain. Finally, ANRC indicated that FWS has identified several threatened or endangered species in Phillips County. As indicated above, however, FWS has determined that no threatened or endangered species will be affected by the proposed abandonment. See correspondence attached hereto as **Appendix I-1**.

In a separate response provided to the Arkansas State Clearinghouse, ANRC recommended that AKMD utilize best management practices ("BMPs") when conducting salvage of the Line. See correspondence attached hereto as **Appendix M-1**, at page 4. AKMD will comply with this recommendation.

In a response provided to the Arkansas State Clearinghouse, the Arkansas Geological Survey indicated that it had no comments on and supported the proposed abandonment. See correspondence attached hereto as **Appendix M-1**, at page 6.

In comments dated November 23, 2011, Region 6 of the U.S. EPA recommended consultation with the Army Corps of Engineers, FWS and the Natural Resources Conservation Service. See correspondence attached hereto as **Appendix H-1**. As discussed elsewhere in this report, consultations have occurred with (and comments obtained from) each of those agencies. EPA also indicates that the proposed abandonment is located with a designated 100-year floodplain, and suggests consultation with the Federal Emergency Management Authority ("FEMA"). As indicated above, ANRC has indicated that the proposed abandonment will have no adverse effect on the 100-year floodplain. See correspondence attached hereto as **Appendix K-1**. AKMD is serving a copy of this Environmental/Historic Report on FEMA.

(ii) The Army Corps of Engineers has been contacted to determine if the proposed abandonment requires permits under Section 404 of the Clean Water Act. See correspondence attached hereto as **Appendix L**. In a letter dated October 13, 2011, the Little Rock District of the Corps of Engineers forwarded AKMD's request to the Memphis District for handling. See correspondence attached hereto as **Appendix L-1**. In a letter dated October 24, 2011, Memphis District indicated that there are no wetlands or waters of the United States within the proposed abandonment area and that no Corps of Engineers permit is required. See correspondence attached hereto as **Appendix L-2**.

(iii) No permits under Section 402 of the Clean Water Act are required. No material will be disposed of into a waterway as part of the abandonment. Comments received from ADEQ and Region 6 of the U.S. EPA do not indicate any need for a Section 402 permit. See correspondence attached hereto as **Appendices E-1 and H-1**.

10. Proposed Mitigation. As no adverse impact is anticipated from the proposed abandonment, AKMD does not propose any mitigation measures.

11. Additional Information for Rail Constructions. Not applicable.

* * * * *

In addition to the agencies referenced above, AKMD also has contacted and requested comments from the Arkansas State Clearinghouse within the Arkansas Department of Finance and Administration (functioning as the state single point of contact) and the National Geodetic Survey (by e-mail to NGS.InfoCenter@noaa.gov). See correspondence attached hereto as **Appendices M and N**. The State Clearinghouse forwarded the request to the Arkansas Technical Review Committee, which compiled comments from various state agencies and

concluded with a statement of support for the project. This represents the position of the State of Arkansas on the proposed abandonment. See correspondence attached hereto as **Appendix M-1**.

By e-mail dated January 31, 2012, the National Geodetic Survey indicated that two geodetic station marks are located in the area of the West Helena Industrial Lead. See correspondence attached hereto as **Appendix N-1**. Data sheets for the two station marks are attached hereto as **Appendix N-2**. Neither mark is located on or immediately adjacent to the railroad right-of-way, and neither mark would be disturbed by anticipated salvage operations. AKMD will consult with NGS at least 90 days prior to any salvage activities that would disturb or destroy any geodetic station marks.

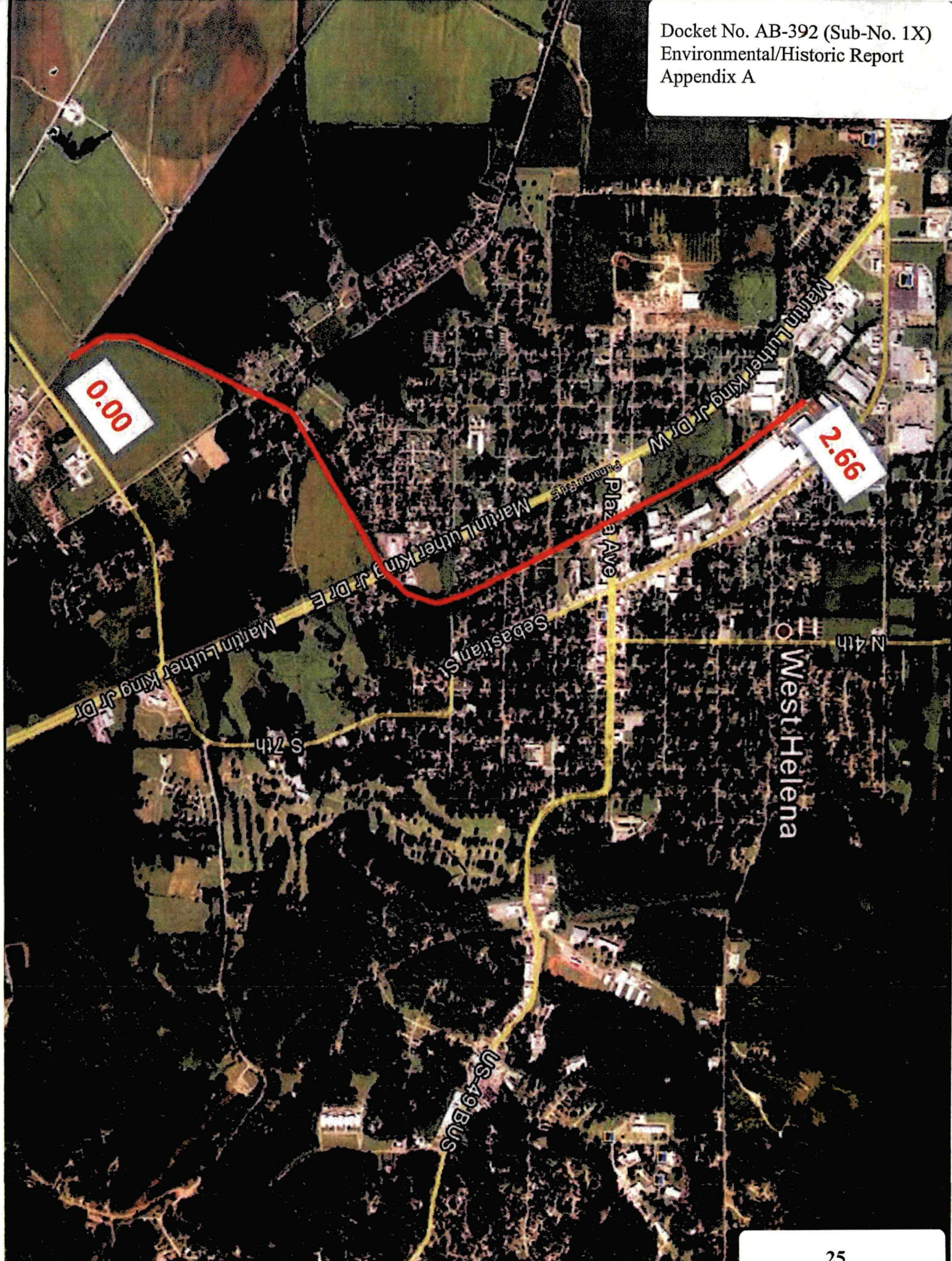
HISTORIC REPORT - 49 C.F.R. § 1105.8(d)

1. **Map.** A map of the Line is attached hereto as **Appendix A.**
2. **Description of Line.** The line to be abandoned begins at milepost 0.00 south of West Helena, Arkansas, where it connects with AKMD's Helena Branch. From its origin, the Line extends generally northeasterly and then northwesterly approximately 2.66 miles to the end of track at milepost 2.66 in West Helena. Residential areas surround the middle of the Line, while the northern terminus of the Line is commercial and industrial. The surrounding area is generally flat, and the width of the right-of-way varies between 50 and 100 feet. The Line is situated in Phillips County, Arkansas.
3. **Photographs.** A photograph of the only structure on the Line is attached hereto as **Appendix O.**
4. **Information on Structures.** The only structure on the line is a short, four-span, timber pile trestle over Caney Creek, located toward the southern end of the line. The bridge is in poor condition, and AKMD believes it dates from the initial construction of the line in 1936. AKMD is not aware of any engineering drawings or plans for this structure.
5. **History of Operations.** The Line was built by Missouri Pacific Railroad Company in 1936 to serve mostly local lumber-related industries in West Helena, Arkansas. This line was sold by Missouri Pacific to AKMD in 1992. The last carloads received by any industry on this line occurred in 2007. There have been no rail operations on the Line since that time, and the Line was embargoed in mid-2011 due to the condition of its sole bridge.
6. **Engineering Documents.** AKMD does not possess engineering drawings or records that would be useful in documenting the single structure on the Line. AKMD will provide copies of any other documents in its possession.

7. Historic Criteria. Based on readily available information in its possession, AKMD does not believe that any site or structure listed in or meeting the criteria for listing in the National Register of Historic Places is located on the Line or will be affected by the abandonment. AKMD also believes that no culturally significant locations, archaeological sites or unique land forms will be affected by the abandonment.

AKMD has given notice of the proposed abandonment to the Arkansas Historic Preservation Program of the Department of Arkansas Heritage, acting as the State Historic Preservation Officer ("SHPO"). See correspondence attached hereto as **Appendix P**. The SHPO initially requested further information, which AKMD provided. See correspondence attached hereto as **Appendices P-1 and P-2**. In a letter dated December 15, 2011, the SHPO indicated that the single bridge structure on the Line is not historic in nature or eligible for inclusion in the NRHP, and that a nearby historic structure (the Franklin Ice Company building) would not be adversely affected by the proposed abandonment. See correspondence attached as **Appendix P-3**. In order to avoid potential impacts to an adjacent archeological site, the SHPO recommended that salvage equipment be placed on the east side of the line from Plaza Avenue to the north terminus of the Line. AKMD believes track removal can be accomplished from its own right-of-way or on the east side thereof and is agreeable to this condition. Subject to that condition, the SHPO concludes that the proposed abandonment "will have no effect on historic properties."

8. Ground Disturbances. Based on readily available information in its possession, AKMD believes that subsurface ground disturbance occurred when the Line was constructed 75 years ago, and in the development of the surrounding area. AKMD is unaware of other environmental conditions that might affect the archaeological recovery of resources. Access to the Line is good.



FLETCHER & SIPPEL LLC
ATTORNEYS AT LAW

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jberman@fletcher-sippel.com

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www.fletcher-sippel.com

October 4, 2011

Arkansas State Highway and Transportation Department
10324 Interstate 30
Little Rock, Arkansas 72209

Re: **Docket No. AB-392 (Sub-No. 1X)**
Arkansas Midland Railroad Company, Inc. --
Abandonment Exemption -- In Phillips County, AR

To Whom It May Concern:

On or about November 14, 2011, Arkansas Midland Railroad Company, Inc. ("AKMD") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of AKMD's line of railroad, referred to herein as the West Helena Industrial Lead, extending from the connection with AKMD's main line at milepost 0.00 to the end of track at milepost 2.66 in West Helena, Phillips County, Arkansas, a distance of approximately 2.66 miles. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved during the previous two years. A map showing the location of the West Helena Industrial Lead is attached for your reference. After abandonment, AKMD intends to retain four-tenths of a mile of trackage connecting with AKMD's main line for storage and switching purposes. AKMD will remove rail and track materials from the remainder of the line and dispose of that portion of the right-of-way.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the West Helena Industrial Lead so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

1. Regional or local land use plans;
2. Regional or local transportation systems and patterns, including alternative transportation modes;
3. Energy consumption and efficiency;
4. Air emissions and noise levels;
5. Bodies of water and overall water quality under applicable federal, state or local standards;

6. Designated wetlands and 100-year flood plains;
7. Endangered or threatened species and critical habitats;
8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Prime agricultural land;
10. Existing or potential safety hazards;
11. Coastal Zone Management Areas; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-392 (Sub-No. 1X) and be sent to the undersigned, as counsel for AKMD.

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before AKMD's notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1510. Thank you for your assistance.

Very truly yours,



Jeremy M. Berman
Attorney for Arkansas Midland
Railroad Company, Inc.

JMB:tjl

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October 4, 2011

Honorable Don Gentry
County Judge, Phillips County
620 Cherry Street
Helena, Arkansas 72342

Re: **Docket No. AB-392 (Sub-No. 1X)**
Arkansas Midland Railroad Company, Inc. --
Abandonment Exemption -- In Phillips County, AR

Dear Judge Gentry:

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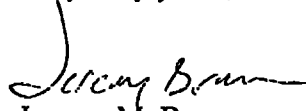
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Very truly yours,



Jeremy M. Berman
Attorney for Arkansas Midland
Railroad Company, Inc.

JMB:tjl

Attachment

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October 4, 2011

Mike Sullivan
National Resource Conservation Service
Federal Building, Room 3416
700 W. Capitol Ave.
Little Rock, Arkansas 72201

Re: **Docket No. AB-392 (Sub-No. 1X)**
Arkansas Midland Railroad Company, Inc. --
Abandonment Exemption -- In Phillips County, AR

Dear Mr. Sullivan:

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Very truly yours,



Jeremy M. Berman
Attorney for Arkansas Midland
Railroad Company, Inc.

JMB:tjl

Attachment

**FARMLAND CONVERSION IMPACT RATING
FOR CORRIDOR TYPE PROJECTS**

PART I (To be completed by Federal Agency)		3. Date of Land Evaluation Request 10/4/11	4. Sheet 1 of _____
1. Name of Project Arkansas Midland Railroad Company		5. Federal Agency Involved	
2. Type of Project Railroad Abandonment in Phillips County		6. County and State Phillips County, Arkansas	
PART II (To be completed by NRCS)		1. Date Request Received by NRCS 10/7/11	2. Person Completing Form David Hargis
3. Does the corridor contain prime, unique statewide or local important farmland? (If no, the FPPA does not apply - Do not complete additional parts of this form)		4. Acres Irrigated Average Farm Size	
YES ☐ NO ☒			
5. Major Crop(s)	6. Farmable Land in Government Jurisdiction		7. Amount of Farmland As Defined in FPPA
	Acres: _____ %		Acres: _____ %
8. Name Of Land Evaluation System Used	9. Name of Local Site Assessment System		10. Date Land Evaluation Returned by NRCS

PART III (To be completed by Federal Agency)		Alternative Corridor For Segment _____			
		Corridor A	Corridor B	Corridor C	Corridor D
A. Total Acres To Be Converted Directly					
B. Total Acres To Be Converted Indirectly, Or To Receive Services					
C. Total Acres In Corridor		0.0	0	0	0
PART IV (To be completed by NRCS) Land Evaluation Information					
A. Total Acres Prime And Unique Farmland					
B. Total Acres Statewide And Local Important Farmland					
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted					
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value					
PART V (To be completed by NRCS) Land Evaluation Information Criterion Relative value of Farmland to Be Serviced or Converted (Scale of 0 - 100 Points)					
PART VI (To be completed by Federal Agency) Corridor Assessment Criteria (These criteria are explained in 7 CFR 658.5(c))		Maximum Points			
1. Area in Nonurban Use		15			
2. Perimeter in Nonurban Use		10			
3. Percent Of Corridor Being Farmed		20			
4. Protection Provided By State And Local Government		20			
5. Size of Present Farm Unit Compared To Average		10			
6. Creation Of Nonfarmable Farmland		25			
7. Availability Of Farm Support Services		5			
8. On-Farm Investments		20			
9. Effects Of Conversion On Farm Support Services		25			
10. Compatibility With Existing Agricultural Use		10			
TOTAL CORRIDOR ASSESSMENT POINTS		160			
PART VII (To be completed by Federal Agency)					
Relative Value Of Farmland (From Part V)		100			
Total Corridor Assessment (From Part VI above or a local site assessment)		160			
TOTAL POINTS (Total of above 2 lines)		260			
1. Corridor Selected:	2. Total Acres of Farmlands to be Converted by Project:	3. Date Of Selection:	4. Was A Local Site Assessment Used?		
			YES ☐ NO ☐		

5. Reason For Selection:

Signature of Person Completing this Part:

DATE

NOTE: Complete a form for each segment with more than one Alternate Corridor

CORRIDOR - TYPE SITE ASSESSMENT CRITERIA

The following criteria are to be used for projects that have a linear or corridor - type site configuration connecting two distant points, and crossing several different tracts of land. These include utility lines, highways, railroads, stream improvements, and flood control systems. Federal agencies are to assess the suitability of each corridor - type site or design alternative for protection as farmland along with the land evaluation information.

- (1) How much land is in nonurban use within a radius of 1.0 mile from where the project is intended?

More than 90 percent - 15 points

90 to 20 percent - 14 to 1 point(s)

Less than 20 percent - 0 points

- (2) How much of the perimeter of the site borders on land in nonurban use?

More than 90 percent - 10 points

90 to 20 percent - 9 to 1 point(s)

Less than 20 percent - 0 points

- (3) How much of the site has been farmed (managed for a scheduled harvest or timber activity) more than five of the last 10 years?

More than 90 percent - 20 points

90 to 20 percent - 19 to 1 point(s)

Less than 20 percent - 0 points

- (4) Is the site subject to state or unit of local government policies or programs to protect farmland or covered by private programs to protect farmland?

Site is protected - 20 points

Site is not protected - 0 points

- (5) Is the farm unit(s) containing the site (before the project) as large as the average - size farming unit in the County?

(Average farm sizes in each county are available from the NRCS field offices in each state. Data are from the latest available Census of Agriculture, Acreage or Farm Units in Operation with \$1,000 or more in sales.)

As large or larger - 10 points

Below average - deduct 1 point for each 5 percent below the average, down to 0 points if 50 percent or more below average - 9 to 0 points

- (6) If the site is chosen for the project, how much of the remaining land on the farm will become non-farmable because of interference with land patterns?

Acreage equal to more than 25 percent of acres directly converted by the project - 25 points

Acreage equal to between 25 and 5 percent of the acres directly converted by the project - 1 to 24 point(s)

Acreage equal to less than 5 percent of the acres directly converted by the project - 0 points

- (7) Does the site have available adequate supply of farm support services and markets, i.e., farm suppliers, equipment dealers, processing and storage facilities and farmer's markets?

All required services are available - 5 points

Some required services are available - 4 to 1 point(s)

No required services are available - 0 points

- (8) Does the site have substantial and well-maintained on-farm investments such as barns, other storage building, fruit trees and vines, field terraces, drainage, irrigation, waterways, or other soil and water conservation measures?

High amount of on-farm investment - 20 points

Moderate amount of on-farm investment - 19 to 1 point(s)

No on-farm investment - 0 points

- (9) Would the project at this site, by converting farmland to nonagricultural use, reduce the demand for farm support

services so as to jeopardize the continued existence of these support services and thus, the viability of the farms remaining in the area?

Substantial reduction in demand for support services if the site is converted - 25 points

Some reduction in demand for support services if the site is converted - 1 to 24 point(s)

No significant reduction in demand for support services if the site is converted - 0 points

- (10) Is the kind and intensity of the proposed use of the site sufficiently incompatible with agriculture that it is likely to contribute to the eventual conversion of surrounding farmland to nonagricultural use?

Proposed project is incompatible to existing agricultural use of surrounding farmland - 10 points

Proposed project is tolerable to existing agricultural use of surrounding farmland - 9 to 1 point(s)

Proposed project is fully compatible with existing agricultural use of surrounding farmland - 0 points

FLETCHER & SIPPEL LLC

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JEREMY M. BERMAN
(312) 252-1510
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October 4, 2011

Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little Rock, Arkansas 72118

Re: **Docket No. AB-392 (Sub-No. 1X)**
Arkansas Midland Railroad Company, Inc. --
Abandonment Exemption -- In Phillips County, AR

To Whom It May Concern:

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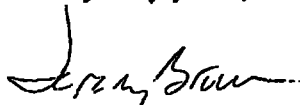
FLETCHER & SIPPEL LLC

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Very truly yours,



Jeremy M. Berman
Attorney for Arkansas Midland
Railroad Company, Inc.

JMB:tjl

Attachment

ADEQ

ARKANSAS
Department of Environmental Quality

Docket No. AB-392 (Sub-No. 1X)
Environmental/Historic Report
Appendix E-1

October 17, 2011

Jeremy M. Berman, Attorney
Arkansas Midland Railroad Company, Inc.
29 North Wacker Drive, Suite 920
Chicago, Illinois 60606-2832

Re: Rail Line Abandonment Exemption

Dear Mr. Berman:

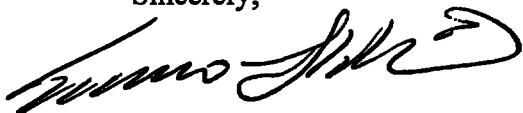
This is in reference to your 10/4/2011 submittal regarding the Philips County Arkansas Midland Railroad Company, Inc.; Abandonment Exemption in the City of West Helena, Arkansas. Based upon the information submitted, it appears that the proposed project is environmentally sound and in compliance with State and Federal laws.

Additionally, if the activity will disturb in excess of one (1) acre, the permittee must comply with the terms of the Stormwater Construction General Permit ARR150000 prior to the start of construction.

This letter is issued in reliance upon the statements and representations made in the submittal and the Department has no responsibility for adequacy or proper functioning of the proposed project.

If there are further questions, please contact me at (501) 682-0616.

Sincerely,



Mo Shafii
Assistant Chief, Water Division

MS:sw

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October 4, 2011

David M. Kennedy, Director
Office of Ocean and Coastal Resource Management
NOAA Ocean Service
1305 East-West Highway
Silver Springs, Maryland 20910

Re: **Docket No. AB-392 (Sub-No. 1X)**
Arkansas Midland Railroad Company, Inc. --
Abandonment Exemption -- In Phillips County, AR

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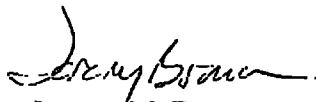
FLETCHER & SIPPEL LLC

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October 4, 2011

U.S. Environmental Protection Agency
Office of Water
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

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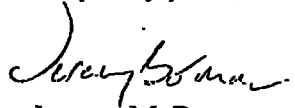
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In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before AKMD's notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1510. Thank you for your assistance.

Very truly yours,



Jeremy M. Berman
Attorney for Arkansas Midland
Railroad Company, Inc.

JMB:tjl

Attachment



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

Docket No. AB-392 (Sub-No. 1X)
Environmental/Historic Report
Appendix G-1

OCT 17 2011

OFFICE OF
WATER

Mr. Jeremy M. Berman
Fletcher & Sippel, LLC
29 North Wacker Drive
Chicago, IL 60606

Dear Mr. Berman:

Thank you for your letter of October 4, 2011, to the U.S. Environmental Protection Agency (EPA) regarding the Arkansas Midland Railroad Company, Inc. abandonment exemption, in Phillips County, Arkansas.

We have referred your letter to Ms. Sharon Parrish of our Region 6 office in Dallas, TX. The EPA Region 6 has responsibility for actions in the State of Arkansas. Ms. Parrish's office will respond to your letter if they find it necessary. You can contact Ms. Parrish at 214-665-7275 or at parrish.sharon@epa.gov.

Sincerely,

A handwritten signature in black ink, which appears to read "David Evans", is written over a horizontal line.

David Evans,
Director, Wetlands Division

FLETCHER & SIPPEL LLC
ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

JEREMY M. BERMAN
(312) 252-1510
jberman@fletcher-sippel.com

October 4, 2011

John Blevins
Compliance Assurance and Enforcement Division
EPA Region 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202

Re: **Docket No. AB-392 (Sub-No. 1X)**
Arkansas Midland Railroad Company, Inc. --
Abandonment Exemption -- In Phillips County, AR

Dear Mr. Blevins:

On or about November 14, 2011, Arkansas Midland Railroad Company, Inc. ("AKMD") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of AKMD's line of railroad, referred to herein as the West Helena Industrial Lead, extending from the connection with AKMD's main line at milepost 0.00 to the end of track at milepost 2.66 in West Helena, Phillips County, Arkansas, a distance of approximately 2.66 miles. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved during the previous two years. A map showing the location of the West Helena Industrial Lead is attached for your reference. After abandonment, AKMD intends to retain four-tenths of a mile of trackage connecting with AKMD's main line for storage and switching purposes. AKMD will remove rail and track materials from the remainder of the line and dispose of that portion of the right-of-way.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the West Helena Industrial Lead so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

1. Regional or local land use plans;
2. Regional or local transportation systems and patterns, including alternative transportation modes;
3. Energy consumption and efficiency;

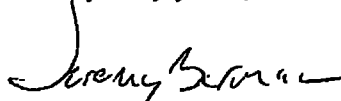
FLETCHER & SIPPEL LLC

4. Air emissions and noise levels;
5. Bodies of water and overall water quality under applicable federal, state or local standards;
6. Designated wetlands and 100-year flood plains;
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8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Prime agricultural land;
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11. Coastal Zone Management Areas; and
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Very truly yours,



Jeremy M. Berman
Attorney for Arkansas Midland
Railroad Company, Inc.

JMB:tjl

Attachment



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 6

**1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733**

Docket No. AB-392 (Sub-No. 1X)
Environmental/Historic Report
Appendix H-1

November 23, 2011

Jeremy M. Berman
29 North Wacker Drive
Chicago, IL 60606-2832

RE: Docket No. AB-392 (Sub-No. 1X)
Arkansas Midland Railroad Company, Inc.
Abandonment Exemption – In Phillips County, AR

In accordance with Section 309 of the Clean Air Act and the National Environmental Policy Act (NEPA), the U.S. Environmental Protection Agency (EPA) Region 6 has received the notice of exemption for the proposed abandonment of the West Helena Industrial Lead. Based on the information presented, we offer the following comments.

- Our analysis indicates the project area may include areas classified as wetlands within the National Land Cover Database. This may require consultation with the U.S. Army Corps of Engineers and obtaining a Section 404 permit.
- This project is within the Federal Emergency Management Agency (FEMA) designated 100-year floodplain. Consultation with FEMA is recommended to assess floodplain impacts of the project.
- The U.S. Fish and Wildlife Service (USFWS) has designated threatened and endangered (T&E) species within Phillips County, Arkansas. Consultation with the USFWS is recommended to address project related impacts to T&E species and their associated critical habitat.
- According to the Natural Resource Conservation Service (NRCS) web soil survey, prime and unique farmlands occur within the project boundary. If prime and unique farmlands will be disturbed by the removal of the rail line; consultation with the NRCS State of Arkansas conservationist is recommended.

Accompanying this letter is a NEPA analysis of the project area for your consideration. We appreciate the opportunity to examine the solicitation of views. Thank you for your coordination and don't hesitate to contact Keith Hayden, of my staff, at 214-665-2133 or hayden.keith@epa.gov should you have any questions or concerns regarding this letter.

Sincerely,

Rhonda Smith
Chief, Office of Planning and Coordination

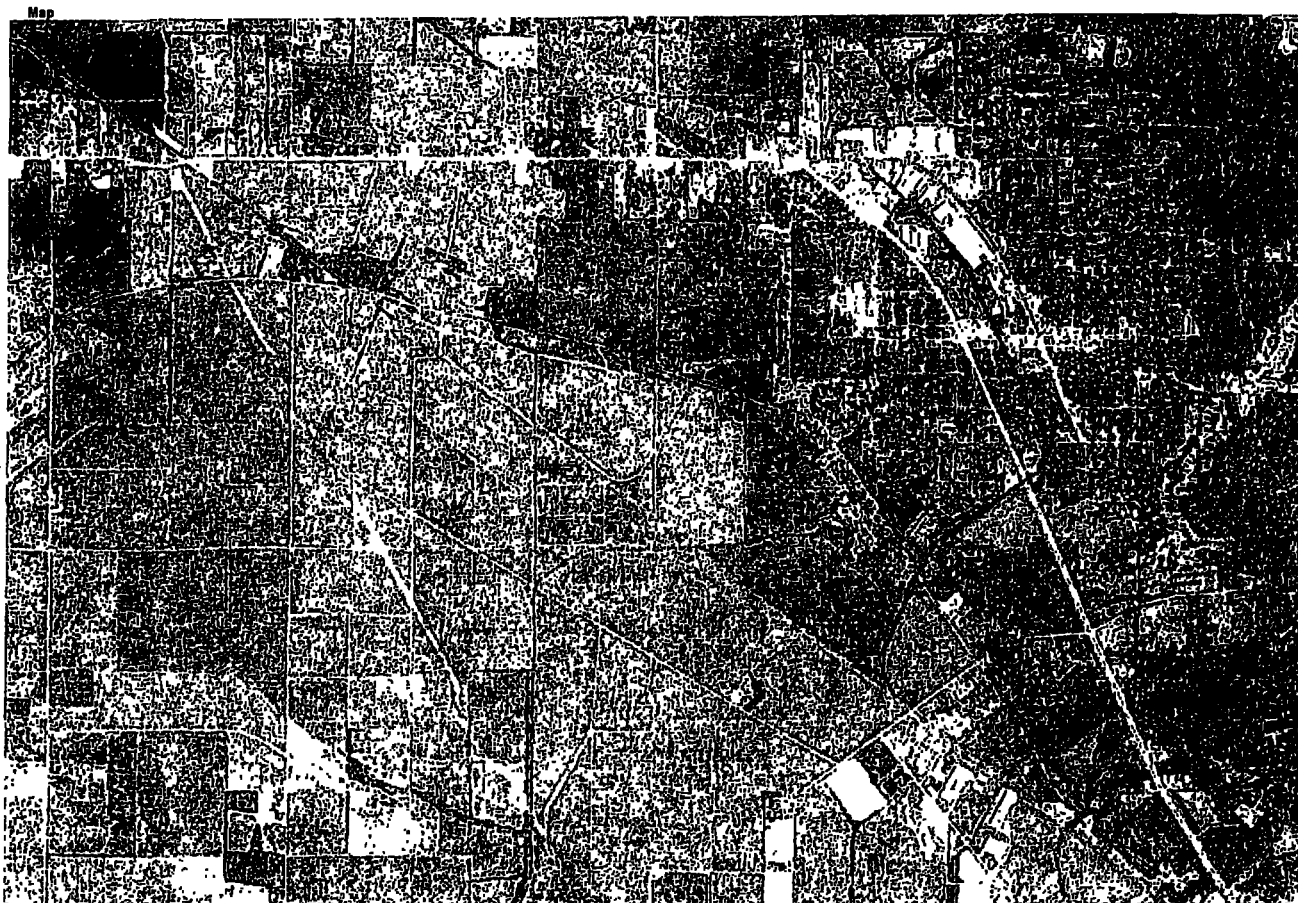


NEPA Assist

You are here: [EPA Home](#) [NEPA Assist Home](#)

http://r6gis1.r06.epa.gov/NEPAVE/analysis_gisst.aspx
Last updated on Friday, November 18, 2011

Image (GlobalSat)



Length of digitized line 2.43 mi

Facility

Within 100 meters of a hospital?	no
Within 1000 meters of a hospital?	no
Within 100 meters of a TRI facility?	no
Within 1000 meters of a TRI facility?	yes
Within 100 meters of a regulated facility?	yes
Within 1000 meters of a regulated facility?	yes
Within 100 meters of an airport?	no

Water

Within 100 meters of a Wild and Scenic River?	no
Within an area over a Sole Source Aquifer?	no
Within the 100 year flood plain?	yes
Within the 500 year flood plain?	yes

Within 400 meters of an NWI wetland? [click here](#)
May take several minutes

Within an NLCD wetland?	yes
Within 1000 meters of an NLCD wetland?	yes

Ecology

Within a federal/state park or wildlife area?	no
Within 1000 meters of a federal/state park or wildlife area?	no
Within a critical habitat area?	no
Within 1000 meters of a critical habitat area?	no
Within 100 meters of a REAP Composite area that is within the Top 10% highest scores?	no
Within 100 meters of a REAP Diversity area that is within the Top 10% highest scores?	no
Within 100 meters of a REAP Rarety area that is within the Top 10% highest scores?	no
Within 100 meters of a REAP Sustainability area that is within the Top 10% highest scores?	no

Other

no

Within 100 meters of a place on the National Historic Register?	
Within 1000 meters of a place on the National Historic Register?	yes
Within 100 meters of a school?	no
Within 1000 meters of a school?	yes
Within a nonattainment area?	no
Within a previous nonattainment, maintenance, or EAC area?	no
Within 1000 meters of a Tribal boundary or property of interest?	no
NatureServe data	
Within an area with known rare, endangered, or at risk species?	click here
Download XML	Environmental Justice Analysis
GISST Analysis	

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

JEREMY M. BERMAN
(312) 252-1510
jberman@fletcher-sippel.com

October 4, 2011

U.S. Fish & Wildlife Service
Arkansas Field Office
110 S. Amity Road, Suite 300
Conway, Arkansas 72032

Re: **Docket No. AB-392 (Sub-No. 1X)**
Arkansas Midland Railroad Company, Inc. --
Abandonment Exemption -- In Phillips County, AR

To Whom It May Concern:

On or about November 14, 2011, Arkansas Midland Railroad Company, Inc. ("AKMD") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of AKMD's line of railroad, referred to herein as the West Helena Industrial Lead, extending from the connection with AKMD's main line at milepost 0.00 to the end of track at milepost 2.66 in West Helena, Phillips County, Arkansas, a distance of approximately 2.66 miles. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved during the previous two years. A map showing the location of the West Helena Industrial Lead is attached for your reference. After abandonment, AKMD intends to retain four-tenths of a mile of trackage connecting with AKMD's main line for storage and switching purposes. AKMD will remove rail and track materials from the remainder of the line and dispose of that portion of the right-of-way.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the West Helena Industrial Lead so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

1. Regional or local land use plans;
2. Regional or local transportation systems and patterns, including alternative transportation modes;
3. Energy consumption and efficiency;
4. Air emissions and noise levels;

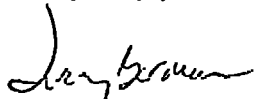
FLETCHER & SIPPEL LLC

5. Bodies of water and overall water quality under applicable federal, state or local standards;
6. Designated wetlands and 100-year flood plains;
7. Endangered or threatened species and critical habitats;
8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Prime agricultural land;
10. Existing or potential safety hazards;
11. Coastal Zone Management Areas; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-392 (Sub-No. 1X) and be sent to the undersigned, as counsel for AKMD.

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before AKMD's notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1510. Thank you for your assistance.

Very truly yours,



Jeremy M. Berman
Attorney for Arkansas Midland
Railroad Company, Inc.

JMB:tjl

Attachment

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

JEREMY M. BERMAN
(312) 252-1510
jberman@fletcher-sippel.com

BOI-110-0001-0001
This project has been reviewed for effects to Federal trust resources currently protected by the Endangered Species Act of 1972 (16 U.S.C. 1531 et seq.; Act) and under our jurisdiction. The project as proposed:

☐ Will have no effect on those trust resources; or

☒ There are no trust resources protected by the Act present.
This finding fulfills the requirements under section 7(a)(2) of the Act
October 4, 2011

U.S. Fish & Wildlife Service
Arkansas Field Office
110 S. Amity Road, Suite 300
Conway, Arkansas 72032

C. Davidson 11-4-11
Acting Field Supervisor Date
Arkansas Ecological Services Field Office
U.S. Fish and Wildlife Service

04ER 1000-2012-
TA0060

Re: Docket No. AB-392 (Sub-No. 1X)
Arkansas Midland Railroad Company, Inc. --
Abandonment Exemption -- In Phillips County, AR

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FLETCHER & SIPPEL LLC

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JEREMY M. BERMAN
(312) 252-1510
jberman@fletcher-sippel.com

October 4, 2011

National Park Service
Department of Interior
1849 C Street, N.W.
Washington, DC 20240

Re: **Docket No. AB-392 (Sub-No. 1X)**
Arkansas Midland Railroad Company, Inc. --
Abandonment Exemption -- In Phillips County, AR

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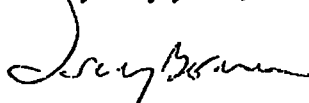
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Very truly yours,



Jeremy M. Berman
Attorney for Arkansas Midland
Railroad Company, Inc.

JMB:tjl

Attachment

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

JEREMY M. BERMAN
(312) 252-1510
jberman@fletcher-sippel.com

October 4, 2011

J. Randy Young, P.E.
Executive Director
Arkansas Natural Resources Commission
101 East Capitol, Suite 350
Little Rock, Arkansas 72201

Re: **Docket No. AB-392 (Sub-No. 1X)**
Arkansas Midland Railroad Company, Inc. --
Abandonment Exemption -- In Phillips County, AR

Dear Mr. Young:

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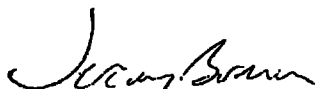
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Very truly yours,



Jeremy M. Berman
Attorney for Arkansas Midland
Railroad Company, Inc.

JMB:tjl

Attachment



Arkansas Natural Resources Commission

Docket No. AB-392 (Sub-No. 1X)
Environmental/Historic Report
Appendix K-1



J. Randy Young, PE
Executive Director

101 East Capitol, Suite 350
Little Rock, Arkansas 72201
<http://www.anrc.arkansas.gov/>

Phone: (501) 682-1611
Fax: (501) 682-3991
E-mail: anrc@arkansas.gov

Mike Beebe
Governor

October 13, 2011

Mr. Jeremy M. Berman
Attorney for Arkansas Midland Railroad Company, Inc.
29 North Wacker Drive, Suite 920
Chicago, IL 60606-2832

RE: Docket No. AB-392 (Sub-No. IX)

Dear Mr. Berman:

These written comments are being provided in response to your letter dated October 4, 2011 describing the proposed abandonment of the 2.66 railroad line in Phillips County.

My first comment concerns designated wetlands. We would advise that AMKD remove any railroad line according to an assessment method to determine compensatory mitigation requirements. We suggest the "Charleston Method" for wetlands and the "Little Rock Method" for streams. The appropriate amount of compensatory mitigation required to offset the impacts should be implemented to insure the mitigation is appropriate to "obtain no overall net loss to wetlands."

Based upon the location of the line provided, it appears that the abandonment of the noted railway will cause no potential adverse effects relative to the 100-year floodplain.

The United States Fish and Wildlife Service identifies the following threatened or endangered species as occurring within Phillips County: Ivory Billed Woodpecker (endangered), Piping Plover (threatened), Least Tern (endangered), Fat Pocketbook Clam (endangered), and Pallid Sturgeon (endangered).

Sincerely,

J. Randy Young, P.E.
Executive Director

JRY:CP:ch

cc: Edward Swaim, Chief, Water Resources Mgmt. Division

FLETCHER & SIPPEL LLC
ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

JEREMY M. BERMAN
(312) 252-1510
jberman@fletcher-sippel.com

October 4, 2011

U.S. Army Corp of Engineers
Little Rock District
700 West Capitol
Little Rock, Arkansas 72201

Re: **Docket No. AB-392 (Sub-No. 1X)**
Arkansas Midland Railroad Company, Inc. --
Abandonment Exemption -- In Phillips County, AR

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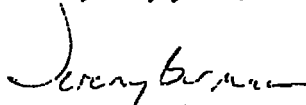
FLETCHER & SIPPEL LLC

5. Bodies of water and overall water quality under applicable federal, state or local standards;
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Very truly yours,



Jeremy M. Berman
Attorney for Arkansas Midland
Railroad Company, Inc.

JMB:tjl

Attachment



DEPARTMENT OF THE ARMY
LITTLE ROCK DISTRICT CORPS OF ENGINEERS
POST OFFICE BOX 867
LITTLE ROCK, ARKANSAS 72203-0867

October 13, 2011

Planning and Environmental Division

Jeremy M. Berman
Attorney
Fletcher & Sippel, LLC
29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

Dear Mr. Berman:

Your request for an environmental review for the Arkansas Midland Railroad Companys, Inc – Abandonment Exemption in Phillips County, Arkansas was sent to our office in error, and belongs in the Memphis District.

Your request has been forwarded to the Memphis District at the following address:

Mr. Edward Lambert
Chief, Environmental Analysis Branch
U.S. Army Corps of Engineers
Memphis District
167 N. Main
Memphis, Tennessee 38013-1894

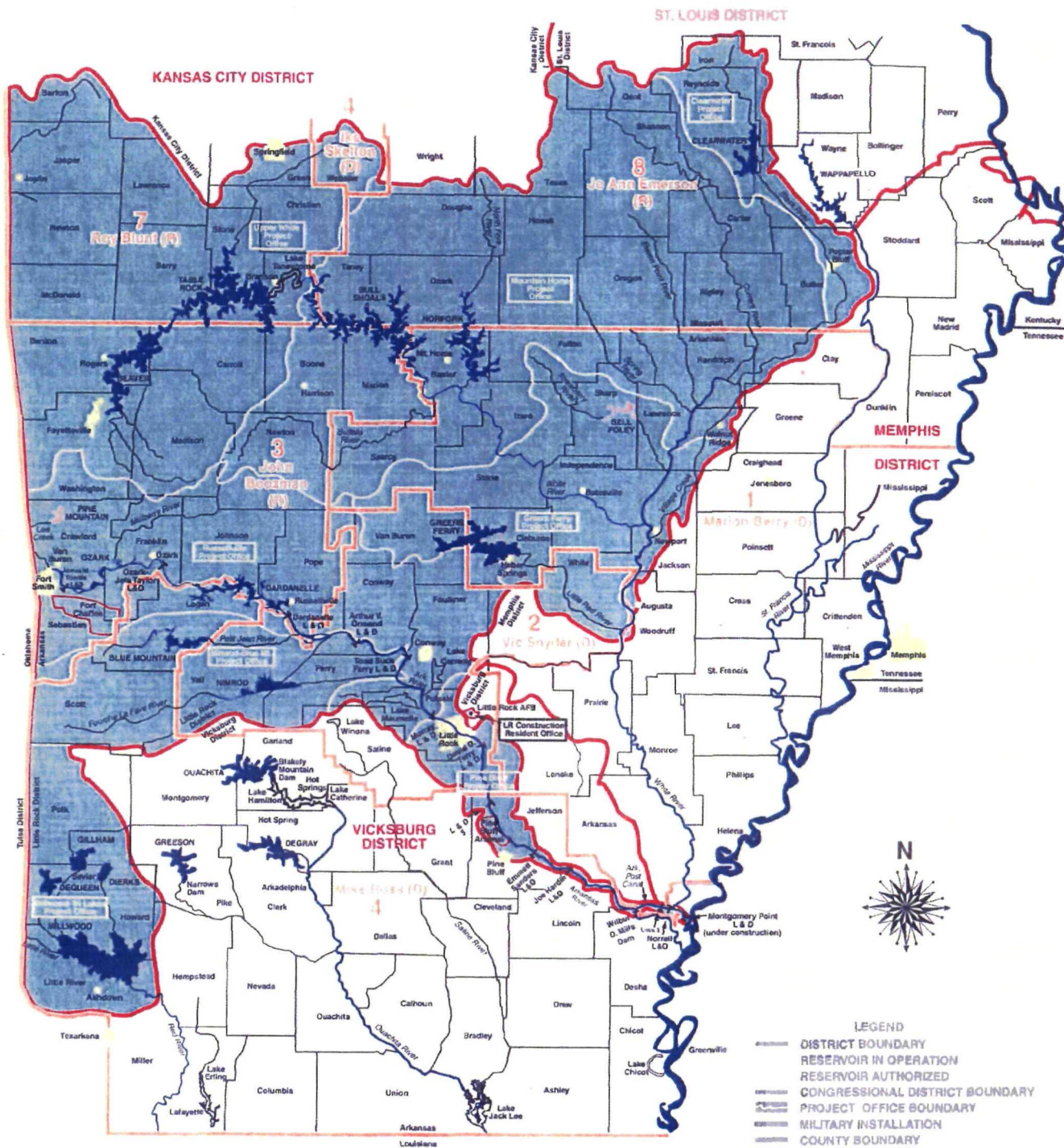
To assist you in identifying the Corps Districts in Arkansas, I am enclosing a Little Rock District boundary map. If you have any questions, please call me at 501-324-5629

Sincerely,

A handwritten signature in black ink, which appears to read "Jim Ellis", is positioned above the typed name.

Jim Ellis
NEPA Specialist
Environmental Branch

Enclosure



LITTLE ROCK DISTRICT **U.S. ARMY CORPS OF ENGINEERS**



DEPARTMENT OF THE ARMY
MEMPHIS DISTRICT, CORPS OF ENGINEERS
167 NORTH MAIN STREET B-202
MEMPHIS, TENNESSEE 38103-1894

Docket No. AB-392 (Sub-No. 1X)
Environmental/Historic Report
Appendix L-2

October 24, 2011

Operations Division
Regulatory Branch

Jeremy M. Berman
Fletcher and Sippel, LLC
29 North Wacker Drive
Chicago, IL 60606

Dear Mr. Berman:

This is in reference to Docket No. AB-392(Sub-No. 1X) and your request on behalf of Arkansas Midland Railroad Company, Inc. for clearance to remove a section of railroad track located in West Helena, Phillips County, Arkansas, as shown on the attached map.

Based on the information you provided as well as other information available to us, our approved jurisdictional determination (JD) is that there are no wetlands or waters of the United States within the project area. Therefore, no Corps of Engineers permit is required if none of the moved material is placed in jurisdictional waters of the U.S. You may accept or appeal this JD or provide new information. The JD form is posted on our web page at <http://www.mvm.usace.army.mil/regulatory/JD/AJD.asp>. If you object to this determination, please contact us for information on administrative appeals.

This determination is valid for five years from the date of this letter, unless new information warrants revision of the determination before the expiration date, or unless the District Engineer has identified, after public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re-verification on a more frequent basis.

The Memphis District Regulatory Branch is committed to providing quality and timely service to our customers. In an effort to improve customer service, please take a moment to complete and return the enclosed business reply postcard or go to our Customer Service Survey found on our web site at <http://per2.nwp.usace.army.mil/survey.html>.

If you have questions, please contact Chris Greene at (901) 544-3468 and refer to File No. MVM-2011-434 (CDG).

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy L. Davis", is written over the typed name.

Timothy L. Davis
Western Section Chief
Regulatory Branch

Enclosure

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

JEREMY M. BERMAN
(312) 252-1510
jberman@fletcher-sippel.com

October 4, 2011

State Clearinghouse
Department of Finance and Administration
1509 West 7th Street
Little Rock, Arkansas 72201

Re: **Docket No. AB-392 (Sub-No. 1X)**
Arkansas Midland Railroad Company, Inc. --
Abandonment Exemption -- In Phillips County, AR

To Whom It May Concern:

On or about November 14, 2011, Arkansas Midland Railroad Company, Inc. ("AKMD") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of AKMD's line of railroad, referred to herein as the West Helena Industrial Lead, extending from the connection with AKMD's main line at milepost 0.00 to the end of track at milepost 2.66 in West Helena, Phillips County, Arkansas, a distance of approximately 2.66 miles. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved during the previous two years. A map showing the location of the West Helena Industrial Lead is attached for your reference. After abandonment, AKMD intends to retain four-tenths of a mile of trackage connecting with AKMD's main line for storage and switching purposes. AKMD will remove rail and track materials from the remainder of the line and dispose of that portion of the right-of-way.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the West Helena Industrial Lead so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

1. Regional or local land use plans;
2. Regional or local transportation systems and patterns, including alternative transportation modes;
3. Energy consumption and efficiency;
4. Air emissions and noise levels;

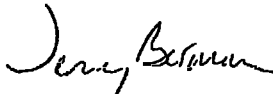
FLETCHER & SIPPEL LLC

5. Bodies of water and overall water quality under applicable federal, state or local standards;
6. Designated wetlands and 100-year flood plains;
7. Endangered or threatened species and critical habitats;
8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Prime agricultural land;
10. Existing or potential safety hazards;
11. Coastal Zone Management Areas; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-392 (Sub-No. 1X) and be sent to the undersigned, as counsel for AKMD.

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before AKMD's notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1510. Thank you for your assistance.

Very truly yours,



Jeremy M. Berman
Attorney for Arkansas Midland
Railroad Company, Inc.

JMB:tjl

Attachment



STATE OF ARKANSAS
**Department of Finance
and Administration**

OFFICE OF INTE

Docket No. AB-392 (Sub-No. 1X)
Environmental/Historic Report
Appendix M-1

Little Rock, Arkansas 72203-8031
Phone: (501) 682-1074
Fax: (501) 682-5206
<http://www.state.ar.us/dfa>

November 14, 2011

Jeremy M. Berman
Attorney for Arkansas Midland
Railroad Company, Inc.
Fletcher & Sippel, LLC
29 North Wacker Drive, Suite 920
Chicago, ILL 60606-2832

RE: DOCKET #AB-392 (SUB #1X) Arkansas Midland Railroad, Inc. – Abandonment
Exemption – In Phillips County, Arkansas

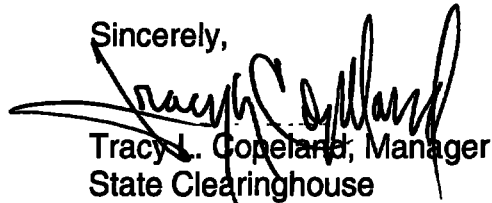
Dear Attorney Berman:

The State Clearinghouse has received the above document pursuant to the
Arkansas Project Notification and Review System.

To carry out the review and comment process, this document was forwarded to
members of the Arkansas Technical Review Committee. Resulting comments received
from the Technical Review Committee which represents the position of the State of
Arkansas are attached.

The State Clearinghouse wishes to thank you for your cooperation with the
Arkansas Project Notification and Review System.

Sincerely,



Tracy L. Copeland, Manager
State Clearinghouse

TLC/nd
Enclosure
CC: Randy Young, ANRC



Arkansas Natural Resources Commission



J. Randy Young, PE
Executive Director

101 East Capitol, Suite 350
Little Rock, Arkansas 72201
<http://www.anrc.arkansas.gov/>

Phone: (501) 682-1611
Fax: (501) 682-3991
E-mail: anrc@arkansas.gov

Mike Beebe
Governor

MEMORANDUM

TO: Mr. Tracy Copeland, Manager
State Clearinghouse

FROM: *[Signature]* Mr. J. Randy Young, P.E., and Chairman
Technical Review Committee

SUBJECT: DOCKET #AB-392 (SUB #1X)
Arkansas Midland Railroad Company, Inc.
Abandonment Exemption – Phillips County, Arkansas

DATE: November 8, 2011

RECEIVED

NOV 10 2011

INTERGOVERNMENTAL
SERVICES
STATE CLEARINGHOUSE

Members of the Technical Review Committee have reviewed the above referenced project; Arkansas Midland Railroad Company, Inc. (AKMD) expects to file with the Surface Transportation Board a notice of exemption for the abandonment of Arkansas Midland Railroad Company's line of railroad, referred to herein as the West Helena Industrial Lean, extending from the connection with AKMD's main line at milepost 0.00 to the end of the tract at milepost 2.66 in West Helena, Phillips County, Arkansas, a distance of approximately 2.66 miles. The notice of exemption will be filed pursuant to 49 C.F. R. §1152.50(b), covering abandonment of rail lines over which no local traffic has moved during the previous two years. After abandonment, AKMD intends to retain four-tenths of a mile of trackage connecting with AKMD's main line for storage and switching purposes. AKMD will remove rail and track materials from the remainder of the line and dispose of that portion of the right-of-way.

The Committee supports this project.

Agency comments are included for your review.

The opportunity to comment is appreciated.

JRY/ddavis



STATE OF ARKANSAS

OFFICE OF INTERGOVERNMENTAL SERVICES

Department of Finance and Administration

1515 West Seventh Street, Suite 412
Post Office Box 8031
Little Rock, Arkansas 72203-8031
Phone: (501) 682-1074
Fax: (501) 682-5208
<http://www.state.ar.us/dfa>

MEMORANDUM

TO: All Technical Review Committee Members

FROM: Tracy L. Copeland, Manager - State Clearinghouse *Thc* #523

DATE: October 11, 2011

SUBJECT: Docket No. AB-392(Sub-No.1X) Arkansas Midland Railroad Company, Inc. -
Abandonment Exemption - Phillips County, Arkansas

Please review the above stated document under provisions of Section 404 of the Clean Water Act, Section 102(2) of the National Environmental Policy Act of 1969 and the Arkansas Project Notification and Review System.

Your comments should be returned by October 26, 2011 to - Mr. Randy Young, Chairman, Technical Review Committee, 101 E. Capitol, Suite 350, Little Rock, AR 72203.

NOTE: It is imperative that your response be in to the ANRC office by the date requested. Should your Agency anticipate having a response which will be delayed beyond the stated deadline for comments, please contact Ms. Debby Davis of ANRC at (501) 682-3830 or the State Clearinghouse Office.

☐ Support	☐ Do Not Support (Comments Attached)
☒ Comments Attached	☐ Support with Following Conditions
☐ No Comments	☐ Non-Degradation Certification Issues (Applies to ADEQ Only)

Name(print) John Turner Agency ANRC Date 10-26-2011
Telephone Number 501 682-1608

MEMORANDUM

TO: Ed Swaim, Chief, Water Management Division 
CC:
FROM: John Turner, Program Coordinator
DATE: October 26, 2011
RE: Docket No. AB-392(Sub-No.1X) Arkansas Midland Railroad Company, Inc.
Abandonment Exemption - In Phillips County, AR

ANRC has reviewed the above application. At this time there are no objections to the proposal so long as the mitigation process (avoid, minimize, compensate) is adhered to in regards to wetlands and streams. Appropriate methodologies should be implemented when determining the extent of unavoidable impacts and compensation ratios for wetlands (Charleston Method) and streams (Little Rock Method). The appropriate amount of compensatory mitigation required to offset the impacts should be implemented to insure the mitigation is appropriate to "obtain no overall net loss to wetlands" as agreed to within the 1990 EPA/Corps MOA concerning the Determination of Mitigation Under the Clean Water Act Section 404(b)(1) Guidelines.

Additionally, I recommend that the most current best management practices (BMPs) be made a part of the planning process for the removal of the tracks. These efforts will help minimize erosion and maintain water quality in the area.

I have attached the application for your review, decision, and signature.

Attachment



Department of Finance and Administration

1515 West Seventh Street, Suite 412
Post Office Box 8031
Little Rock, Arkansas 72203-8031
Phone: (501) 682-1074
Fax: (501) 682-5206
<http://www.state.ar.us/dfa>

MEMORANDUM

TO: All Technical Review Committee Members

FROM: Tracy L. Copeland, ^{The} Manager - State Clearinghouse

DATE: October 11, 2011

SUBJECT: Docket No. AB-392(Sub-No.IX) Arkansas Midland Railroad Company, Inc. –
Abandonment Exemption – Phillips County, Arkansas

Please review the above stated document under provisions of Section 404 of the Clean Water Act, Section 102(2) of the National Environmental Policy Act of 1969 and the Arkansas Project Notification and Review System.

Your comments should be returned by October 26, 2011 to - Mr. Randy Young, Chairman, Technical Review Committee, 101 E. Capitol, Suite 350, Little Rock, AR 72203.

NOTE: It is imperative that your response be in to the ANRC office by the date requested. Should your Agency anticipate having a response which will be delayed beyond the stated deadline for comments, please contact Ms. Debby Davis of ANRC at (501) 682-3830 or the State Clearinghouse Office.

☐ Support ☐ Do Not Support (Comments Attached)

☐ Comments Attached ☐ Support with Following Conditions

☒ No Comments ☐ Non-Degradation Certification Issues
(Applies to ADEQ Only)

Name(print) JAMEL L. HARTMAN Agency AR. For. comm. Date 10/11/11

Telephone Number 501-296-1867

67



Department of Finance and Administration

1515 West Seventh Street, Suite 412
Post Office Box 8031
Little Rock, Arkansas 72203-8031
Phone: (501) 682-1074
Fax: (501) 682-5206
<http://www.state.ar.us/dfa>

MEMORANDUM

TO: All Technical Review Committee Members

FROM: Tracy L. Copeland, ^{The} Manager - State Clearinghouse

DATE: October 11, 2011

SUBJECT: Docket No. AB-392(Sub-No.1X) Arkansas Midland Railroad Company, Inc. -
Abandonment Exemption - Phillips County, Arkansas

Please review the above stated document under provisions of Section 404 of the Clean Water Act, Section 102(2) of the National Environmental Policy Act of 1969 and the Arkansas Project Notification and Review System.

Your comments should be returned by October 26, 2011 to - Mr. Randy Young, Chairman, Technical Review Committee, 101 E. Capitol, Suite 350, Little Rock, AR 72203.

NOTE: It is Imperative that your response be in to the ANRC office by the date requested. Should your Agency anticipate having a response which will be delayed beyond the stated deadline for comments, please contact Ms. Debby Davis of ANRC at (501) 682-3830 or the State Clearinghouse Office.

☒ Support ☐ Do Not Support (Comments Attached)

☐ Comments Attached ☐ Support with Following Conditions

☒ No Comments ☐ Non-Degradation Certification Issues
(Applies to ADEQ Only)

Name(print) William Prior Agency AGS Date 10-12-2011

Telephone Number 683-0117

Arkansas Geological Survey

Loren Hitchcock
Director

Don Brazil
Deputy Director and
Chief of Staff



Keeping the Natural State natural

Arkansas Game and Fish Commission

Mike Armstrong
Assistant Director

TO: Randy Young, Chairman
Technical Review Committee

DATE: October 24, 2011

FROM: Robert K. Leonard, Biologist
Ecological & Engineering Services

CC: USFWS, Conway, AR
State Clearinghouse
USACE - LRD
Mark Oliver, AGFC
David Goad, AGFC

Subject: Public Notice

Responsive to the memorandums from the State Clearinghouse of September 22, 26, and October 6, 10 & 11, this is to advise that we anticipate insignificant adverse impacts to fish and wildlife resources associated with these proposed activities. We have no objections to issuance of the following Public Notices; however, we have included comments on some of the projects.

Application No.: MVK2011-00902 – Arkansas Highway & Transportation Department (AHTD) – Red Chute Bayou Mitigation Bank – Miller County, Arkansas – The applicant is proposing to develop and open a mitigation bank. The proposed project is located adjacent to Red Chute Bayou in section 16, T. 15S, R. 26W., approximately 10 miles east of Texarkana in Miller County, Arkansas. Biologists from our agency have reviewed the proposed projects and we have no objections.

Application No.: 2010-01076 – Weyerhaeuser Company – Little River County, Arkansas – The applicant is proposing to develop and open a mitigation bank. The proposed project is located four miles west of the town of Forman in Little River County, Arkansas. Biologists from our agency have reviewed the proposed projects and we have no objections.

Application No. SWL-2011-00345 – Riverside Ridge Estates – Mr. Charles Wayne McCullough, Fulton County, AR – The applicant has requested authorization for the placement of dredged and fill material in waters of the United States associated with the construction of an 18 ft. tall dam which will create a 2.64 acre pond. The proposed project is located in an unnamed tributary of the Springs River, in the NE ¼ of section 20, T. 21N., R. 5W, south of Mammoth Spring, Fulton County, Arkansas. Biologists from our agency have reviewed the proposed project and would like the applicant to be aware that this is a prominent fishing area, and would request extra care be given while using best management practices to assure maximum protection from silt deposition in this portion of the stream.

Schedule of Proposed Action (SOPA) – 10/01/2011 to 12/31/2011 Ouachita National Forest – Biologists from our agency comment on these proposals at the field level.

Docket No. AB-392 (Sub-No. 1X) Arkansas Midland Railroad Company, Inc. – Abandonment Exemption – Phillips County, Arkansas – No comment.

Thank you for the opportunity to comment on these proposed projects.

2 Natural Resources Drive • Little Rock, AR 72205 • www.agfc.com
Phone (800) 364-4263 • (501) 223-6300 • Fax (501) 223-6448

The mission of the Arkansas Game and Fish Commission is to wisely manage all the fish and wildlife resources of Arkansas while providing maximum enjoyment for the people.

**Department of Finance
and Administration**

1515 West Seventh Street, Suite 412
Post Office Box 8031
Little Rock, Arkansas 72203-8031
Phone: (501) 682-1074
Fax: (501) 682-5206
<http://www.state.ar.us/dfa>

MEMORANDUM**RECEIVED
AHTD****OCT 12 2011****ENVIRONMENTAL
DIVISION**

TO: All Technical Review Committee Members

FROM: Tracy L. Copeland, Manager - State Clearinghouse *Thc*

DATE: October 11, 2011

SUBJECT: Docket No. AB-392(Sub-No.1X) Arkansas Midland Railroad Company, Inc. –
Abandonment Exemption – Phillips County, Arkansas

Please review the above stated document under provisions of Section 404 of the Clean Water Act, Section 102(2) of the National Environmental Policy Act of 1969 and the Arkansas Project Notification and Review System.

Your comments should be returned by October 26, 2011 to - Mr. Randy Young, Chairman, Technical Review Committee, 101 E. Capitol, Suite 350, Little Rock, AR 72203.

NOTE: It is imperative that your response be in to the ANRC office by the date requested. Should your Agency anticipate having a response which will be delayed beyond the stated deadline for comments, please contact Ms. Debby Davis of ANRC at (501) 682-3830 or the State Clearinghouse Office.

☐ Support ☐ Do Not Support (Comments Attached)

☐ Comments Attached ☐ Support with Following Conditions

☒ No Comments ☐ Non-Degradation Certification Issues
(Applies to ADEQ Only)

RECEIVED
NOV 01 2011
INTERGOVERNMENTAL
SERVICES
STATE CLEARINGHOUSE

Name(print) John Fleming Agency AHTD Date 10/28/11
Telephone Number 501-569-2522

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

JEREMY M. BERMAN
(312) 252-1510
jberman@fletcher-sippel.com

October 4, 2011

National Geodetic Survey Information Services
SSMC-3, #9202
1315 East-West Highway
Silver Springs, Maryland 20910-3282

Re: **Docket No. AB-392 (Sub-No. 1X)**
Arkansas Midland Railroad Company, Inc. --
Abandonment Exemption -- In Phillips County, AR

To Whom It May Concern:

On or about November 14, 2011, Arkansas Midland Railroad Company, Inc. ("AKMD") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of AKMD's line of railroad, referred to herein as the West Helena Industrial Lead, extending from the connection with AKMD's main line at milepost 0.00 to the end of track at milepost 2.66 in West Helena, Phillips County, Arkansas, a distance of approximately 2.66 miles. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved during the previous two years. A map showing the location of the West Helena Industrial Lead is attached for your reference. After abandonment, AKMD intends to retain four-tenths of a mile of trackage connecting with AKMD's main line for storage and switching purposes. AKMD will remove rail and track materials from the remainder of the line and dispose of that portion of the right-of-way.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the West Helena Industrial Lead so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

1. Regional or local land use plans;
2. Regional or local transportation systems and patterns, including alternative transportation modes;
3. Energy consumption and efficiency;
4. Air emissions and noise levels;

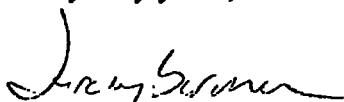
FLETCHER & SIPPEL LLC

5. Bodies of water and overall water quality under applicable federal, state or local standards;
6. Designated wetlands and 100-year flood plains;
7. Endangered or threatened species and critical habitats;
8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Prime agricultural land;
10. Existing or potential safety hazards;
11. Coastal Zone Management Areas; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-392 (Sub-No. 1X) and be sent to the undersigned, as counsel for AKMD.

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before AKMD's notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1510. Thank you for your assistance.

Very truly yours,



Jeremy M. Berman
Attorney for Arkansas Midland
Railroad Company, Inc.

JMB:tjl

Attachment

Jeremy Berman

From: Simon Monroe <simon.monroe@noaa.gov>
Sent: Tuesday, January 31, 2012 3:17 PM
To: Jeremy Berman
Cc: Surface Transportation Board; Surveyorlady@yahoo.com; Gilbert Mitchell; Brian Ward; Simon Monroe
Subject: NGS Response, STB Docket AB-392 (SUB NO. 1X)

Thank you for sharing your railroad abandonment environmental report for
WEST HELENA, Phillips County, ARKANSAS.

Approximately 02 geodetic survey marks may be located in the area
described.

If marks will be disturbed by the abandonment, [THE RAILROAD] shall
consult with the National Geodetic Survey (NGS) at least 90 days prior to
beginning salvage activities that will disturb, or destroy any geodetic
station

marks are described on the attached file. Additional advice is provided
at

<http://geodesy.noaa.gov/marks/railroads/>

|---|-----|-----|-----|-----|---|-----

|...|EH0908|. 3|88/RESET...|N343300.....|W0903855.....|C...|WEST HELENA AZ MK RESET

|...|EH0913|. 1|88/ADJUSTED|N343238.....|W0903837.....|D...|WEST HELENA RM 2

The NGS Data Sheet

See file dsdata.txt for more information about the datasheet.

DATABASE = NGSIDB , PROGRAM = datasheet95, VERSION = 7.87.5
 1 National Geodetic Survey, Retrieval Date = FEBRUARY 9, 2012
 EH0908 *****
 EH0908 DESIGNATION - WEST HELENA AZ MK RESET
 EH0908 PID - EH0908
 EH0908 STATE/COUNTY- AR/PHILLIPS
 EH0908 USGS QUAD - WEST HELENA (1982)
 EH0908
 EH0908 *CURRENT SURVEY CONTROL
 EH0908

EH0908*	NAD 83(1986)-	34 33 00.	(N)	090 38 55.	(W)	SCALED
EH0908*	NAVD 88	- 76.78	(meters)	251.9	(feet)	RESET

 EH0908

EH0908	GEOID HEIGHT-	-27.00	(meters)	GEOID09
--------	---------------	--------	----------	---------

 EH0908 VERT ORDER - THIRD
 EH0908
 EH0908.The horizontal coordinates were scaled from a topographic map and have
 EH0908.an estimated accuracy of +/- 6 seconds.
 EH0908.
 EH0908.The orthometric height was computed from unverified reset data.
 EH0908
 EH0908.No vertical observational check was made to the station.
 EH0908
 EH0908.The geoid height was determined by GEOID09.
 EH0908

EH0908;	North	East	Units	Estimated Accuracy
EH0908;SPC AR S	- 609,710.	524,030.	MT	(+/- 180 meters Scaled)

 EH0908
 EH0908 SUPERSEDED SURVEY CONTROL
 EH0908

EH0908	NGVD 29 (??/??/??)	76.82	(m)	252.0	(f)	RESET	3
--------	--------------------	-------	-----	-------	-----	-------	---

 EH0908
 EH0908.Superseded values are not recommended for survey control.
 EH0908.NGS no longer adjusts projects to the NAD 27 or NGVD 29 datums.
 EH0908.See file dsdata.txt to determine how the superseded data were derived.
 EH0908
 EH0908_U.S. NATIONAL GRID SPATIAL ADDRESS: 15SYU157256(NAD 83)
 EH0908
 EH0908_MARKER: DZ = AZIMUTH MARK DISK
 EH0908_SETTING: 7 = SET IN TOP OF CONCRETE MONUMENT
 EH0908_SP_SET: SET IN TOP OF CONCRETE MONUMENT
 EH0908_STAMPING: WEST HELENA AZ. MK RESET 1965
 EH0908_STABILITY: C = MAY HOLD, BUT OF TYPE COMMONLY SUBJECT TO
 EH0908+STABILITY: SURFACE MOTION
 EH0908

EH0908	HISTORY	- Date	Condition	Report By
EH0908	HISTORY	- 1965	MONUMENTED	CGS
EH0908	HISTORY	- 1976	MARK NOT FOUND	NGS

 EH0908
 EH0908 STATION DESCRIPTION
 EH0908

- EH0908'DESCRIBED BY COAST AND GEODETIC SURVEY 1965
- EH0908'0.85 MI NW FROM WEST HELENA.
EH0908'LOCATED 0.85 MILES NORTHWEST ALONG STATE HIGHWAY 49 FROM THE BAPTIST
EH0908'CHURCH IN WEST HELENA, IN THE NORTHWEST ANGLE OF THE INTERSECTION OF
EH0908'ANDERSON STREET AND STATE HIGHWAY 49, AT THE SOUTHEAST CORNER OF THE
EH0908'RAINBOW INN COURTS AND BETWEEN THE COURTS AND GENES STEAK HOUSE. IT
EH0908'IS 1 FOOT SOUTHEAST OF THE SOUTHEAST CORNER OF THE RAINBOW INN COURTS,
EH0908'22 FEET WEST OF THE SOUTHWEST CORNER OF THE GENES STEAKHOUSE, 56 FEET
EH0908'NORTHEAST OF THE CENTERLINE OF STATE HIGHWAY 49. IT IS A STANDARD
EH0908'DISK, SET IN THE TOP OF AN 8-INCH SQUARE CONCRETE POST PROJECTING 1
EH0908'INCH.

EH0908

EH0908

STATION RECOVERY (1976)

EH0908

EH0908'RECOVERY NOTE BY NATIONAL GEODETIC SURVEY 1976

EH0908'MARK NOT FOUND.

*** retrieval complete.

Elapsed Time = 00:00:01

The NGS Data Sheet

See file dsdata.txt for more information about the datasheet.

DATABASE = NGSIDB , PROGRAM = datasheet95, VERSION = 7.87.5

1 National Geodetic Survey, Retrieval Date = FEBRUARY 9, 2012

EH0913 *****

EH0913 DESIGNATION - WEST HELENA RM 2

EH0913 PID - EH0913

EH0913 STATE/COUNTY- AR/PHILLIPS

EH0913 USGS QUAD - WEST HELENA (1982)

EH0913

EH0913 *CURRENT SURVEY CONTROL

EH0913

EH0913*	NAD 83(1986)-	34 32 38.	(N)	090 38 37.	(W)	SCALED
EH0913*	NAVD 88	-	79.201 (meters)	259.85	(feet)	ADJUSTED

EH0913

EH0913	GEOID HEIGHT-	-27.00 (meters)				GEOID09
--------	---------------	-----------------	--	--	--	---------

EH0913	DYNAMIC HT -	79.124 (meters)	259.59 (feet)	COMP
--------	--------------	-----------------	---------------	------

EH0913	MODELED GRAV-	979,668.0 (mgal)	NAVD 88
--------	---------------	------------------	---------

EH0913

EH0913 VERT ORDER - FIRST CLASS II

EH0913

EH0913.The horizontal coordinates were scaled from a topographic map and have
EH0913.an estimated accuracy of +/- 6 seconds.

EH0913.

EH0913.The orthometric height was determined by differential leveling and
EH0913.adjusted in June 1991.

EH0913

EH0913.The geoid height was determined by GEOID09.

EH0913

EH0913.The dynamic height is computed by dividing the NAVD 88
EH0913.geopotential number by the normal gravity value computed on the
EH0913.Geodetic Reference System of 1980 (GRS 80) ellipsoid at 45
EH0913.degrees latitude (g = 980.6199 gals.).

EH0913

EH0913.The modeled gravity was interpolated from observed gravity values.

EH0913

EH0913;	North	East	Units	Estimated Accuracy
EH0913;SPC AR S	- 609,040.	524,500.	MT	(+/- 180 meters Scaled)

EH0913

EH0913 SUPERSEDED SURVEY CONTROL

EH0913

EH0913	NGVD 29 (??/??/??)	79.236 (m)	259.96 (f)	ADJUSTED	1 2
--------	--------------------	------------	------------	----------	-----

EH0913

EH0913.Superseded values are not recommended for survey control.

EH0913.NGS no longer adjusts projects to the NAD 27 or NGVD 29 datums.

EH0913.See file dsdata.txt to determine how the superseded data were derived.

EH0913

EH0913_U.S. NATIONAL GRID SPATIAL ADDRESS: 15SYU162249(NAD 83)

EH0913

EH0913_MARKER: DR = REFERENCE MARK DISK

EH0913_SETTING: 30 = SET IN A LIGHT STRUCTURE

EH0913_SP_SET: CURB

EH0913_STAMPING: W HELENA NO 2 1953

EH0913 STABILITY: D = MARK OF QUESTIONABLE OR UNKNOWN STABILITY

EH0913

EH0913	HISTORY	- Date	Condition	Report By
EH0913	HISTORY	- 1953	MONUMENTED	CGS
EH0913	HISTORY	- 1956	GOOD	CGS
EH0913	HISTORY	- 1976	GOOD	NGS

EH0913

EH0913

STATION DESCRIPTION

EH0913

EH0913'DESCRIBED BY COAST AND GEODETIC SURVEY 1956

EH0913'IN WEST HELENA.

EH0913'AT WEST HELENA, ABOUT 0.35 MILE WEST ALONG PLAZA STREET (STATE HIGHWAY
EH0913'20) FROM THE BAPTIST CHURCH, ABOUT 0.1 MILE EAST ALONG PLAZA FROM THE
EH0913'NEW CITY HALL BUILDING, ABOUT 60 YARDS WEST OF THE POST OFFICE, AT THE
EH0913'JUNCTION OF PLAZA AND STATE HIGHWAY 20 LEADING NORTHWEST (HIGHWAY
EH0913'FOLLOWS PLAZA TO THE EAST), ABOUT 25 YARDS SOUTHWEST OF CENTER LINE OF
EH0913'HIGHWAY 20 LEADING NORTHWEST, IN THE TOP OF THE SOUTH CONCRETE CURB
EH0913'OF THE SOUTH LANE OF PLAZA STREET, 55 FEET WEST OF NORTHWEST CORNER OF
EH0913'SMALL BUS WAITING SHED, 83 FEET EAST OF NORTHEAST CORNER OF ICE PLANT
EH0913'BUILDING AND 72 FEET NORTHEAST OF NORTHEAST CORNER OF EAST WING OF ICE
EH0913'PLANT BUILDING.

EH0913

EH0913

STATION RECOVERY (1976)

EH0913

EH0913'RECOVERY NOTE BY NATIONAL GEODETIC SURVEY 1976

EH0913'RECOVERED IN GOOD CONDITION.

*** retrieval complete.

Elapsed Time = 00:00:01

Osmose

Arkansas Midland Railroad



FLETCHER & SIPPEL LLC
ATTORNEYS AT LAW

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JEREMY M. BERMAN
(312) 252-1510
jberman@fletcher-sippel.com

October 4, 2011

Ms. Cathie Matthews
State Historic Preservation Officer
Arkansas Historic Preservation Program
1500 Tower Building
323 Center Street
Little Rock, Arkansas 72201

Re: **Docket No. AB-392 (Sub-No. 1X)**
Arkansas Midland Railroad Company, Inc. --
Abandonment Exemption -- In Phillips County, AR

Dear Ms. Matthews:

On or about November 14, 2011, Arkansas Midland Railroad Company Inc. ("AKMD") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of AKMD's line of railroad, referred to herein as the West Helena Industrial Lead, extending from the connection with AKMD's main line at milepost 0.00 to the end of track at milepost 2.66 in West Helena, Phillips County, Arkansas, a distance of approximately 2.66 miles. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved during the previous two years. A map showing the location of the West Helena Industrial Lead is attached for your reference. After abandonment, AKMD intends to retain four-tenths of a mile of trackage connecting with AKMD's main line for storage and switching purposes. AKMD will remove rail and track materials from the remainder of the line and dispose of that portion of the right-of-way.

In accordance with the Board's historic preservation regulations, 49 C.F.R. § 1105.8, we are advising you of the proposed abandonment of the West Helena Industrial Lead so that you may determine whether this action will have any effect on any historic structures or sites. A photograph of the only structure on the line, a wooden trestle bridge, is provided for your review. AKMD does not believe that this structure is rare in character or of historic significance. AKMD also is unaware of any historic site involved in the proposed abandonment.

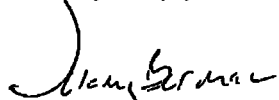
We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-392 (Sub-No. 1X) and be sent to the undersigned, as counsel for AKMD.

FLETCHER & SIPPEL LLC

Ms. Cathie Matthews
October 4, 2011
Page 2

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before AKMD's notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1510. Thank you for your assistance.

Very truly yours,



Jeremy M. Berman
Attorney for Arkansas Midland
Railroad Company, Inc.

JMB:tjl

Enclosures



The Department of
**Arkansas
Heritage**

Mike Beebe
Governor

Cathie Matthews
Director

Arkansas Arts Council

Arkansas Natural Heritage
Commission

Delta Cultural Center

Historic Arkansas Museum

Mosaic Templars
Cultural Center

Old State House Museum



Arkansas Historic
Preservation Program

1500 Tower Building
323 Center Street
Little Rock, AR 72201
(501) 324-9880

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tdd: (501) 324-9811

e-mail:

info@arkansaspreservation.org

website:

www.arkansaspreservation.com

An Equal Opportunity Employer



October 21, 2011

Mr. Jeremy M. Berman
Attorney
Fletcher & Sippel LLC
29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

RE: Phillips County – Helena-West Helena
Section 106 Review – STB
Proposed Abandonment Exemption for West Helena Industrial Lead
Docket No. AB-391 (Sub-No. 1X)
AHPP Tracking Number 79029

Dear Mr. Berman:

This letter is written in response to your inquiry, regarding properties of architectural, historical, or archeological significance in the area of the proposed referenced project. In order for the Arkansas Historic Preservation Program (AHPP) to complete its review of the proposed project, we will need the additional information checked below:

X a 7.5 minute 1:24,000 scale U.S.G.S. topographic map clearly delineating the project area; **Please include a map of the project location with 1:24,000 scale topographic map background.**

___ a project description detailing all aspects of the proposed project;

X the location, age, and photographs of structures (if any) to be renovated, removed, demolished, or abandoned as a result of this project; **Please include photographs of all structures, including trestles, which may be impacted by this proposed project.**

___ photographs of any structures 50 years old or older on property directly adjacent to the project area.

Once we have received the above information, we will complete our review as expeditiously as possible. If you have any questions, please contact me at (501) 324-9880.

Sincerely,

J. Eric Gilliland, MA, RPA
Staff Archeologist

FLETCHER & SIPPEL LLC

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JEREMY M. BERMAN
(312) 252-1510
jberman@fletcher-sippel.com

November 8, 2011

J. Eric Gilliland, MA, RPA
Arkansas Historic Preservation Program
The Department of Arkansas Heritage
1500 Tower Building
323 Center Street
Little Rock, Arkansas 72201

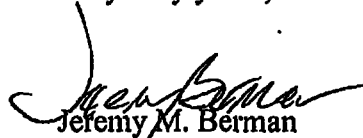
Re: **Docket No. AB-392 (Sub-No. 1X)**
Arkansas Midland Railroad Company, Inc. --
Abandonment Exemption -- In Phillips County, AR
Section 106 Review -- STB
AHPP Tracking Number 79029

Dear Mr. Gilliland:

I am writing in response to your letter dated October 21, 2011 in which you requested additional information regarding the proposed abandonment by Arkansas Midland Railroad Company in Phillips County, Arkansas. Enclosed, as requested, please find a 7.5 minute 1:24,000 scale U.S.G.S. topographic map with the location of the rail line and the location the only structure on the rail line indicated in red. Also enclosed is a photograph of the only structure located on the rail line.

If you have any questions or need additional information in the, please feel free to contact me at 312-252-1510. Thank you for your assistance.

Very truly yours,



Jeremy M. Berman
Attorney for Arkansas Midland
Railroad Company, Inc.

JMB:jb

Enclosures

Cc: Mr. Earl J. Barbry, Tunica-Biloxi Tribe of Louisiana, Inc.
Dr. Ann Early, Arkansas Archeological Survey
Ms. Jean Ann Lambert, Quapaw Tribe of Oklahoma
Ms. Victoria Rutson, STB

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-392 (SUB-NO. 1X)

ARKANSAS MIDLAND RAILROAD COMPANY, INC.
-- ABANDONMENT EXEMPTION --
IN PHILLIPS COUNTY, ARKANSAS

**CERTIFICATION OF PUBLICATION
PURSUANT TO
49 C.F.R. § 1105.7(b) AND 49 C.F.R. § 1105.12**

I, Jeremy M. Berman, an attorney for Arkansas Midland Railroad Company, Inc., hereby certify as follows:

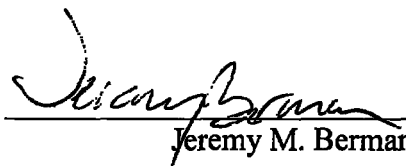
1. Arkansas Midland Railroad Company, Inc. has consulted with all appropriate agencies in preparing the foregoing Environmental/Historic Report and that on February 9, 2012 a copy of the foregoing report was served by first class mail, postage prepaid, upon each of the agencies identified in Appendix Q-1 as designated in 49 C.F.R. § 1105.7(b).

2. I have contacted the following newspaper of general circulation for the county in which the rail line to be abandoned in this proceeding is located, and arranged for the publication of a Notice of Intent to Abandon pursuant to 49 C.F.R. § 1105.12:

Phillips County	-	<i>The Helena Daily World</i>
		417 York
		Helena, Arkansas 72342

3. The Notice of Intent to Abandon was published in *The Helena Daily World* on February 28, 2012.

4. I will provide proof of publication from *The Helena Daily World* once it is received from the newspaper.



Jeremy M. Berman

Dated: February 29, 2012

Mr. David Hargis
Resource Soil Scientist
National Resource Conservation Service
3407 South Caraway
Suite 5
Jonesboro, AR 72404

The Honorable Don Gentry
County Judge
Phillips County, Arkansas
620 Cherry Street
Helena, AR 72342

Mr. Chris Davidson
Acting Field Supervisor
Arkansas Ecological Services Field Office
U.S. Fish & Wildlife Service
110 South Amity Road, Suite 300
Conway, AR 72032

J. Randy Young, P.E.
Executive Director
Arkansas Natural Resources Commission
101 East Capitol
Suite 350
Little Rock, AR 72201

Mr. John Fleming
Environmental Division
Arkansas State Highway and Transportation Department
P.O. Box 2261
Little Rock, AR 72203

Ms. Tracy L. Copeland
Manager, State Clearinghouse
Arkansas Department of Finance and Administration
P.O. Box 8031
Little Rock, AR 72203-8031

Mr. Mo Shafii
Assistant Chief, Water Division
Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little Rock, AR 72118-5317

Mr. Robert K. Leonard
Ecological & Engineering Services
Arkansas Game and Fish Commission
2 Natural Resources Drive
Little Rock, AR 72205

Mr. James L. Northum
Arkansas Forestry Commission
3821 West Roosevelt Road
Little Rock, AR 72204

Mr. William L. Prior
Geologist Supervisor
Arkansas Geological Society
3815 West Roosevelt Road
Little Rock, AR 72204

Federal Emergency Management Agency
Region VI
Environmental & Historic Preservation
FRC 800 North Loop 288
Denton, TX 76209-3698