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March 10, 2010

BY HAND DELIVERY

Ms. Victoria Rutson
Director, Section of Environmental Analysis
Surface Transportation Board
395 E Street, SW
Washington DC 20423-0001

Re: *The Kansas City Southern Railway Company – Abandonment Exemption – Line in East Feliciana Parish, LA, STB Docket No. AB-103 (Sub-No. 22X)*

Dear Ms. Rutson:

On February 18, 2010, we sent an Environmental and Historic Report to the relevant consulting agencies regarding The Kansas City Southern Railway Company's ("KCSR") intention to file a Notice of Exemption pursuant to 49 CFR Part 1152.50, Subpart F (Exempt Abandonments, et al.), pursuant to which KCSR will seek to abandon approximately 1.63 miles of railroad track located in East Feliciana Parish, Louisiana, running from milepost D-202.70 to milepost D-204.33 (the "Line"). The Line traverses through United States Postal Zip Code 70748.

Attached hereto is the original of the February 18th letter sent to the U.S. Fish and Wildlife Service, Louisiana Field Office seeking their input and consultation. The original February 18 letter has been stamped by the Acting Supervisor of the Louisiana Field Office with a notation that the proposed KCSR abandonment would not have any adverse effects on any endangered resources. You are being sent this original document with its notation for inclusion in your records in the above mentioned proceeding. If you have any questions concerning this proposed abandonment, please contact Crystal M. Zorbaugh at (202) 663-7831.

Sincerely,


Crystal M. Zorbaugh
Legal Assistant

Enclosures

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February 18, 2010

Cynthia Dohner, Regional Director
U.S. Fish & Wildlife Service
Century Center
1875 Century Boulevard
Atlanta, GA 30345

This project has been reviewed for effects to Federal trust resources under our jurisdiction and currently protected by the Endangered Species Act of 1973 (Act). The project, as proposed, ☒ will have no effect on those resources. ☐ is not likely to adversely affect those resources.

This finding fulfills the requirements under Section 7(a)(2) of the Act.

Debra A. Miller March 3, 2010
Acting Supervisor
Louisiana Field Office
U.S. Fish and Wildlife Service

RE: *The Kansas City Southern Railway Company – Abandonment Exemption – Line in East Feliciana Parish, LA, STB Docket No. AB-103 (Sub-No. 22X)*

Dear Director Dohner:

On or after March 10, 2010, The Kansas City Southern Railway Company (“KCSR”) expects to file with the Surface Transportation Board (“STB”) a Notice of Exemption pursuant to 49 CFR Part 1152.50, Subpart F (Exempt Abandonments, et al.), pursuant to which KCSR will seek to abandon approximately 1.63 miles of railroad track located in East Feliciana Parish, Louisiana, running from milepost D-202.70 to milepost D-204.33 (the “Line”). The Line traverses through United States Postal Zip Code 70748. Enclosed is an Environmental and Historic Report (the “E&HR” or “Report”) describing the proposed action and any expected environmental and historic effects, as well as 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 STB’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 STB’s environmental review process, please contact the Section of Environmental Analysis (“SEA”), Surface Transportation Board, 395 E Street, SW, Washington, DC 20423-0001; TEL: (202) 245-0295 and refer to STB Docket No. AB-103 (Sub-No. 22X). Also, please contact the undersigned counsel for KCSR. Because statutes and regulations applicable to rail line abandonments impose stringent deadlines for processing this action, your input would be appreciated within three weeks.

As information, KCSR intends to include with its abandonment filing a motion to dismiss the proceeding. KCSR intends to seek dismissal of the proceeding on the basis of evidence suggesting that the Line was previously abandoned and exists today as an industrial or spur track

Cynthia Dohner, Regional Director
February 18, 2010
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that KCSR may dispose of without STB authority.

If there are any questions concerning this inquiry, please contact me, KCSR's representative, by mail at: Robert A. Wimbish, Baker & Miller, PLLC, 2401 Pennsylvania Avenue, NW, Suite 300, Washington, DC 20037; by FAX: (202) 663-7849; by e-mail: rwimbish@bakerandmiller.com; or by TEL: (202) 663-7824.

Sincerely,



Robert A. Wimbish

Counsel for The Kansas City Southern
Railway Company

Enclosure