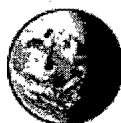


EI-17849

KB



"Denton, Peter W."
<Peter.Denton@klgates.com>
>

08/10/2009 11:14 AM

To <Kenneth.Blodgett@stb.dot.gov>

cc "Sheng, Janie C. I." <Janie.Sheng@klgates.com>

bcc

Subject STB Finance Docket No. 35218 - Meridian Southern
Railway, LLC

Ken,

Attached is a letter from the Mississippi State Clearinghouse for Federal Programs for submission to the Environmental Correspondence docket for STB Finance Docket No. 35218 -- Meridian Southern Railway, LLC -- Construction of Connecting Track Exemption in Lauderdale County, MS.

The State Clearinghouse (1) confirmed that the Mississippi Department of Archives and History determined that no cultural resources are likely to be affected by MDS construction, and (2) stated that the remaining state agencies involved in the review did not have comments or recommendations to offer at this time.

Please feel free to contact me if you have any questions on this matter.

Regards,
Peter

Peter W. Denton*

Associate
K&L Gates LLP
1601 K Street NW
Washington, DC 20006
Phone: 202.778.9469
Fax: 202.778.9100
Email: peter.denton@klgates.com
Website: <http://www.klgates.com>

* Admitted to practice in Maryland only; not admitted in the District of Columbia. Supervised by Kevin Sheys, member of the District of Columbia bar.

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STATE OF MISSISSIPPI
DEPARTMENT OF FINANCE AND ADMINISTRATION

MEMORANDUM

**TO: K&L GATES LLP/
C/O JANIE SHENG
1601 K STREET NW
WASHINGTON DC 20006 1600**

DATE: AUG 03 2009

FROM: STATE CLEARINGHOUSE FOR FEDERAL PROGRAMS

**SUBJECT: REVIEW COMMENTS - Activity:
STB DOCKET NO. FD-35218 - MERIDIAN SOUTHERN RAILWAY, LLC -
CONSTRUCTION OF CONNECTING TRACK EXEMPTION IN LAUDERDALE
COUNTY, MS.**

State Application Identifier Number **MS090330-008**

Location: **LAWRENCE**

Contact: **JANIE SHENG**

The State Clearinghouse, in cooperation with state agencies interested or possibly affected, has completed the review process for the activity described above.

INTERGOVERNMENTAL REVIEW PROCESS COMPLIANCE:

- (✓) We are enclosing the comments received from the state agencies for your consideration and appropriate actions. The remaining agencies involved in the review did not have comments or recommendations to offer at this time. A copy of this letter is to be attached to the application as evidence of compliance with Executive Order 12372 review requirements.
- () Conditional clearance pending Archives and History's approval.
- () None of the state agencies involved in the review had comments or recommendations to offer at this time. This concludes the State Clearinghouse review, and we encourage appropriate action as soon as possible. A copy of this letter is to be attached to the application as evidence of compliance with Executive Order 12372 review requirements.
- () The review of this activity is being extended for a period not to exceed 60 days from the receipt of notification to allow adequate time for review.

COASTAL PROGRAM COMPLIANCE (Coastal area activities only):

- () The activity has been reviewed and complies with the Mississippi Coastal Program. A consistency certification is to be issued by the Mississippi Department of Marine Resources in accordance with the Coastal Zone Management Act.
- () The activity has been reviewed and does not comply with the Mississippi Coastal Program.

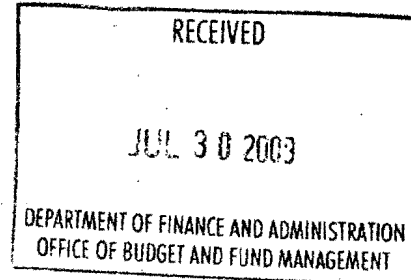


HISTORIC PRESERVATION

Ken P'Pool, director • Jim Woodrick, acting director
PO Box 571, Jackson, MS 39205-0571
601-576-6940 • Fax 601-576-6955
mdah.state.ms.us

June 9, 2009

Ms. Janie Sheng
K&L Gates, LLP
1601 K Street NW
Washington, DC 20006-1600



RE: Proposed construction of approximately 1,910 feet of connecting track in S24, T6N, R15E by Meridian Southern Railway, LLC, MDAH Project Log #05-150-09, Lauderdale County

Dear Ms. Sheng:

We have reviewed your request for a cultural resources assessment, received on May 21, for the above referenced project in accordance with our responsibilities under Section 106 of the National Historic Preservation Act and 36 CFR Part 800. After reviewing the information provided, it is our determination that no cultural resources are likely to be affected. Therefore, we have no objection with the proposed undertaking.

Should there be additional work in connection with the project, or any changes in the scope of work, please let us know in order that we may provide you with appropriate comments in compliance with the above referenced regulations.

If you have any questions, please do not hesitate to contact us at (601) 576-6940.

Sincerely,

Hal Bell
Review and Compliance Assistant

FOR: Jim Woodrick
Review and Compliance Officer

c: Clearinghouse for Federal Programs

ms090330-008



HISTORIC PRESERVATION

Ken P'Pool, director • Jim Woodrick, acting director
PO Box 571, Jackson, MS 39205-0571
601-576-6940 • Fax 601-576-6955
mdah.state.ms.us

April 20, 2009

Ms. Janie Sheng
K&L Gates, LLP
1601 K Street NW
Washington, DC 20006-1600

RE: Proposed construction of approx. 1,910 feet of connecting track (Meridian Southern Railway, LLC), MDAH Project Log #03-193-09, Lauderdale County

Dear Ms. Sheng:

We received your request for a cultural resources assessment on March 31, 2009, for the above referenced project, in accordance with our responsibilities under Section 106 of the National Historic Preservation Act and 36 CFR Part 800. Before we will be able to provide comments regarding the proposed undertaking, we need a more detailed map of the project area showing the precise area(s) in which ground disturbance is proposed. If possible, the project area should be delineated on a USGS Quadrangle Map (1:24,000 scale). Upon receipt of the additional information, we will provide our comments accordingly.

In providing the additional map, please make reference to the MDAH Project Log Number above. If you have any questions, please do not hesitate to call.

Sincerely,


Jim Woodrick
Review and Compliance Officer

