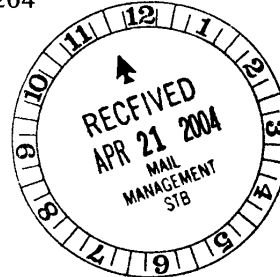


ORIGINAL

LAW OFFICE
THOMAS F. McFARLAND, P.C.
208 SOUTH LASALLE STREET - SUITE 1890
CHICAGO, ILLINOIS 60604-1112
TELEPHONE (312) 236-0204
FAX (312) 201-9695
mcfarland@aol.com

THOMAS F. McFARLAND

April 13, 2004



Vernon A. Williams, Secretary
Surface Transportation Board
Case Control Unit, Suite 713
1925 K Street, N.W.
Washington, DC 20423-0001

Re: STB Docket No. AB-868X, *Mississippi Tennessee Holdings, LLC* -- *Abandonment Exemption -- in Union, Pontotoc and Chickasaw Counties, MS* - 210655

STB Docket No. AB-869X, *Mississippi Tennessee Railroad, LLC* -- *Discontinuance of Service -- in Union, Pontotoc and Chickasaw Counties, MS* - 210656

Dear Mr. Williams:

Hereby transmitted for filing with the Board in the above proceedings are the original and 10 copies of an environmental comment in behalf of the Mississippi State Clearinghouse (Department of Finance and Administration), dated April 7, 2004, stating that none of the state agencies involved in review of the Draft Environmental and Historic Report in those proceedings had comments or recommendations. The Draft Environmental and Historic Report was filed as Appendix 9 and comments on the Report were filed as Appendix 10 to the Joint Petition for Exemption From 49 U.S.C. § 10903 For Abandonment And Discontinuance Of Service, filed on April 7, 2004. The enclosed comment was received too late to be included in Appendix 10.

Very truly yours,

Tom McFarland

Thomas F. McFarland
Attorney for Petitioners

ENTERED
Office of Proceedings

APR 21 2004

Part of
Public Record

TMcF:kl:enc:d:\wp8.0\985\ltrstb2

cc: Ms. Victoria Rutson
Mr. Barry McClure
All parties of record

**RECEIVED**

APR 12 2004

STATE OF MISSISSIPPI
DEPARTMENT OF FINANCE AND ADMINISTRATION**McFARLAND**

MEMORANDUM

TO: **MS TENNESSEE HOLDINGS, LLC**
% THOMAS F. MCFARLAND
208 S. LASALLE ST. SUITE 1890
CHICAGO IL 60604 1112

DATE: APR 07 2004

FROM: STATE CLEARINGHOUSE FOR FEDERAL PROGRAMS

SUBJECT: REVIEW COMMENTS - Activity:
ABANDONMENT BY HOLDINGS AND DISCONTINUANCE OF RAIL SERVICE
BY RAILROAD OVER A 43.2 MILE SEGMENT OF RAIL LINE BETWEEN
MILEPOST 324.2 SOUTH OF NEW ALBANY AND MILEPOST 281.0
SOUTH OF HOUSTON IN UNION, PONTOTOC AND CHICKASAW COUNTIES,
MS.

State Application Identifier Number **MS040318-002**Location: **MULTI COUNTY**Contact: **THOMAS F. MCFARLAND**

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.

cc: Funding Agency (As requested by applicant)