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THOMAS F. McFARLAND

June 17, 2004



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

Re: Docket No. AB-384 (Sub-No. 1X), *Delta Southern Railroad, Inc. -- Abandonment Exemption -- Portion of the Lake Providence Line*

Dear Mr. Williams:

Hereby transmitted for filing in the above proceeding are the original and 10 copies of an environmental comment in behalf of the United States Department of the Army (Section 404 permit not required).

Very truly yours,

Tom McFarland

Thomas F. McFarland
Attorney for Applicant

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cc: Paul Donovan, Esq.
William Sippel, Esq.
Mr. William Wainright
Mr. Michael Sussman

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DEPARTMENT OF THE ARMY

VICKSBURG DISTRICT, CORPS OF ENGINEERS

4155 CLAY STREET

VICKSBURG, MISSISSIPPI 39183-3435

REPLY TO

ATTENTION OF:

<http://www.mvk.usace.army.mil/>

RECEIVED

JUN 17 2004

McFARLAND

June 9, 2004

Operations Division
Regulatory

SUBJECT: Determination of Permit Requirements- Delta Southern
Railroad, Railroad Abandonment, Lake Providence Line between
Milepost 433.0 and Milepost 463.0

Mr. Tim McFarland
208 South LaSalle Street
Room 1890
Chicago, Illinois 60604

Dear Mr. McFarland:

I refer to your letter concerning possible regulatory requirements for Delta Southern Railroad's proposed abandonment of the Lake Providence Line between milepost 433.0 near Lake Village Arkansas and milepost 463.0 near Shelburn, Louisiana. The location of the activity is depicted on the enclosed map (enclosure).

Based upon the information provided, we have determined that a Department of the Army Section 10/404 permit will not be required for the proposed work, since the proposed work consists only of removing the abandoned rail tracks.

If we may be of any further assistance in this matter, please contact Tonya L. Acuff, telephone, (601)631-7528, fax (601) 631-5459 or e-mail address: regulatory@mvk02.usace.army.mil.

Sincerely,

Kenneth P. Mosley
Chief, Enforcement Section
Regulatory Branch

Enclosure



(Enclosure)