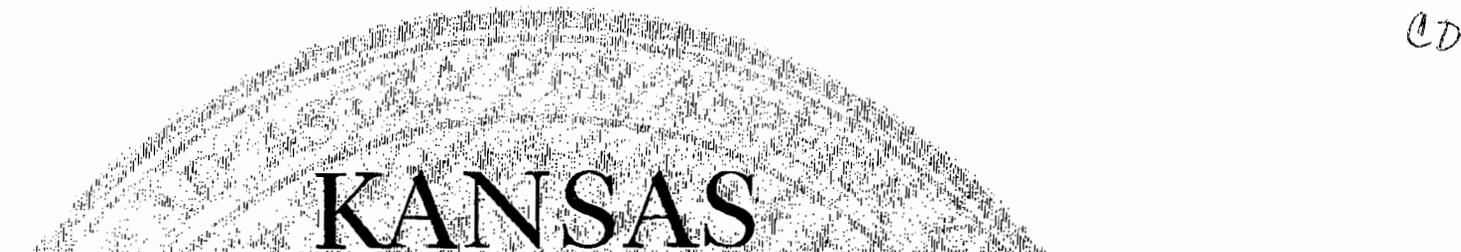


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KANSAS

DEPARTMENT OF WILDLIFE AND PARKS

KATHLEEN SEBELIUS, GOVERNOR

June 30, 2004

Ms. Christa Dean
Surface Transportation Board
Case Control Unit
Washington DC, 20423

Ref: D2.0401A
Marshall
UPRR Abandonment
Track: 20010012

Dear Ms. Dean:

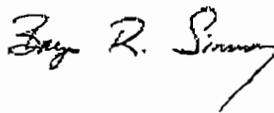
We received the Environmental Assessment in regards to the proposed abandonment of the Vliets Industrial Lead near Frankfort, Kansas and had initially discussed abandonment procedures with Mr. Harry Patterson of your office. The project was again reviewed for potential impacts on crucial wildlife habitats, current state-listed threatened and endangered species and species in need of conservation, and public recreation areas for which this agency has some administrative authority.

Our position remains in that of the initial review and have no further comments towards the completion of this project. We again concur with the proposed project activities as submitted.

Results of our review indicate there will be no significant impacts to crucial wildlife habitats; therefore, no special mitigation measures are recommended. The project will not impact any public recreational areas, nor could we document any potential impacts to currently listed threatened or endangered species or species in need of conservation. No Department of Wildlife and Parks permits or special authorizations will be needed if construction is started within one year, and no design changes are made in the project plans. Since the Department's recreational land obligations and the State's species listings periodically change, if construction has not started within one year of this date, or if design changes are made in the project plans, the project sponsor must contact this office to verify continued applicability of this assessment report. For our purposes, we consider construction started when advertisements for bids are distributed.

Thank you for the opportunity to provide these comments and recommendations.

Sincerely,



Bryan R. Simmons, Ecologist
Environmental Services Section