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May 1, 2008

## VIA ELECTRONIC FILING

Ms. Anne K. Quinlan  
Acting Secretary  
Surface Transportation Board  
395 E Street, S.W.  
Washington, DC 20423-0001

Re: **Docket No. AB-325 (Sub-No. 4X), Florida Midland Railroad Company, Inc.—Abandonment Exemption—in Sumter County, Florida**

Dear Secretary Quinlan:

In the STB's decision served in the above-referenced proceeding on April 30, 2008, the Board imposed a condition as part of the abandonment by Florida Midland Railroad Company, Inc. ("FMID") that they were, prior to salvage, to consult with the St. John's Water Management District Orlando Service Center regarding permitting and track removal and comply with the Water Management District's reasonable requirements. FMID contacted the St. John's Water Management District and was told by them that they had no jurisdiction over this abandonment because they did not cover Sumter County. I reviewed our Environmental/Historical Report and it appears that the condition that the Board imposed may have actually grown out of a letter not from 2008 but from a previous abandonment in 2000. Specifically, a letter that is part of Appendix F to the Environmental/Historical Report dated February 20, 2008. In that letter there is mention of the St. John's Water Management District, but that letter was only included for historical purposes so that parties could see that this new abandonment at one time was part of an earlier abandonment proceeding. That earlier proceeding included Sumter and Lake Counties and the St. John's Water Management District includes Lake County, but not Sumter County. To verify this I went onto the Internet to check the St. John's Water Management District jurisdiction and it does not include Sumter County. Sumter County is part of the Southwest Water Management District and they also sent a letter that was made a part of the Environmental/Historical Report at Appendix L. In their letter, they did not indicate any concerns with regard to rail salvage.

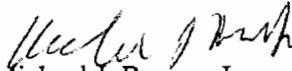
In light of this FMID believes that the condition requiring consultation with the St. John's Water Management District is not applicable as that district does not include Sumter County where the abandonment is pending. Feel free to call me if you have questions.

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Thank you for your assistance on this matter.

Very truly yours,

  
Michael J. Barron, Jr.  
Attorney for Florida Midland  
Railroad Company, Inc.

MJB: arw

cc: Danielle Gosselin (via mail)