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UD

THOMAS F. MCFARLAND

June 29, 2004

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

ENTERED  
Office of Proceedings  
JUL - 6 2004  
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Public Record

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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 to the Board for filing in the above matter are the original and 10 copies of an environmental comment in behalf of the United States Department of the Interior, Fish and Wildlife Service.

This matter is being held in abeyance by agreement of the parties by virtue of a Board order served June 17, 2004.

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



# United States Department of the Interior

**RECEIVED**

## FISH AND WILDLIFE SERVICE

646 Cajundome Blvd.

Suite 400

Lafayette, Louisiana 70506

June 23, 2004

JUN 28 2004

**McFARLAND**

Mr. Thomas McFarland  
 Legal Counsel  
 Delta Southern Railroad, Inc.  
 208 South LaSalle Street, Room 1890  
 Chicago, Illinois 60604

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Dear Mr. McFarland:

Please reference the April 27, 2004, letter, received in this office on May 12, 2004, requesting our review of the proposed Delta Southern Railroad, Inc., Lake Providence Line, rail line abandonment project between milepost 433.0 near Lake Village, Arkansas, and milepost 463.0 near Shelburn, Louisiana. The U.S. Fish and Wildlife Service has reviewed the information you provided, and offers the following comments in accordance with the Endangered Species Act (ESA) of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.).

No federally listed threatened, endangered, or candidate species, or their designated critical habitats, are known to occur within the proposed project area. Therefore, no further consultation will be required unless there are changes in the scope or location of the project, or project construction has not been initiated within one year. If the project has not been initiated within one year, follow-up consultation should be accomplished with this office prior to making expenditures for construction. If the scope or location of the proposed work is changed, consultation should occur as soon as such changes are made.

In addition, our records indicate that the proposed project would not impact any Federal National Wildlife Refuges or State Wildlife Management Areas. Furthermore, our records indicate that no National or State Forests, or National or State Parks would be impacted by the proposed project.

We appreciate the opportunity to provide comments during the early planning stages of this proposed project. If you need further assistance please contact Derek Hamilton (337/291-3138) of this office.

Sincerely,

Russell C. Watson

Supervisor

Louisiana Field Office

cc: USFWS, Conway, Arkansas FO; Attention: Mitch Wine  
LDWF, Natural Heritage Program, Baton Rouge, LA  
Delta Southern Railroad, Inc.