



**SURFACE TRANSPORTATION BOARD**

**Washington, DC 20423**

*Office of Environmental Analysis*

December 15, 2011

Richard H. Streeter  
5255 Partridge Lane N.W.  
Washington DC 20016

RE: *North Louisiana & Arkansas Railroad, Inc.—Construction and  
Operation Exemption—In Chicot and Desha Counties, Ark.,  
FD 35577*

Dear Mr. Streeter:

We received your November 30, 2011 letter regarding North Louisiana & Arkansas Railroad, Inc.'s proposed construction of an approximately 8.1-mile rail line that would provide freight rail service to the Port of Yellow Bend, and pursuant to 49 C.F.R. § 1105.10(c), we are granting your request for a waiver of the 6 month prefiling notice generally required for construction projects under 49 C.F.R. § 1105.10(a)(1).

Environmental Review

The Surface Transportation Board (Board) has been authorized by Congress to license new rail line construction, which is considered to be a "major Federal action" that requires environmental analysis under the National Environmental Policy Act (NEPA).<sup>1</sup> The Board's Office of Environmental Analysis (OEA) is responsible for conducting the environmental review process to ensure the Board's compliance with NEPA and related environmental laws.

As you know, the U.S. Department of Transportation (USDOT) has already conducted an environmental review of the proposed project. In October 2008, Arkansas State Highway and Transportation Department (ATD) and USDOT prepared an Environmental Assessment (EA) titled "Environmental Assessment to Provide a Rail Connection to the Port of Yellow Bend," and on August 3, 2009, USDOT's Office of the Secretary issued a Record of Decision and "Finding of No Significant Impact" or FONSI, which found that, based on the analysis in the EA, the proposed rail construction project will not have any significant impact on the human and natural environment.

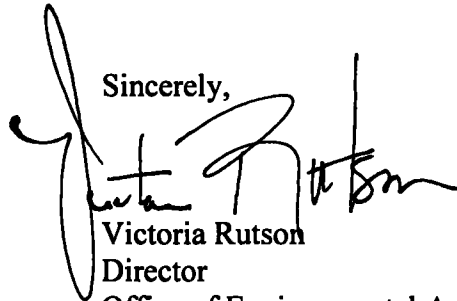
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<sup>1</sup> 42 U.S.C. §§ 4321-43.

OEA independently reviewed all available information regarding the project, as well as the level of potential environmental impact that may be associated with this proposed rail construction project, and we have determined that preparation of an Environmental Impact Statement is not necessary.<sup>2</sup> In addition, because the President's Council on Environmental Quality (CEQ) strongly encourages agencies to reduce paperwork and duplication of efforts, OEA is initiating the process of adopting the EA that was prepared by USDOT and ATD.<sup>3</sup>

If you have any questions, please contact Christa Dean by phone at (202) 245-0299 or e-mail at [christa.dean@stb.dot.gov](mailto:christa.dean@stb.dot.gov).

Sincerely,

A handwritten signature in black ink, appearing to read 'Victoria Rutson', is written over the typed name.

Victoria Rutson

Director

Office of Environmental Analysis

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<sup>2</sup> See 49 U.S.C. § 1105.6(d).

<sup>3</sup> See 40 CFR 1506.3.