

BALL JANIK LLP

A T T O R N E Y S

1455 F STREET, NW, SUITE 225
WASHINGTON, D.C. 20005

www.balljanik.com

TELEPHONE 202-638-3307
FACSIMILE 202-783-6947

LOUIS E. GITOMER
OF COUNSEL
(202) 466-6532

lgitomer@dc.bjllp.com

May 8, 2003



Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D. C. 20423

RE: Docket No. AB-33 (Sub-No. 163X), *Union Pacific Railroad Company—
Abandonment Exemption—in Lamar and Fannin Counties, TX (Bonham Subdivision
between Paris and Bonham, TX)*
Docket No. AB-364 (Sub-No. 8X), *Texas Northeastern Division, Mid-Michigan
Railroad, Inc.—Discontinuance Exemption—in Lamar and Fannin Counties, TX (Bonham
Subdivision between Paris and Bonham, TX)*

Dear Secretary Williams:

Enclosed are the original and 10 copies of a letter from the Texas Parks and Wildlife Department commenting that the proposal “indicates minimal impacts to fish and wildlife resources.” Please time and date stamp the additional copy of this letter and the attached letter and return it with our messenger. Thank you for your assistance.

If you have any questions, call or email me.

Sincerely yours,

Louis E. Gitomer
Attorney for The Texas Northeastern
Division, Mid-Michigan Railroad, Inc.

Enclosures

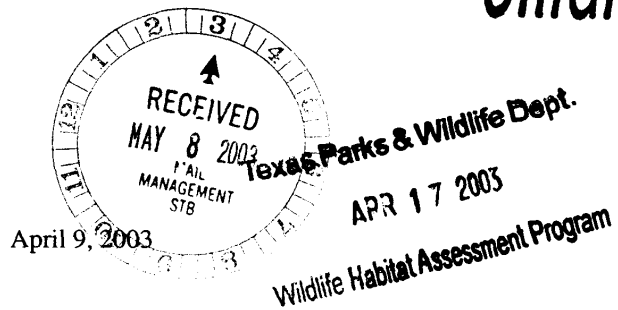
**ENTERED
Office of Proceedings**

MAY 08 2003

**Part of
Public Record**

ORIGINAL

TEXAS NORTHEASTERN RAILROAD
5300 BROKEN SOUND BLVD., N.W. 2ND FLOOR
BOCA RATON, FL 33487
OFFICE (561) 994-6015
FAX (561) 994-4629



April 9, 2003

Texas Parks and Wildlife
4200 Smith School Road
Austin, TX 78744

RE: Docket No. AB-33 (Sub-No. 163X), *Union Pacific Railroad Company—Abandonment Exemption—in Lamar and Fannin Counties, TX (Bonham Subdivision between Paris and Bonham, TX)*
Docket No. AB-364 (Sub-No. 8X), *Texas Northeastern Division, Mid-Michigan Railroad, Inc.—Discontinuance Exemption—in Lamar and Fannin Counties, TX (Bonham Subdivision between Paris and Bonham, TX)*

Dear Sir or Madam:

On or about April 29, 2003, the Union Pacific Railroad Company ("UP") and the Texas Northeastern Division, Mid-Michigan Railroad, Inc. ("TNER") expect to be filing with the Surface Transportation Board ("STB") a notice of exemption seeking authority for UP to abandon and TNER to discontinue service over a 33.5-mile line between milepost 94.0, near Paris, TX, and milepost 127.5, east of Bonham, TX, in Lamar and Fannin Counties, TX.

Attached is an Environmental Report describing the proposed action and any expected environmental effects, as well as a map of the affected area. We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, NW, Washington, DC 20423, telephone 202-565-1538 and refer to the above Docket No. AB-364 (Sub-No. 5X).

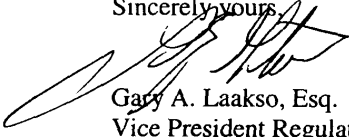
Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to our representative) would be appreciated within 3 weeks. Your comments will be considered by the STB in evaluating the environmental impacts of the contemplated action. If there are any questions concerning this proposal, please contact our representative directly. Our representatives in this matter are: for

Texas Parks and Wildlife
April 9, 2003
Page 2

UP, Mack H. Shumate, Jr., Esq., Senior General Attorney, 101 North Wacker Drive, Room 1920, Chicago, IL 60606, (312) 777-2055, and for TNER, Gary A. Laakso, Esq., Vice President Regulatory Counsel, RailAmerica, Inc., 5300 Broken Sound Boulevard N.W., Second Floor, Boca Raton, FL 33487, (561) 994-6015, and Louis E. Gitomer, Ball Janik LLP, 1455 F St., N.W., Suite 225, Washington, DC 20005, (202) 638-3307, email at lgitomer@dc.bjllp.com.

Sincerely yours,

Mack H. Shumate, Jr., Esq.
Senior General Attorney
101 North Wacker Drive
Room 1920
Chicago, IL 60606
(312) 777-2055


Gary A. Laakso, Esq.
Vice President Regulatory Counsel
5300 Broken Sound Boulevard N.W.
Second Floor
Boca Raton, FL 33487
(561) 994-6015

Louis E. Gitomer, Esq.
Of Counsel
Ball Janik LLP
1455 F Street, N.W., Suite 225
Washington, D.C. 20005
(202) 638-3307

Enclosure

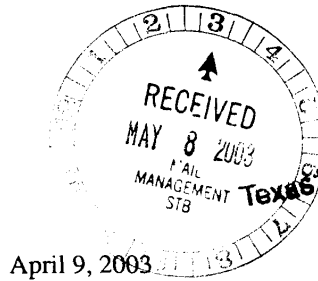


Review of the project activity as proposed indicates
minimal impacts to fish and wildlife resources.

Reviewed: Randy C. Williams

April 28, 2003

TEXAS NORTHEASTERN RAILROAD
5300 BROKEN SOUND BLVD., N.W. 2ND FLOOR
BOCA RATON, FL 33487
OFFICE (561) 994-6015
FAX (561) 994-4629



April 9, 2003

Texas Parks & Wildlife Dept.
APR 17 2003
Wildlife Habitat Assessment Program

Texas Parks and Wildlife
4200 Smith School Road
Austin, TX 78744

RE: Docket No. AB-33 (Sub-No. 163X), *Union Pacific Railroad Company—Abandonment Exemption—in Lamar and Fannin Counties, TX (Bonham Subdivision between Paris and Bonham, TX)*
Docket No. AB-364 (Sub-No. 8X), *Texas Northeastern Division, Mid-Michigan Railroad, Inc.—Discontinuance Exemption—in Lamar and Fannin Counties, TX (Bonham Subdivision between Paris and Bonham, TX)*

Dear Sir or Madam:

On or about April 29, 2003, the Union Pacific Railroad Company ("UP") and the Texas Northeastern Division, Mid-Michigan Railroad, Inc. ("TNER") expect to be filing with the Surface Transportation Board ("STB") a notice of exemption seeking authority for UP to abandon and TNER to discontinue service over a 33.5-mile line between milepost 94.0, near Paris, TX, and milepost 127.5, east of Bonham, TX, in Lamar and Fannin Counties, TX.

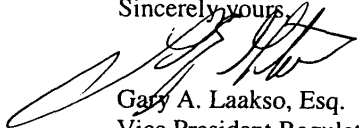
Attached is an Environmental Report describing the proposed action and any expected environmental effects, as well as a map of the affected area. We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, NW, Washington, DC 20423, telephone 202-565-1538 and refer to the above Docket No. AB-364 (Sub-No. 5X).

Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to our representative) would be appreciated within 3 weeks. Your comments will be considered by the STB in evaluating the environmental impacts of the contemplated action. If there are any questions concerning this proposal, please contact our representative directly. Our representatives in this matter are: for

Texas Parks and Wildlife
April 9, 2003
Page 2

UP, Mack H. Shumate, Jr., Esq., Senior General Attorney, 101 North Wacker Drive, Room 1920, Chicago, IL 60606, (312) 777-2055, and for TNER, Gary A. Laakso, Esq., Vice President Regulatory Counsel, RailAmerica, Inc., 5300 Broken Sound Boulevard N.W., Second Floor, Boca Raton, FL 33487, (561) 994-6015, and Louis E. Gitomer, Ball Janik LLP, 1455 F St., N.W., Suite 225, Washington, DC 20005, (202) 638-3307, email at lgitomer@dc.bjllp.com.

Sincerely yours,



Mack H. Shumate, Jr., Esq.
Senior General Attorney
101 North Wacker Drive
Room 1920
Chicago, IL 60606
(312) 777-2055

Gary A. Laakso, Esq.
Vice President Regulatory Counsel
5300 Broken Sound Boulevard N.W.
Second Floor
Boca Raton, FL 33487
(561) 994-6015

Louis E. Gitomer, Esq.
Of Counsel
Ball Janik LLP
1455 F Street, N.W., Suite 225
Washington, D.C. 20005
(202) 638-3307

Enclosure



Review of the project activity as proposed indicates
minimal impacts to fish and wildlife resources.

Reviewed:

Ray C. Zellars Jr.
April 28, 2003