

103 - 22X

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February 18, 2010

BY HAND DELIVERY

Ms. Victoria Rutson
Director, Section of Environmental Analysis
Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

RE: *The Kansas City Southern Railway Company – Abandonment Exemption –
Line in East Feliciana Parish, LA, STB Docket No. AB-103 (Sub-No.
22X)*

Dear Ms. Rutson:

Today, we are sending the attached Environmental and Historic Report to the relevant consulting agencies¹ regarding The Kansas City Southern Railway Company's ("KCSR") intention to file, on or about March 10, 2010, a Notice of Exemption pursuant to 49 CFR Part 1152.50, Subpart F (Exempt Abandonments, et al.), pursuant to which KCSR will seek to abandon approximately 1.63 miles of railroad track located in East Feliciana Parish, Louisiana, running from milepost D-202.70 to milepost D-204.33 (the "Line"). The Line traverses through United States Postal Zip Code 70748.

Enclosed for your records is a copy of the Environmental and Historic Report describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

If any of the information in the Environmental and Historic Report appears to be misleading or incorrect, if pertinent information appears missing, or if any of the consulting agencies have questions about the STB's environmental review process, we have asked the consulting agencies to respond in writing within three weeks to your office and to KCSR's legal counsel in this matter, Robert A. Wimbish, at Baker & Miller PLLC.

¹ Copies of the letters that KCSR sent to the relevant consulting agencies and a copy of the Environmental and Historic Report that was sent to each consulting agency are attached hereto.

BAKER & MILLER PLLC

Ms. Victoria Rutson

February 18, 2010

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If you have any questions concerning this proposed abandonment, please contact me at (202) 663-7831.

Sincerely,



Crystal M. Zorbaugh
Legal Assistant

Enclosures

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

STB DOCKET NO. AB-103 (SUB-NO. 22X)

**THE KANSAS CITY SOUTHERN RAILWAY COMPANY
- ABANDONMENT EXEMPTION -
LINE IN EAST FELICIANA PARISH, LA**

ENVIRONMENTAL AND HISTORIC REPORT

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Railway Company**

February 18, 2010

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

STB DOCKET NO. AB-103 (SUB-NO. 22X)

**THE KANSAS CITY SOUTHERN RAILWAY COMPANY
- ABANDONMENT EXEMPTION -
LINE IN EAST FELICIANA PARISH, LA**

ENVIRONMENTAL AND HISTORIC REPORT

Pursuant to the above-captioned proceeding, The Kansas City Southern Railway Company ("KCSR") intends to abandon an approximately 1.63-mile rail line extending from milepost D-202.70 to milepost D-204.33 located in East Feliciana Parish, LA. In accordance with the procedures set forth in 49 CFR 1105.7 and 1105.8, KCSR is required to submit the following Environmental and Historic Report.

ENVIRONMENTAL REPORT

(1) PROPOSED ACTION AND ALTERNATIVES

Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable, detailed map and drawings clearly delineating the project.

The Kansas City Southern Railway Company ("KCSR") seeks to abandon an approximately 1.63-mile rail line (the "Line") located in East Feliciana Parish, LA, extending from milepost D-202.70 to milepost D-204.33. A map depicting the Line is attached as Exhibit 1. Although KCSR has elected, out of an abundance of caution, to invoke the Board's abandonment notice of exemption procedures, KCSR believes that the Line is not a "line of railroad" subject to the Board's regulatory authority, and that it is instead (and at most) either an industrial, spur, or side track, or a private track, which KCSR may dispose of without the need for Board action. For this reason, KCSR may, in connection its notice of exemption, move for the Board to

dismiss KCSR's abandonment notice on the basis that the proposed action falls outside of the Board's regulatory authority.

The Line has been out of service for decades. Information available to KCSR indicates that, prior to 1968, the Line had been owned and operated by a company known as the South Shore Railway Company ("SSR"), an entity described in Interstate Commerce Commission ("ICC") proceedings as, and understood by Louisiana & Arkansas Railway Company ("L&A") (in this case, the corporate predecessor in interest to KCSR) to be, an intrastate railroad operator. In 1968, L&A acquired SSR's interests in the Line, and operated it as an industrial or spur track outside of the ICC's jurisdiction, and now beyond the scope of the Board's regulatory authority. L&A was subsequently merged into KCSR in 1992. See Kansas City Southern Railway Co. – Corporate Family Transaction Exemption – Louisiana & Arkansas Railway Co., et al., 57 FR 31210 (July 14, 1992).

L&A did not and KCSR does not own the land underlying the portion of the Line's right-of-way that lies within the boundaries of a parcel owned by a group of individual members of the Mills Family.

To the best of KCSR's knowledge, there has been no provision of common carrier service on the Line in decades (if ever). The Line has not been maintained for several decades due the absence of any traffic, and KCSR believes that much of the track and material that had been located on the Line has already been removed or has been so thoroughly covered by many years of uninterrupted settling and overgrowth that salvage of any remaining track materials may be impracticable.

After abandonment of the Line pursuant to this proceeding, KCSR anticipates executing a formal release of its rights on the portion of the Line within the boundaries of the property owned by the Mills Family. In turn, the Mills Family will convey fee title to a portion of the parcel(s) on which the Line is located to Colonial Pipeline Company ("CPC"), which holds an option to buy and intends to purchase some of the property over which the easement for the Line was originally granted. The KCSR abandonment, combined with the aforementioned CPC-Mills Family transaction, will permit the expansion of a CPC tank farm located adjacent to the Line. The only reasonable alternative to abandonment proposed here would be to allow the Line to remain in place and, by extension, to allow KCSR's easement rights to remain. Such an alternative to abandonment would frustrate CPC's desire for a warranty deed from the Mills Family representing that the Mills Family is conveying the subject parcels to CPC free and clear of any rights or encumbrances associated with railroad use. In short, the only reasonable alternative to abandonment would be continuation of the status quo, under which the Mills Family retains the land parcels subject to KCSR's long-unused rights, and subject to lingering uncertainty as to the legal status of the track in question.

(2) TRANSPORTATION SYSTEM

Describe the effects of the proposed action on regional or local transportation systems and patterns. Estimate the amount of traffic (passenger or freight) that will be diverted to other transportation systems or modes as a result of the proposed action.

The Line has been inactive for decades, and, for this simple reason, the proposed abandonment will have no impact on regional or local transportation systems and patterns. No passenger or freight traffic would be diverted to other systems or modes as a result of the proposed abandonment.

(3) LAND USE

- (i) Based on consultation with local and/or regional planning agencies and/or a review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.**

The proposed abandonment is consistent with, and, indeed would promote, existing land use plans. In fact, KCSR's proposed abandonment of the Line was precipitated by, and is undertaken in the furtherance of, plans by CPC to acquire the land underlying the Line for purposes of local business/industrial development. A copy of this Environmental Report has been mailed to the appropriate local and state agencies for their information and further comment on this issue.

- (ii) Based on consultation with the U.S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land.**

KCSR believes that the proposed abandonment will not have any adverse impact on prime agricultural land. The Line passes through an area north of Baton Rouge consisting primarily of wooded and open land, although there appears to be limited residential use and an industrial site (a tank farm) located near or adjacent to the Line. Some of the adjacent land may be used for agricultural purposes, but KCSR does not anticipate that the proposed abandonment would have any adverse impact on prime agricultural lands. In connection with this issue, KCSR has contacted the United States Department of Agriculture ("USDA") Natural Resources Conservation Service in, by letter dated February 18, 2010. A copy of this report was attached to that letter. *See Exhibit 2.*

- (iii) If the action affects land or water uses within a designated coastal zone, include the coastal zone information required by Sec. 1105.9.**

Based upon initial consultation with the online resources of the Louisiana Department of Natural Resources ("LADNR"), KCSR does not believe that the Line traverses a designated coastal zone, and, thus, KCSR understands that its

proposed abandonment would not be subject to review in the applicable coastal zone management plan.¹ A copy of this report has been sent to LADNR to confirm that conclusion. See Exhibit 2.

- (iv) **If the proposed action is an abandonment, state whether or not the right-of-way is suitable for alternative public use under 49 U.S.C. 10906 and explain why.**

KCSR believes that the subject right-of-way is not suited for other public purposes. KCSR anticipates that formally relinquishing its interest on the subject land will foster local, private industrial development, which development would not occur but for the termination of KCSR's easement rights.

(4) **ENERGY**

- (i) **Describe the effect of the proposed action on transportation of energy resources.**

Again, there has been no traffic on the Line in decades. Accordingly, the proposed abandonment is not expected to have any effect on the transportation of energy resources.

- (ii) **Describe the effect of the proposed action on recyclable commodities.**

Because no shipper will lose rail service as a result of the proposed action, the abandonment should have no effect on the movement and/or recovery of recyclable commodities.

- (iii) **State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why.**

Because the proposed abandonment involves a long-out-of-use stretch of track, the abandonment should have no effect on overall energy usage. To the extent that the land is used for the construction of new tanks by CPC to store refined petroleum products, it will enhance the capacity and flexibility of CPC's pipeline system, thereby enhancing the efficiency of CPC's distribution of these products.

- (iv) **If the proposed action will cause diversions from rail to motor carriage of more than:**

(A) **1,000 rail carloads a year; or**

(B) **An average of 50 rail carloads per mile per year for any part of the affected line, quantify the resulting net change in energy consumption**

¹ See <http://dnr.louisiana.gov/SEC/EXECDIV/PUBINFO/NEWSR/2002/06crm-map.htm>

and show the data and methodology used to arrive at the figure given. To minimize the production of repetitive data, the information on overall energy efficiency in Sec. 1105.7(e)(4)(iii) need not be supplied if the more detailed information in Sec. 1105.7(e)(4)(iv) is required.

The Line is inactive and has been for many, many years. There will be no diversion of rail traffic to motor carriage, and, by extension, no traffic diversions that would exceed the thresholds stated above.

(5) AIR

(i) If the proposed action will result in either:

- (A) An increase in rail traffic of at least 100 percent (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of rail line affected by the proposal, or**
- (B) An increase in rail yard activity of at least 100 percent (measured by carload activity), or**
- (C) An average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions. For a proposal under 49 U.S.C. 10901 (or 10505) to construct a new line or reinstitute service over a previously abandoned line, only the eight train a day provision in subsection (5)(i)(A) will apply.**

The above thresholds will not be exceeded.

(ii) If the proposed action affects a class I or nonattainment area under the Clean Air Act, and will result in either:

- (A) An increase in rail traffic of at least 50 percent (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line,**
- (B) An increase in rail yard activity of at least 20 percent (measured by carload activity), or**
- (C) An average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by the State Implementation Plan. However, for a rail construction under 49 U.S.C. 10901 (or 49 U.S.C. 10505), or a case involving the reinstitution of service over a previously**

abandoned line, only the three train a day threshold in this item shall apply.

Based upon 40 CFR 81.325 (2006), KCSR believes that East Feliciana Parish is **not** a non-attainment area and that the above-stated thresholds are therefore inapplicable. Nevertheless, the above thresholds will not be exceeded.

- (iii) **If transportation of ozone depleting materials (such as nitrogen oxide and freon) is contemplated, identify: the materials and quantity; the frequency of service; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and spills; contingency plans to deal with accidental spills; and the likelihood of an accidental release of ozone depleting materials in the event of a collision or derailment.**

Not applicable.

(6) NOISE

If any of the thresholds identified in item (5)(i) of this section are surpassed, state whether the proposed action will cause:

- (i) **An incremental increase in noise levels of three decibels Ldn or more; or**
- (ii) **An increase to a noise level of 65 decibels Ldn or greater. If so, identify sensitive receptors (e.g., schools, libraries, hospitals, residences, retirement communities, and nursing homes) in the project area, and quantify the noise increase for these receptors if the thresholds are surpassed.**

None of the thresholds of item (5)(i) of this section will be exceeded.

(7) SAFETY

- (i) **Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad grade crossings).**

The proposed abandonment of a long out-of-service track should have no material impact on public health and safety.

- (ii) **If hazardous materials are expected to be transported, identify: the materials and quantity; the frequency of service; whether chemicals are being transported that, if mixed, could react to form more hazardous compounds; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and hazardous spills; the contingency plans to deal with accidental spills; and the likelihood of an accidental release of hazardous materials.**

No hazardous materials are expected to be transported, and, indeed, no traffic of any kind has moved over the Line in decades.

- (iii) **If there are any known hazardous waste sites or sites where there have been known hazardous materials spills on the right-of-way, identify the location of those sites and the types of hazardous materials involved.**

KCSR is not aware of any hazardous waste sites or sites on the Line where there have been hazardous material spills.

(8) **BIOLOGICAL RESOURCES**

- (i) **Based on consultation with the U.S. Fish and Wildlife Service, state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects.**

The land through which the Line passes is used for a variety of purposes, including, at different points, forested/open land, residential, agricultural, and industrial. In light of these land uses, KCSR does not believe the proposed abandonment will have an adverse impact on endangered or threatened species or areas designated as a critical habitat. In connection with this matter, KCSR has contacted the U.S. Fish and Wildlife Service by letter dated February 18, 2010, seeking further information on whether the proposed abandonment would adversely affect endangered or threatened species or areas designated as a critical habitat. A copy of this report was attached to the letter. *See Exhibit 2.*

- (ii) **State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.**

Following investigation, KCSR is not aware of any wildlife sanctuary or refuge, or any National or State park or forest adjacent to the Line. KCSR has notified the National Park Service of the proposed abandonment by letter dated February 18, 2010, and requested assistance in identifying any potential effects on wildlife sanctuaries or refuges, or National or state parks or forests. A copy of this report was attached to the letter. *See Exhibit 2.*

(9) **WATER**

- (i) **Based on consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies.**

KCSR is confident that the proposed abandonment will be consistent with applicable water quality standards. The Line does not appear to cross any streams, rivers, or other bodies of water. KCSR has contacted the Louisiana

Department of Natural Resources, the Louisiana Department of Environmental Quality, and the U.S. Environmental Protection Agency by letters dated February 18, 2010. A copy of this report was attached to the letter. *See Exhibit 2.*

- (ii) **Based on consultation with the U.S. Army Corps of Engineers, state whether permits under section 404 of the Clean Water Act (33 U.S.C. 1344) are required for the proposed action and whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.**

KCSR believes that no permits under section 404 of the Clean Water Act will be required because no salvage activities are anticipated to occur in or adjacent to any waterways. In addition, KCSR believes that no 100-year flood plains will be adversely impacted by the proposed abandonment. In connection with this issue, KCSR contacted the U.S. Army Corps of Engineers Northeast District by letter dated February 18, 2010. A copy of this report was attached to the letter. *See Exhibit 2.*

- (iii) **State whether permits under section 402 of the Clean Water Act (33 U.S.C. 1342) are required for the proposed action. (Applicants should contact the U.S. Environmental Protection Agency or the state environmental protection or equivalent agency if they are unsure whether such permits are required.)**

Upon receiving abandonment authority, removal of track material (if any) will be accomplished by use of the right-of-way for access, along with existing public and private crossings, and no new access roads are contemplated. KCSR does not intend to perform any activities that would cause sedimentation or erosion of the soil, and does not anticipate any dredging or use of fill in removal of track material. In fact, as stated above, KCSR does not believe that it will engage in any track salvage activity, because much of the track along the Line has been removed or has deteriorated to the point that it would not be practicable to attempt to remove it from the ground. No debris will be discarded along the right-of-way or placed or left in streams or wetlands or along the banks of such waterways. Any track removal efforts along the right-of-way will be subject to appropriate measures to prevent or control spills from fuels, lubricants or any other pollutant materials. Accordingly, KCSR does not believe that a permit under Section 402 of the Clean Water Act will be required.

By letters dated February 18, 2010, KCSR has contacted the U.S. Environmental Protection Agency and the Louisiana Department of Environmental Quality concerning this matter and has requested assistance in identifying any potential impacts on applicable water quality standards and determining whether the proposed abandonment is consistent with applicable Federal, State, or local water quality standards. A copy of this report was attached to the letter. *See Exhibit 2.*

(10) **PROPOSED MITIGATION**

Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.

There will be no adverse environmental impacts in the project area as a result of this abandonment; therefore, mitigating action will not be necessary.

(11) ADDITIONAL INFORMATION FOR RAIL CONSTRUCTIONS

Not applicable.

HISTORIC REPORT

49 CFR §1105.8(d):

- (1) **A U.S.G.S. topographic map (or an alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the locations and approximate dimensions of railroad structures that are 50 years old or older and are part of the proposed action;**

A map generally depicting the location and scope of the Line are attached hereto as Exhibit 1. A U.S.G.S. topographic map is attached as Exhibit 3. These maps are being supplied to the Louisiana Department of Culture, Recreation & Tourism – Division of Historic Preservation by way of service of a complete copy of this report. Based upon an examination of the records available to it, KCSR is not aware of any structures on the Line (such as bridges, culverts, stations, etc.) that are 50 years old or older.

- (2) **A written description of the right-of-way (including approximate widths, to the extent known), and the topography and urban and/or rural characteristics of the surrounding area;**

The involved right-of-way ranges in width from approximately 50 to approximately 100 feet (see KCSR map attached hereto as part of Exhibit 1), and extends from milepost D-202.70 to milepost D-204.33 in East Feliciana Parish, Louisiana. The Line runs adjacent to lands of varying uses, ranging from forested open land to industrial (tank farms). At various points, KCSR understands that the land has been zoned as residential, agricultural, and industrial. The topography is generally flat, with some rolling hills.

- (3) **Good quality photographs (actual photographic prints, not photocopies) of railroad structures on the property that are 50 years old or older and of the immediately surrounding area;**

As indicated above, KCSR believes that there are no such structures located along this Line.

- (4) **The date(s) of construction of the structure(s), and the date(s) and extent of any major alterations, to the extent such information is known;**

Not applicable.

- (5) **A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action;**

KCSR is not certain at what time the Line was constructed or by whom, but KCSR understands that, in 1968, Louisiana & Arkansas Railway Company ("L&A") entered into an agreement to acquire the property from South Shore Railway Company, an intrastate rail operator. (Records indicate that the deed governing conveyance of the subject Line was not recorded until January of 1970.) L&A subsequently was merged into KCSR in 1992. As is reflected throughout this consolidated report, KCSR has not operated over the subject Line for decades, and, indeed, some track connecting to the Line has also been out of service for many years. As a consequence, KCSR does not anticipate any material changes in transportation as a result of the proposed action. The abandonment will, however, facilitate the acquisition of land by CPC in order to expand a tank farm operation immediately adjacent to a portion of the Line. (This tank farm is readily apparent from the topographic map attached hereto.)

- (6) A brief summary of documents in the carrier's possession, such as engineering drawings, that might be useful in documenting a structure that is found to be historic;**

As stated above, KCSR does not believe that there are any structures along the Line that are 50 years old or older, and that, for this reason, it is highly unlikely that the Line would have any characteristics whatsoever that would warrant further historical analysis. Nevertheless, KCSR has attached as part of Exhibit 1 (maps) a map that may be of use for any such evaluation of the historical resources along the Line.

- (7) An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 CFR 60.4), and whether there is a likelihood of archeological resources or any other previously unknown historic properties in the project area, and the basis for these opinions (including any consultations with the State Historic Preservation Office, local historical societies or universities);**

As indicated above, KCSR's records and other readily-available information indicate that there are no structures on the Line that are 50 years old or older, and, for this reason, there are no structures that would meet the criteria for listing on the National Register of Historic Places. KCSR is also unaware of any archeological resources or any other previously unknown historic properties on the Line's right-of-way.

- (8) A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or manmade) that might affect the archeological recovery of resources (such as swampy conditions or the presence of toxic wastes), and the surrounding terrain.**

Various track work and/or construction occurred over the many years that the track was in operation. Such work may have disturbed the potential for recovery of archeological resources.

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

STB DOCKET NO. AB-103 (SUB-NO. 22X)

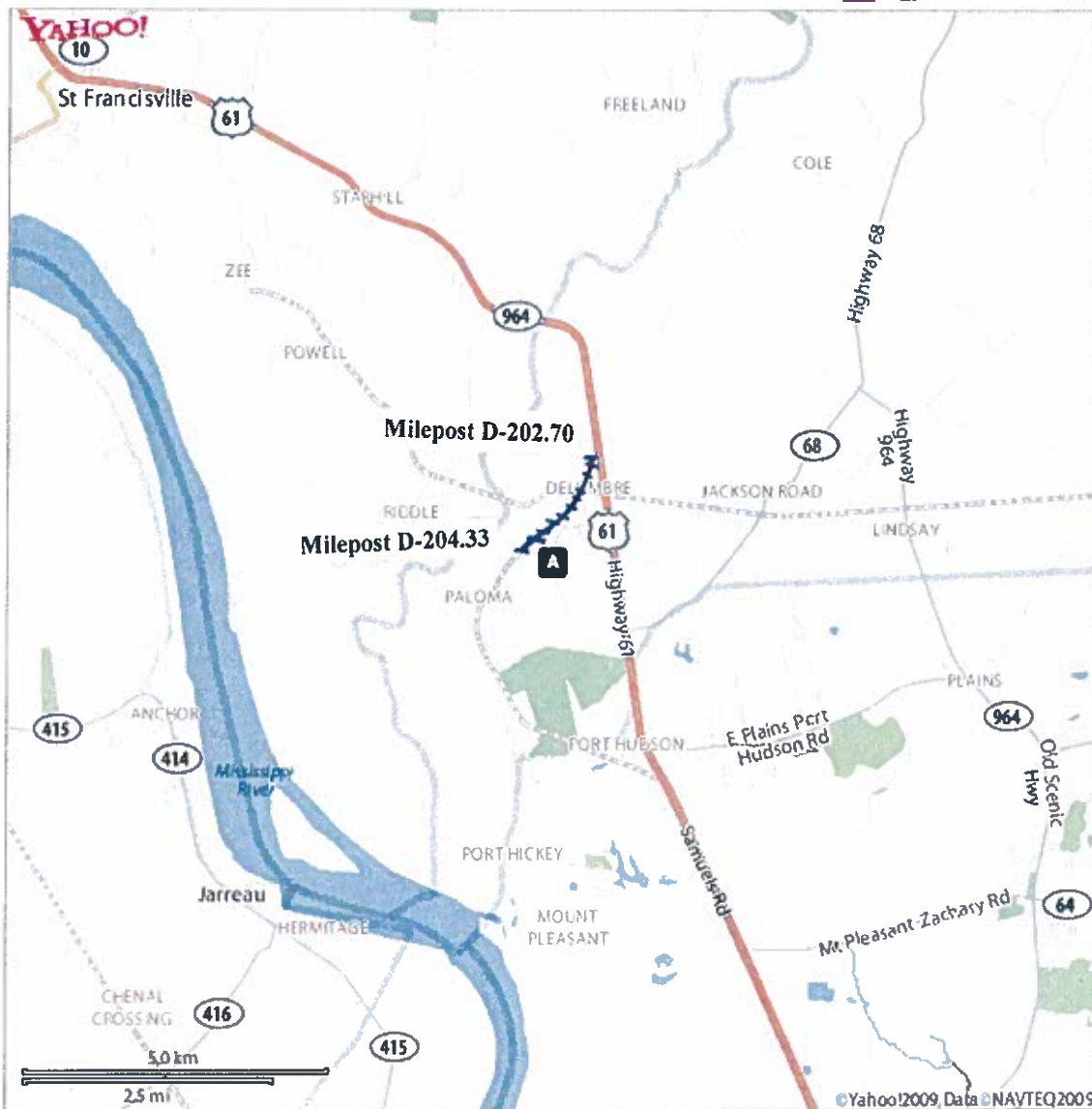
**THE KANSAS CITY SOUTHERN RAILWAY COMPANY
- ABANDONMENT EXEMPTION -
LINE IN EAST FELICIANA PARISH, LA**

ENVIRONMENTAL AND HISTORIC REPORT

EXHIBIT 1 – LOCATION MAP

Map of 30.709185,-91.283104

YAHOO!



When using any driving directions or map, it's a good idea to do a reality check and make sure the road still exists, watch out for construction, and follow all traffic safety precautions. This is only to be used as an aid in planning.

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

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**THE KANSAS CITY SOUTHERN RAILWAY COMPANY
- ABANDONMENT EXEMPTION -
LINE IN EAST FELICIANA PARISH, LA**

ENVIRONMENTAL AND HISTORIC REPORT

EXHIBIT 2 – CONSULTATION LETTERS

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February 18, 2010

William Shrewsberry, Highway Rail Safety Engineer
Louisiana Department of Transportation and Development
P.O. Box 94245
Baton Rouge, LA 70804-9245

RE: *The Kansas City Southern Railway Company – Abandonment Exemption –
Line in East Feliciana Parish, LA*, STB Docket No. AB-103 (Sub-No.
22X)

Dear Mr. Shrewsberry:

On or after March 10, 2010, The Kansas City Southern Railway Company (“KCSR”) expects to file with the Surface Transportation Board (“STB”) a Notice of Exemption pursuant to 49 CFR Part 1152.50, Subpart F (Exempt Abandonments, et al.), pursuant to which KCSR will seek to abandon approximately 1.63 miles of railroad track located in East Feliciana Parish, Louisiana, running from milepost D-202.70 to milepost D-204.33 (the “Line”). The Line traverses through United States Postal Zip Code 70748. Enclosed is an Environmental and Historic Report (the “E&HR” or “Report”) describing the proposed action and any expected environmental and historic 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, 395 E Street, SW, Washington, DC 20423-0001; TEL: (202) 245-0295 and refer to STB Docket No. AB-103 (Sub-No. 22X). Also, please contact the undersigned counsel for KCSR. Because statutes and regulations applicable to rail line abandonments impose stringent deadlines for processing this action, your input would be appreciated within three weeks.

As information, KCSR intends to include with its abandonment filing a motion to dismiss the proceeding. KCSR intends to seek dismissal of the proceeding on the basis of evidence suggesting that the Line was previously abandoned and exists today as an industrial or spur track

William Shrewsberry, Highway Rail Safety Engineer
February 18, 2010
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that KCSR may dispose of without STB authority.

If there are any questions concerning this inquiry, please contact me, KCSR's representative, by mail at: Robert A. Wimbish, Baker & Miller, PLLC, 2401 Pennsylvania Avenue, NW, Suite 300, Washington, DC 20037; by FAX: (202) 663-7849; by e-mail: rwimbish@bakerandmiller.com; or by TEL: (202) 663-7824.

Sincerely,


Robert A. Wimbish

Counsel for The Kansas City Southern
Railway Company

Enclosure

BAKER & MILLER PLLC

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February 18, 2010

Don Reason, Mayor
East Feliciana Parish
PO Box 981
Clinton, LA 70722

RE: *The Kansas City Southern Railway Company – Abandonment Exemption –
Line in East Feliciana Parish, LA, STB Docket No. AB-103 (Sub-No.
22X)*

Dear Mayor Reason:

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As information, KCSR intends to include with its abandonment filing a motion to dismiss the proceeding. KCSR intends to seek dismissal of the proceeding on the basis of evidence suggesting that the Line was previously abandoned and exists today as an industrial or spur track that KCSR may dispose of without STB authority.

Don Reason, Mayor
February 18, 2010
Page 2

If there are any questions concerning this inquiry, please contact me, KCSR's representative, by mail at: Robert A. Wimbish, Baker & Miller, PLLC, 2401 Pennsylvania Avenue, NW, Suite 300, Washington, DC 20037; by FAX: (202) 663-7849; by e-mail: rwimbish@bakerandmiller.com; or by TEL: (202) 663-7824.

Sincerely,

A handwritten signature in dark ink, appearing to read "R. A. Wimbish". The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

Robert A. Wimbish

Counsel for The Kansas City Southern
Railway Company

Enclosure

BAKER & MILLER PLLC

ATTORNEYS and COUNSELLORS

2401 PENNSYLVANIA AVENUE, NW
SUITE 300
WASHINGTON, DC 20037

TELEPHONE (202) 663-7820
FACSIMILE (202) 663-7849

ROBERT A. WIMBISH

(202) 663-7824 (Direct Dial)
E-Mail: rwimbish@bakerandmiller.com

February 18, 2010

Mr. Louis Kent, President
Police Jury President
P.O. Box 427
Clinton LA 70722

RE: *The Kansas City Southern Railway Company – Abandonment Exemption –
Line in East Feliciana Parish, LA*, STB Docket No. AB-103 (Sub-No.
22X)

Dear President Kent:

On or after March 10, 2010, The Kansas City Southern Railway Company (“KCSR”) expects to file with the Surface Transportation Board (“STB”) a Notice of Exemption pursuant to 49 CFR Part 1152.50, Subpart F (Exempt Abandonments, et al.), pursuant to which KCSR will seek to abandon approximately 1.63 miles of railroad track located in East Feliciana Parish, Louisiana, running from milepost D-202.70 to milepost D-204.33 (the “Line”). The Line traverses through United States Postal Zip Code 70748. Enclosed is an Environmental and Historic Report (the “E&HR” or “Report”) describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

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As information, KCSR intends to include with its abandonment filing a motion to dismiss the proceeding. KCSR intends to seek dismissal of the proceeding on the basis of evidence suggesting that the Line was previously abandoned and exists today as an industrial or spur track

Mr. Louis Kent, President
February 18, 2010
Page 2

that KCSR may dispose of without STB authority.

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Counsel for The Kansas City Southern
Railway Company

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E-Mail: rwimbish@bakerandmiller.com

February 18, 2010

Karl Morgan
Louisiana Department of Natural Resources
Office of Coastal Management
P.O. Box 44487
Baton Rouge, LA 70804

RE: *The Kansas City Southern Railway Company – Abandonment Exemption –
Line in East Feliciana Parish, LA*, STB Docket No. AB-103 (Sub-No.
22X)

Dear Mr. Morgan:

On or after March 10, 2010, The Kansas City Southern Railway Company (“KCSR”) expects to file with the Surface Transportation Board (“STB”) a Notice of Exemption pursuant to 49 CFR Part 1152.50, Subpart F (Exempt Abandonments, et al.), pursuant to which KCSR will seek to abandon approximately 1.63 miles of railroad track located in East Feliciana Parish, Louisiana, running from milepost D-202.70 to milepost D-204.33 (the “Line”). The Line traverses through United States Postal Zip Code 70748. Enclosed is an Environmental and Historic Report (the “E&HR” or “Report”) describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

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As information, KCSR intends to include with its abandonment filing a motion to dismiss the proceeding. KCSR intends to seek dismissal of the proceeding on the basis of evidence

Karl Morgan
February 18, 2010
Page 2

suggesting that the Line was previously abandoned and exists today as an industrial or spur track that KCSR may dispose of without STB authority.

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Robert A. Wimbish

Counsel for The Kansas City Southern
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E-Mail: rwimbish@bakerandmiller.com

February 18, 2010

Secretary Harold Leggett, PHD
Louisiana Department of Environmental Quality
P.O. Box 4301
Baton Rouge, LA 70821-4301

RE: *The Kansas City Southern Railway Company – Abandonment Exemption –
Line in East Feliciana Parish, LA*, STB Docket No. AB-103 (Sub-No.
22X)

Dear Secretary Leggett:

On or after March 10, 2010, The Kansas City Southern Railway Company (“KCSR”) expects to file with the Surface Transportation Board (“STB”) a Notice of Exemption pursuant to 49 CFR Part 1152.50, Subpart F (Exempt Abandonments, *et al.*), pursuant to which KCSR will seek to abandon approximately 1.63 miles of railroad track located in East Feliciana Parish, Louisiana, running from milepost D-202.70 to milepost D-204.33 (the “Line”). The Line traverses through United States Postal Zip Code 70748. Enclosed is an Environmental and Historic Report (the “E&HR” or “Report”) describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

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Secretary Harold Leggett, PHD

February 18, 2010

Page 2

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Counsel for The Kansas City Southern
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February 18, 2010

John Blevins, Director Enforcement Division
Environmental Protection Agency
Region 6 (NM, TX, OK, AR, LA)
1445 Ross Avenue, Mail Code: 6E
Suite 1200
Dallas, TX 75202

RE: *The Kansas City Southern Railway Company – Abandonment Exemption –
Line in East Feliciana Parish, LA*, STB Docket No. AB-103 (Sub-No.
22X)

Dear Director Blevins:

On or after March 10, 2010, The Kansas City Southern Railway Company (“KCSR”) expects to file with the Surface Transportation Board (“STB”) a Notice of Exemption pursuant to 49 CFR Part 1152.50, Subpart F (Exempt Abandonments, et al.), pursuant to which KCSR will seek to abandon approximately 1.63 miles of railroad track located in East Feliciana Parish, Louisiana, running from milepost D-202.70 to milepost D-204.33 (the “Line”). The Line traverses through United States Postal Zip Code 70748. Enclosed is an Environmental and Historic Report (the “E&HR” or “Report”) describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

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John Blevins, Director Enforcement Division
February 18, 2010
Page 2

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Robert A. Wimbish

Counsel for The Kansas City Southern
Railway Company

Enclosure

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E-Mail rwimbish@bakerandmiller.com

February 18, 2010

Cynthia Dohner, Regional Director
U.S. Fish & Wildlife Service
Century Center
1875 Century Boulevard
Atlanta, GA 30345

RE: *The Kansas City Southern Railway Company – Abandonment Exemption –
Line in East Feliciana Parish, LA*, STB Docket No. AB-103 (Sub-No.
22X)

Dear Director Dohner:

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Cynthia Dohner, Regional Director
February 18, 2010
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Robert A. Wimbish

Counsel for The Kansas City Southern
Railway Company

Enclosure

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ROBERT A. WIMBISH

(202) 663-7824 (Direct Dial)
E-Mail: rwimbish@bakerandmiller.com

February 18, 2010

Attn: Pete Cerio
U.S. Army Corps of Engineers District Engineer
Operations Division
Northeast District
P.O. Box 60267
New Orleans, LA 70160-0267

RE: *The Kansas City Southern Railway Company – Abandonment Exemption –
Line in East Feliciana Parish, LA, STB Docket No. AB-103 (Sub-No.
22X)*

Dear District Engineer Cerio:

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Pete Cerio
February 18, 2010
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Robert A. Wimbish

Counsel for The Kansas City Southern
Railway Company

Enclosure

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ROBERT A. WIMBISH

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E-Mail: rwimbish@bakerandmiller.com

February 18, 2010

David Vela, Regional Director
National Park Service
Southeast Region (KY, TN, NC, SC, GA, FL, AL, MS, LA, PR/Virgin Islands)
100 Alabama Street, SW, 1924 Building
Atlanta, GA 30303

RE: *The Kansas City Southern Railway Company – Abandonment Exemption –
Line in East Feliciana Parish, LA*, STB Docket No. AB-103 (Sub-No.
22X)

Dear Director Vela:

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David Vela, Regional Director
February 18, 2010
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Robert A. Wimbish

Counsel for The Kansas City Southern
Railway Company

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(202) 663-7824 (Direct Dial)
E-Mail: rwimbish@bakerandmiller.com

February 18, 2010

Charlie Stockman
National Park Service
Rivers & Trails Conservation Program
1201 Eye Street, NW, 9th Floor (Org. Code 2220)
Washington, D.C. 20005

RE: *The Kansas City Southern Railway Company – Abandonment Exemption –
Line in East Feliciana Parish, LA*, STB Docket No. AB-103 (Sub-No.
22X)

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Charlie Stockman
February 18, 2010
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Counsel for The Kansas City Southern
Railway Company

Enclosure

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(202) 663-7824 (Direct Dial)
E-Mail rwimbish@bakerandmiller.com

February 18, 2010

Simon Monroe
NGS Information Services, NOAA, N/NGS12
National Geodetic Survey SSMC-3
1315 East-West Highway, Room 9202
Silver Spring, MD 20910-3282

RE: *The Kansas City Southern Railway Company – Abandonment Exemption –
Line in East Feliciana Parish, LA*, STB Docket No. AB-103 (Sub-No.
22X)

Dear Mr. Monroe:

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Simon Monroe
February 18, 2010
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Robert A. Wimbish

Counsel for The Kansas City Southern
Railway Company

Enclosure

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(202) 663-7824 (Direct Dial)
E-Mail rwimbish@bakerandmiller.com

Rachel Watson

225. 342. 8165

Mik
Donardo

225. 249. 4596

February 18, 2010

Scott Hutcheson, State Historic Preservation Officer
Office of Historic Preservation
P.O. Box 44247
Baton Rouge LA 70804

RE: *The Kansas City Southern Railway Company – Abandonment Exemption –
Line in East Feliciana Parish, LA, STB Docket No. AB-103 (Sub-No.
22X)*

Dear Mr. Hutcheson, SHPO:

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Scott Hutcheson, State Historic Preservation Officer

February 18, 2010

Page 2

that KCSR may dispose of without STB authority.

If there are any questions concerning this inquiry, please contact me, KCSR's representative, by mail at: Robert A. Wimbish, Baker & Miller, PLLC, 2401 Pennsylvania Avenue, NW, Suite 300, Washington, DC 20037; by FAX: (202) 663-7849; by e-mail: rwimbish@bakerandmiller.com; or by TEL: (202) 663-7824.

Sincerely,

A handwritten signature in black ink, appearing to read "R. A. Wimbish". The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

Robert A. Wimbish

Counsel for The Kansas City Southern
Railway Company

Enclosure

BAKER & MILLER PLLC

ATTORNEYS and COUNSELLORS

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ROBERT A. WIMBISH

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E-Mail: rwimbish@bakerandmiller.com

February 18, 2010

Secretary Eve Kahao Gonzalez
Louisiana Public Service Commission
Galvez Building, 12th Floor
602 North Fifth Street
Post Office Box 91154
Baton Rouge, Louisiana 70821-9154

RE: *The Kansas City Southern Railway Company – Abandonment Exemption –
Line in East Feliciana Parish, LA*, STB Docket No. AB-103 (Sub-No.
22X)

Dear Secretary Gonzalez:

On or after March 10, 2010, The Kansas City Southern Railway Company ("KCSR") expects to file with the Surface Transportation Board ("STB") a Notice of Exemption pursuant to 49 CFR Part 1152.50, Subpart F (Exempt Abandonments, et al.), pursuant to which KCSR will seek to abandon approximately 1.63 miles of railroad track located in East Feliciana Parish, Louisiana, running from milepost D-202.70 to milepost D-204.33 (the "Line"). The Line traverses through United States Postal Zip Code 70748. Enclosed is an Environmental and Historic Report (the "E&HR" or "Report") describing the proposed action and any expected environmental and historic 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, 395 E Street, SW, Washington, DC 20423-0001; TEL: (202) 245-0295 and refer to STB Docket No. AB-103 (Sub-No. 22X). Also, please contact the undersigned counsel for KCSR. Because statutes and regulations applicable to rail line abandonments impose stringent deadlines for processing this action, your input would be appreciated within three weeks.

As information, KCSR intends to include with its abandonment filing a motion to dismiss

Secretary Eve Kahao Gonzalez

February 18, 2010

Page 2

the proceeding. KCSR intends to seek dismissal of the proceeding on the basis of evidence suggesting that the Line was previously abandoned and exists today as an industrial or spur track that KCSR may dispose of without STB authority.

If there are any questions concerning this inquiry, please contact me, KCSR's representative, by mail at: Robert A. Wimbish, Baker & Miller, PLLC, 2401 Pennsylvania Avenue, NW, Suite 300, Washington, DC 20037; by FAX: (202) 663-7849; by e-mail: rwimbish@bakerandmilller.com; or by TEL: (202) 663-7824.

Sincerely,

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Robert A. Wimbish

Counsel for The Kansas City Southern
Railway Company

Enclosure

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February 18, 2010

David Dorfman
SDDC TEA
Railroads for National Defense
709 Ward Dr., Bldg. 1990
Scott AFB, IL 62225

RE: *The Kansas City Southern Railway Company – Abandonment Exemption –
Line in East Feliciana Parish, LA*, STB Docket No. AB-103 (Sub-No.
22X)

Dear Mr. Dorfman:

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As information, KCSR intends to include with its abandonment filing a motion to dismiss the proceeding. KCSR intends to seek dismissal of the proceeding on the basis of evidence suggesting that the Line was previously abandoned and exists today as an industrial or spur track

David Dorfman
February 18, 2010
Page 2

that KCSR may dispose of without STB authority.

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Sincerely,

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Robert A. Wimbish

Counsel for The Kansas City Southern
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February 18, 2010

Thomas L. Tidwell, Chief
U.S. Forest Service
U.S. Department of Agriculture
Sidney R. Yates Federal Building
201 14th Street SW
Washington, DC 20024

RE: *The Kansas City Southern Railway Company – Abandonment Exemption –
Line in East Feliciana Parish, LA*, STB Docket No. AB-103 (Sub-No.
22X)

Dear Chief Tidwell:

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As information, KCSR intends to include with its abandonment filing a motion to dismiss the proceeding. KCSR intends to seek dismissal of the proceeding on the basis of evidence

Thomas L. Tidwell, Chief
February 18, 2010
Page 2

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Robert A. Wimbish

Counsel for The Kansas City Southern
Railway Company

Enclosure

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

STB DOCKET NO. AB-103 (SUB-NO. 22X)

**THE KANSAS CITY SOUTHERN RAILWAY COMPANY
- ABANDONMENT EXEMPTION -
LINE IN EAST FELICIANA PARISH, LA**

ENVIRONMENTAL AND HISTORIC REPORT

EXHIBIT 3 – U.S.G.S. TOPOGRAPHIC MAP