

Freeborn & Peters LLP

May 6, 2004

VIA FEDERAL EXPRESS

Mr. Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423-0001



Re: *Surface Transportation Board Docket No. AB-6 (Sub-No. 411X); The Burlington Northern and Santa Fe Railway Company Abandonment from Hoxie, Arkansas to Walport, Arkansas*

Attorneys at Law

311 South Wacker Drive
Suite 3000
Chicago, Illinois
60606-6677
Tel 312.360.6000

Brian Nettles
Paralegal
Direct 312.360.6336
Fax 312.360.6596
bnettl@
freebornpeters.com

Dear Secretary Williams:

Enclosed is a response I received from the Department of Arkansas Heritage regarding the above abandonment. I am forwarding ten copies plus the original response to your attention in the event that the agency did not respond to you directly.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Nettles".

Brian Nettles

Chicago

Springfield

/bn
Enclosures

ENTERED
Office of Proceedings

MAY 10 2004

Part of
Public Record



The Department of
**Arkansas
Heritage**

Mike Huckabee, Governor
Cathie Matthews, Director

Arkansas Arts Council

Arkansas Natural Heritage
Commission

Historic Arkansas Museum

Delta Cultural Center

Old State House Museum



**Arkansas Historic
Preservation Program**

1500 Tower Building
323 Center Street
Little Rock, AR 72201
(501)324-9880
fax: (501)324-9184
tdd: (501)324-9811

e-mail:
info@arkansaspreservation.org
website:
www.arkansaspreservation.org

An Equal Opportunity Employer



March 31, 2004

Mr. Michael A. Smith
Senior Counsel
Freeborn & Peters, LLP
311 South Wacker Drive, Suite 3000
Chicago, Illinois 60606-6000

RE: Lawrence County - General
Section 106 Review - STB
The Burlington Northern & Santa Fe Railway Company Abandonment
of Hoxie, Arkansas to Walport, Arkansas.
AHPP Tracking No: 52471

Dear Mr. Smith:

Thank you for your letter of March 9, 2004 regarding the above-referenced undertaking. We agree that this work will have no effect on historic properties if the three archeological sites (3LW358, 3LW363 and 3LW364) and two structures (LW0037 and LW0064) are avoided during project implementation. This office can provide information on the standing structures, but the locations of archeological sites can be provided only to a professional archeologist, due to the serious problems we have in Arkansas with site looting. Therefore, we recommend that a professional archeologist relocate the sites and assist the applicant in their successful avoidance.

Thank you for your interest and concern for the cultural heritage of Arkansas. If you have any questions, please contact Steve Imhoff of my staff at (501) 324-9880.

Sincerely,

Ken Grunewald
Deputy State Historic Preservation Officer

cc: Dr. Ann M. Early, Arkansas Archeological Survey
Ms. Victoria Rutson, Surface Transportation Board
Ms. Carrie V. Wilson, Quapaw Tribe of Oklahoma

