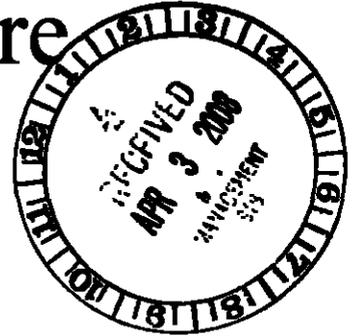




County of Tulare



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April 2, 2008

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Michelle Baldwin
Chief Clerk

*

Administration Bldg
2800 West Burrel
Visalia CA 93291

TEL (559) 733-6271
FAX (559) 733-6898

Anne Quinlan
Acting Secretary
Surface Transportation Board
395 E Street SW, Suite 1149
Washington, D C 20423

Regarding: Docket AB 398 (Sub-No. 7x)
Docket AB 398 (Sub-No. 8x)

221985
221986

Dear Ms Quinlan

The Tulare County Board of Supervisors joins the Protest filed by the Tulare County Economic Development Corporation against the rail abandonment applications filed by the San Joaquin Valley Railroad Company (SJVR) referenced above

Tulare Frozen Foods, successor in interest to Lindsay Foods International, has increased its use of the northern portion of the feeder line located at milepost 264 1 from 39 carloads in 2005 to 79 carloads in 2007 and plans to ultimately ship 150 carloads per year They are located on the line that is the subject of Docket AB 398 (Sub-No 8x)

A number of companies, such as Tri K Truss, Sierra Forest Products and Britz Fertilizer have been impacted by the excessive surcharge levied by SJVR in 2006 As the evidence demonstrates, these and other companies are interested in using rail service if the surcharge was removed from the section of line that is subject to Docket AB 398 (Sub-No 7x)

The proposed abandonment of the Exeter Branch feeder line would leave the Cities of Lindsay and Porterville and the unincorporated communities of Strathmore, Terra Bella, Ducor, Richgrove and others in southern Tulare County (comprising a population of over 80,000 people) without any rail service The absence of rail service will adversely affect current industry and air quality, requiring shipment by truck and will make the southern Tulare County region less attractive for the development of future industry

The abandonment of the Exeter Branch feeder line would preclude any future potential uses of the rail line such as commuter rail service. The Board of Supervisors is opposed to the loss of any freight rail service in Tulare County on the grounds that such rail service is a vital link in transporting goods from farm to market.

Thank you for your attention on this matter. We respectfully ask that the Surface Transportation Board deny the request by the San Joaquin Valley Railroad Company.

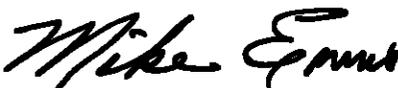
Sincerely,


Connie Conway, Chairman
Tulare County Board of Supervisors


Phil Cox, Vice Chairman
Tulare County Board of Supervisors


Allen Ishida, District One
Tulare County Board of Supervisors


J. Steven Worthley, District Four
Tulare County Board of Supervisors


Mike Ennis, District Five
Tulare County Board of Supervisors

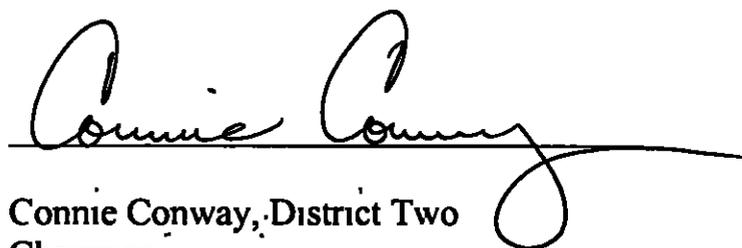
cc Tulare County Economic Development Corporation
San Joaquin Valley Railroad
Rail America, Inc

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Protest was served upon the following entities by overnight mail on April 2, 2008.

Louis E. Gitomer
Attorney for San Joaquin Railroad Company
The Adams Building, Suite 301
600 Baltimore Avenue
Townson, MD 21204-4022

Scott G. Williams, Esq.
Senior Vice President & General Counsel
Rail America, Inc.
5300 Broken Sound Boulevard N.W.
Second Floor
Boca Raton, FL 33487

A handwritten signature in black ink, appearing to read "Connie Conway", written over a horizontal line. The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Connie Conway, District Two
Chairman
Tulare County Board of Supervisors

Date: April 2, 2008