



United States Department of the Interior

FISH AND WILDLIFE SERVICE

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SEP 11 2008



Victoria Rutson
Chief, Section of Environmental Analysis
Surface Transportation Board
Washington, DC 20423

Consultation # 21450-2003-I-0276

Dear Ms. Rutson:

This responds to recent conversations with the Surface Transportation Board (STB) and Vulcan Materials regarding the construction of Southwest Gulf Railroad Company's (SGR) proposed rail line (STB Finance Docket No. 34284) near the town of Quihi, Medina County, Texas. We understand STB has determined that the proposed construction is not likely to adversely affect the endangered golden-cheeked warbler (*Dendroica chrysoparia*), pursuant to section 7 of the Endangered Species Act of 1973, as amended (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.). In a letter from the U.S. Fish and Wildlife Service (Service) dated May 19, 2005, we concurred with your determination for a phase of the proposed project.

For clarification, our concurrence refers to the construction of the SGR rail line and loading loop, as well as Phase I (Wurzbach tract) of the proposed project. Therefore, no further consultation of those activities is required to determine if the proposed project (Phase I) will adversely affect federally-listed species. However, future phases of the project will require additional consultation. Specifically, the northernmost tract (Boehme/Balzen 640 acres) contains habitat that is likely suitable for the golden-cheeked warbler. Further, adjacent landowners to this tract have reported sightings of golden-cheeked warblers. Therefore, we encourage continued discussions with the Service to resolve potential impacts from future proposed quarry operations and golden-cheeked warblers occurring in the area.

Recently, the City of San Antonio and Bexar County officials have committed to develop and implement a Regional Habitat Conservation Plan (RHCP) for Bexar County. Neighboring counties, including Medina County, may be affected by this plan should potential mitigation strategies include lands within neighboring counties. An RHCP is designed specifically to accommodate development and growth while also providing long-term conservation measures for threatened and endangered species. We strongly encourage STB and Vulcan Materials to participate in the process of developing this plan.

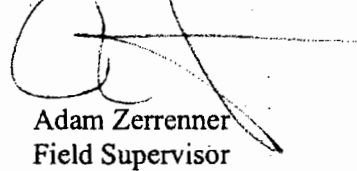
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We thank you for your concern for endangered and threatened species and other natural resources, and we appreciate the opportunity to comment on the proposed project. If we can be of further assistance or if you have any questions about these comments, please contact Allison Arnold at 512-490-0057, extension 242.

Sincerely,

A handwritten signature in black ink, appearing to be 'Adam Zerrenner', with a long horizontal stroke extending to the right.

Adam Zerrenner
Field Supervisor

cc: Erik Remmert, Vulcan Materials, San Antonio, Texas