



United States Department of the Interior

FISH AND WILDLIFE SERVICE

New Jersey Field Office
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www.fws.gov/northeast/njfieldoffice/



IN REPLY REFER TO:

2017-I-0066

LaWada Poarch
Norfolk Southern Railway
3 Commercial Place
Norfolk, Virginia 23510
Email: Lawada.Poarch@nscorp.com

OCT 31 2017

Reference: Orange IT Track Salvage, Bloomfield and Belleville Townships, Newark City, Essex County, New Jersey

The U.S. Fish and Wildlife Service (Service) has reviewed the above-referenced proposed project pursuant to the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) (ESA) to ensure the protection of federally listed endangered and threatened species. The following comments do not address all Service concerns for fish and wildlife resources and do not preclude separate review and comment by the Service as afforded by other applicable environmental legislation.

A known occurrence or potential habitat for the following federally listed or candidate species is located on or near the project's impact area. However, the Service concurs that the proposed project is not likely to adversely affect federally listed or candidate species for the reasons listed below.

Species	Basis for Determination
Indiana bat (<i>Myotis sodalis</i>), endangered	Project location is outside the known range of the Indiana bat in New Jersey. As per an email with LaWada Poarch on Oct 27, 2017, the railroad track salvage does not require any tree removal or soil disturbance.
Northern long-eared bat (<i>Myotis septentrionalis</i>), threatened	Project location is outside the known range of the northern long-eared bat in New Jersey. The project actions are in compliance with the northern long-eared bat 4(d) rule.
Bog turtle (<i>Clemmys [Glyptemys] muhlenbergii</i>), threatened	Project location is outside the known range of the bog turtle in New Jersey. Suitable habitat for this species does not exist within the project area and, therefore, impacts to this species are unlikely.

Except for the above-mentioned species, no other federally listed or proposed threatened or endangered flora or fauna under Service jurisdiction are known to occur within the proposed project's impact area. Therefore, no further consultation pursuant to the ESA is required. If additional information on federally listed species becomes available, or if project plans change, this determination may be reconsidered.

Please refer to this office's web site at <http://www.fws.gov/northeast/njfieldoffice/Endangered/> for further information including federally listed and candidate species lists, procedures for requesting ESA review, the National Bald Eagle Management Guidelines, and contacts for obtaining information from the New Jersey Natural Heritage and Endangered and Nongame Species Programs regarding State-listed and other species of concern.

Reviewing Biologist:

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