

#EL-18719
FD 35522
DFW



United States Department of the Interior Fish and Wildlife Service

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June 2, 2011

Mr. Kevin Keller
HDR Engineering, Inc.
4435 Main Street, Suite 1000
Kansas City, Missouri 64111

Project No.: Finance Docket No. 35522
Project: CSX Transportation, Inc. Proposed Acquisition of Grand Trunk Western Railroad
Location: Munster, Lake County, Indiana

Dear Mr. Keller:

This responds to your letter dated May 25, 2011, requesting our comments on the
aforementioned project.

These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (16 U.S.C. 661 et. seq.) and are consistent with the intent of the National Environmental Policy Act of 1969, the Endangered Species Act of 1973, and the U. S. Fish and Wildlife Service's Mitigation Policy.

CSX Transportation, Inc. (CSXT) is proposing to acquire the right to operate over a 22.3 mile portion of the Grand Trunk Western (GTW) Railroad Company's Elsdon Subdivision track between Munster, Indiana, Mile Post 31.0, and Elsdon, Illinois, MP 8.7; the Canadian National Railway Company (CN) owns the GTW and therefore is the other party in this proposed transaction. These comments refer only to the section of GTW track within Indiana, about 0.27 mile.

The existing CSXT Monon Subdivision connects with the GTW Elsdon Subdivision at MP 31 in Munster, just north of 45th Street and about 0.27 mile east of the Indiana-Illinois State Line. Commercial/industrial properties are to the south and a golf course is along the north side of the GTW at this interconnection and west to the State Line; northeast of the connection is an electric substation. Therefore, there are no wetlands or other significant habitats within the small section of track that would be affected by the proposed purchase.

However, we are confused about information on the proposed transaction provided with your letter, primarily Chapter 2 of the Working Draft Environmental Assessment. It is stated several times that the proposed acquisition of track would be from MP 31 west into Illinois, but additional information provided in the discussion, on Figure 1.2-1, Figure 2.1-1, and in Table 2.1-1, seem to indicate that the proposed acquisition actually extends east 5.1 miles to Griffith. Both Figure 1.2-1 and Figure 2.1-1 depict the "CSXT Acquisition" beginning at Griffith.

The GTW track between Griffith and Munster passes through Hoosier Prairie State Nature Preserve, owned by the Indiana Division of Nature Preserves. DNP has been working with CN about management concerns along the section of track through the nature preserve, including use of herbicides along the tracks by CN and access for prescribed burning by DNP. Therefore, if ownership or management of this length of track through Hoosier Prairie is going to change, DNP will need to be informed and coordinated with. Clarification about what is proposed between Griffith and Munster is therefore necessary.

ENDANGERED SPECIES

The proposed project is within the range of the Federally endangered Indiana bat (Myotis sodalis) and Karner blue butterfly (Lyciaides melissa samuelis) and the threatened Pitcher's thistle (Cirsium pitcheri) and Mead's milkweed (Asclepias meadii). The Karner blue butterfly was once present at Hoosier Prairie but is no longer extant. There is no known habitat for any of the other species within the general project area. Therefore, we concur that the proposed project is not likely to adversely affect these endangered and threatened species.

This precludes the need for further consultation on this project as required under Section 7 of the Endangered Species Act of 1973, as amended. However, should new information arise pertaining to project plans or a revised species list be published, it will be necessary for the Federal agency to reinitiate consultation.

We appreciate the opportunity to comment at this early stage of project planning. For further discussion, please contact Elizabeth McCloskey at (219) 983-9753 or elizabeth_mccloskey@fws.gov.

Sincerely yours,

Elizabeth S. McCloskey
 Scott E. Pruitt
 for Supervisor

cc: Christie Stanifer, Environmental Coordinator, Division of Water, Indianapolis, IN
 Tom Post, Indiana Division of Nature Preserves, Medaryville, IN