



Fw: Caddo Valley Railroad Abandonment STB Docket AB 1076X and 1076(Sub-No. 1X)
Vicki Rutson
to:
Troy Brady, Diana Wood
04/13/2012 12:28 PM
Hide Details
From: Vicki Rutson/STB

AB 1076 X
E1-18874
BFW

To: "Troy Brady" <pseudocajun@verizon.net>, Diana Wood/STB

5 Attachments



graycol.gif pic15147.gif image001.png image002.png CVRRKovalchick021.pdf

From: "Richard Streeter" [rhstreeter@gmail.com]
Sent: 04/13/2012 10:58 AM AST
To: Troy Brady; Vicki Rutson
Cc: <Nathan@Kovalchickcorp.com>
Subject: FW: Caddo Valley Railroad Abandonment STB Docket AB 1076X and 1076(Sub-No. 1X)

Vicki and Troy, I am forwarding an e-mail that I received from the USFWS yesterday evening. This satisfies the last condition imposed by the Board. I will also forward an email that was received from the Arkansas Natural Resources, Water Management Division in a few minutes that I previously sent to Vicki. As I have previously advised you, I have reached an agreement with the US Geodetic Survey that if any station markers are recovered during salvage activities, they will be forwarded to the Service.

I believe that we have now satisfied all conditions imposed by the Board's Decisions in these proceedings and that salvage activities can proceed. Thank you for your consideration in this matter. Best regards, Richard H. Streeter

Dear Chris and Melissa, I am counsel for Caddo Valley Railroad which is in the process of abandoning its line of railroad. In granting authority to abandon, the Surface Transportation Board directed CVRR to "contact USFWS prior to beginning salvage activities to discuss potential impacts to any federally listed endangered or threatened species and consult with OEA and USFWS to develop appropriate mitigation measures should any potential impacts be identified." As a preliminary measure, I requested Kovalchick Corporation, which will be performing the salvage activities, to send me a letter (a copy of which is attached), which explains the salvage process. As noted, no work will happen outside the physical contours of the tracks. Furthermore, no trees will be cut, nor will the removal process involve any excavation. Also, since bridges are being left intact, the salvage process will not impact any ground that would cause erosion. I should also note that the right-of-way of this line is generally 100 feet wide. However, the salvage activities will be focused on the middle 10 to 15 feet of the right of way, which will also serve to ensure that no impact will be felt by any of the species named in your letter of November 2, 2011.

It would be greatly appreciated if you could call me in the next day or two to discuss this matter further. My number is 202-363-2011. I will be in my office on April 11 until 11:00 a.m. e.d.s.t. I will return after 4:00 p.m. e.d.s.t. Thank you for your consideration in this matter. Best regards, Richard H. Streeter

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(See attached file: CVRRKovalchick021.pdf)



IN REPLY REFER TO

United States Department of the Interior

FISH AND WILDLIFE SERVICE

110 S. Amity Road, Suite 300

Conway, Arkansas 72032

Tel.: 501/513-4470 Fax: 501/513-4480



November 02, 2011

Reference: TA0073

Richard Streeter
5255 Partridge Lane, N.W.
Washington, D.C. 20016

Dear Mr. Streeter:

The U.S. Fish and Wildlife Service (Service) has reviewed the information supplied in your letter dated September 29, 2011, regarding the proposed abandonment of rail service from near the city of Antoine to near the city of Birds Mill, in Clark, Montgomery, and Pike Counties, Arkansas. Our comments are submitted in accordance with the Endangered Species Act (87 Stat. 884, as amended 16 U.S.C. 1531 et seq.).

The following federally listed threatened and endangered species are known to occur in this region: Ouachita rock-pocketbook (*Arkansia wheeleri*), Pink mucket (*Lampsilis abrupta*), Red-cockaded woodpecker (*Picoides borealis*), winged mapleleaf (*Quadrula fragosa*), Florida panther (*Felis concolor coryi*), scaleshell (*Leptodea leptodon*), Arkansas fatmucket (*Lampsilis powellii*), and piping plover (*Charadrius melodus*). In addition the candidate species spectaclecase (*Cumberlandia monodonta*) and rabbitsfoot (*Quadrula cylindrica cylindrica*) also occur in this region.

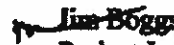
Sediment and/or nutrient transport from the proposed project location may have direct, indirect, and/or cumulative effects to mussels, fish hosts, and/or their habitat(s). The effects of sedimentation and nutrients (e.g., ammonia, etc.) on mussels, fish, and their habitats are well documented in the scientific literature. Adverse effects associated with sedimentation and nutrification from all phases of construction activities may be minimized and/or alleviated through proper implementation and maintenance of erosion control best management practices and maintaining vegetative buffers. Buffer width is dependent upon slope, vegetation type, and soil types. The Service can provide additional technical assistance on appropriate vegetative buffer widths upon request.

The comments herein are for the sole purpose of providing technical assistance to the action agency or for individual pre-project planning assistance. These comments and opinions should not be misconstrued as an "effect determination" or considered as concurrence with any proceeding determination(s) by the action agency in accordance with Section 7 of the ESA. These comments do not authorize the "take" of a threatened or endangered species as defined under the FSA. In the absence of authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with "incidental take" provisions, a finding concurrence letter, etc.) from the Service, both lethal and nonlethal "take" of protected species are in violation of the ESA.

We appreciate your interest in the conservation of endangered species. If you have any questions, please contact the Arkansas Ecological Services Staff at (501) 513-4487.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Davidson", with a long, sweeping horizontal line extending to the right.

A small, handwritten signature in black ink, appearing to read "Jim Boggs".
Project Leader

April 10, 2012

Mr. Richard Streeter
5255 Partridge Lane, N.W.
Washington, DC 20016

RE: Removal Process

Dear Richard:

Kovalchick Corporation is an experienced railroad removal and service organization that has been involved in track removal and salvage activities for over 50 years. During that time it has performed track removal of hundreds of miles of railroad tracks in numerous states.

Below is an explanation of the removal process and an explanation of the equipment that is used. The steps of railroad removal, in order, are as follows:

1. Remove the spikes that are holding the rails onto the railroad ties.
2. Remove the bolts that attach the rails to each other.
3. Lift the rails and other steel items from the track area and load them onto trucks.
4. Lift the ties from the track area.

The equipment that is used is specific to railroad needs. There are small machines that "pull" the railroad spikes. There are small machines that unscrew the railroad bolts. There are material handlers with magnets and/or grapples which lift the steel items and wooden ties. Sometimes we incorporate machines such as forklifts to assist the loading of the items.

During the process, no equipment used in salvage activities will leave the railroad right-of-way except at existing road crossings. In fact, the salvage equipment does not leave the general corridor where the trains once operated. Instead, the process simply involves taking the pieces apart, putting them onto trucks and using the railroad corridor as a means to access the public highway system.

The salvage process does not include excavation. It does not include cutting trees. Therefore, it will have no impact on birds and other wildlife that live in trees. It does not include the creation of new roads or paths. Because all bridge structures will be left intact, removal of spikes, bolts and rail will have no impact whatsoever on wetlands and underlying streams. Also, because ballast will not be removed, and because no excavation will be performed, there will be no dumping or runoff of soil or other materials into adjacent wetlands and streams.

Mr. Richard Streeter

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Furthermore, salvage activities should not affect any wildlife that may be found in adjacent wetlands or streams over which the line passes. Indeed, when the process is complete, the area will continue to look the same, except that the railroad tracks will be gone.

Sincerely,

KOVALCHICK CORPORATION

A handwritten signature in black ink, appearing to read "Nathan Kovalchick", written over the printed name.

Nathan Kovalchick