



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 nitrification 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 dark ink, appearing to read "C. Davidson", with a long, sweeping horizontal line extending to the right.

~~for~~ Jim Boggs
Project Leader