

E1-20143



United States Department of the Interior

FISH AND WILDLIFE SERVICE
1208-B Main Street
Daphne, Alabama 36526

IN REPLY REFER TO:

2013 - TA - 0218

FEB 15 2013

Mr. Robert A. Wimbish
Baker & Miller PLLC
2401 Pennsylvania Avenue NW
Suite 300
Washington, DC 20037

Dear Mr. Wimbish:

Thank you for your letter, dated February 8, 2013, requesting an environmental review of listed species that may be impacted as a result of the Alabama Railroad Co. Abandonment Exemption STB Docket No. AB-463 (Sub - No. 1X) in Monroe County, Alabama. Our report is submitted under the provisions of the Endangered Species Act (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.), and Fish & Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661-66c et seq.).

Endangered and Threatened Species

The following species are found in this area of Monroe County:

Red Hills salamander (*Phaeognathus hubrichti*) - Threatened
Gopher tortoise (*Gopherus polyphemus*) - Candidate
Southern clubshell (*Pleurobema decisum*) - Endangered
Alabama pearlshell (*Margaritifera marrianae*) - Endangered

As long as salvage operations are conducted in the right-of-way and there is no disturbance of stream / creek bottom we feel there will be no impacts to listed species. While the gopher tortoise is a candidate species and is not afforded protection under ESA it is a species of concern and is listed as protected by the State of Alabama. We do not expect the tortoise to be on the rail lines but there is a chance the tortoise could be found along the right-of-way. We recommend utilization of best management practices that protect water quality.

As long as salvage operations are conducted within the right-of-way, and best management practices are utilized that protect water quality, no further endangered species consultation will be required for this portion of the project unless: 1) the identified action is subsequently modified in a manner that causes an effect on listed species or designated critical habitat; 2) new information reveals the identified action may affect Federally protected species or designated critical habitat in a manner or to an extent not previously considered; or 3) a new species is listed or critical habitat is designated under the Endangered Species Act that may be affected by the identified action.

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PHONE: 251-441-5181

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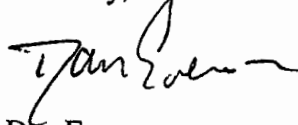
FAX: 251-441-6222

Mr. Robert A. Wimbish

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For questions or comments regarding this correspondence, please contact Mr. Matt Laschet, at (251)441-5842 or via email matthias_laschet@fws.gov. Please use our case number in future correspondence relating to these projects.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Everson", with a stylized flourish at the end.

Dan Everson
Deputy Field Supervisor
Alabama Ecological Services Field Office