



BIRMINGHAM SOUTHERN RAILROAD COMPANY

P.O. BOX 579
FAIRFIELD, AL 35064

218259

December 11, 2006



Mr. Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street NW - Room 700
Washington, D. C. 20006

**Re: STB No. 192 (Sub - No. 2X) Birmingham Southern Railroad Company
Verified Notice of Exemption for Abandonment and Discontinuance of Service of 0.18
Mile of Birmingham Southern Railroad Company's "Old Port Branch" Line in Jefferson
County, Alabama**

Dear Mr. Williams:

Please see the enclosed response from the U. S. Fish and Wildlife Service in regard to the above-referenced matter. Should you have any further questions concerning this matter, please contact me by calling (205) 783-2515.

Very truly yours,

Michael M. Partain
General Attorney

Enclosures

Office of General Counsel

DEC 12 2006

Part of
Public Record

**BIRMINGHAM SOUTHERN RAILROAD COMPANY**

P.O. BOX 579
FAIRFIELD, AL 35064

November 14, 2006

Ms. Elaine Snyder-Conn, Acting Field Supervisor
U. S. Fish and Wildlife Service
1208-B Main Street
Daphne, Alabama 36526

Re: Birmingham Southern Railroad Company Proposed Abandonment of the Old Port Branch in Jefferson County, Alabama - Docket No. AB192 (Sub-No. 2 X)

Dear Ms. Snyder-Conn:

On or about November 28, 2006, Birmingham Southern Railroad Company (BSRC) expects to be filing with the Surface Transportation Board (STB) a Notice of Exemption permitting the abandonment and discontinuance of service over trackage located in Jefferson County, Alabama, known as the Old Port Branch, extending from Survey Station 936+ 04.07 of Turnout P-63-A and extending from that point over and across the Trestle 17.9 to a rail connection with Ergon Terminals, Inc.'s Survey Station 945+ 52.55 in the City of Birmingham, Jefferson County, Alabama, Zip Code 35118. Based on information in our possession, the line does not contain federally granted rights-of-way. Any documentation in BSRC's possession will be made available promptly to those requesting it.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, N.W., Washington, D. C., Telephone (202) 565-1562 and refer to the above *Docket No.* Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to the SEA with a copy to our representative would be appreciated within three (3) weeks.

Your comments will be considered by the Board in evaluating the environmental and/or historical impacts of the contemplated action. If there are any questions concerning this proposal, please contact our representative directly. BSRC's representative in this matter is Michael M. Partain, Esq., who may be contacted by telephone at (205) 783-2515, or by mail at the address above.

Sincerely,

Michael M. Partain

Enclosures:
Verified Notice of Exemption
Environmental/Historical Report
Map
Photographs



U.S. Fish and Wildlife Service
1208-B Main Street - Daphne, Alabama 36526
Phone: 251-441-5181 Fax: 251-441-6222

No endangered or threatened species or critical habitat are known to occur in the project area. As described, the project will have no significant impact on fish and wildlife resources. IF PROJECT DESIGN CHANGES ARE MADE, PLEASE SUBMIT NEW PLANS FOR REVIEW.

William J. Pearson, Field Supervisor

11/30/06

Date

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