



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services  
5353 Yellowstone Road, Suite 308  
Cheyenne, Wyoming 82009

EI-2033

KB

AB 307 6X

In Reply Refer To:  
ES-61411/W.24 /WY06FA0002mej

MAY 10 2006

Kenneth Blodgett  
Surface Transportation Board  
Case Control Unit  
Washington, DC 20423

Dear Mr. Blodgett:

Thank you for providing the U.S. Fish and Wildlife Service (Service) with your environmental assessment of April 11, 2006, regarding the Wyoming and Colorado Railroad Company, Inc.'s (WYCO) abandonment of 23.71 miles of rail line located between milepost 0.57 near Walcott and milepost 24.28 in Saratoga, in Carbon County, Wyoming (Docket No. AB-307 (Sub-No. 6X)). We understand that abandonment of this line includes salvage of track, ties, and other railroad appurtenances and disposal of the right-of-way.

To ensure compliance with section 7(a)(2) of the Endangered Species Act of 1973 (Act), as amended (50 CFR §402.13), the Surface Transportation Board will place an environmental condition on any decision granting abandonment authority. Proposed language to be used in the condition was provided to Mary Jennings of my staff by e-mail on May 3, 2006. The proposed condition calls for WYCO to coordinate with the Service regarding potential impacts to species of Federal concern that may occur in the vicinity of the line and implementation of 1-mile seasonal buffers around bald eagle nests and winter roost sites.

We have reviewed the information provided in your environmental assessment; your May 3, 2006, e-mail regarding the condition to be placed on any decision; and information provided during your telephone conversations with Mary Jennings. Based on this review, we concur with your determination that this project, as described, is not likely to adversely affect any listed species. This project should be re-analyzed if new information reveals effects of the action that may affect listed or proposed species or designated or proposed critical habitat in a manner or to an extent not considered in this consultation; if the action is subsequently modified in a manner that causes an effect to a listed or proposed species or designated or proposed critical habitat that was not considered in this consultation; and/or, if a new species is listed or critical habitat is designated that may be affected by this project.

Thank you for your efforts to ensure the conservation of threatened and endangered species in Wyoming. If you have any questions regarding this letter or your responsibilities under the Act, please contact Mary Jennings at (307) 772-2374, extension 32.

Sincerely,



**Brian T. Kelly**  
Field Supervisor  
Wyoming Field Office

cc: **WGFD, Non-Game Coordinator, Lander (B. Oakleaf)**  
**WGFD, Statewide Habitat Protection Coordinator, Cheyenne (V. Stelzer)**

# Fax



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<b>To:</b>	Kenneth Blodgett	<b>From:</b>	Mary Jennings
<b>Fax #:</b>	202-565-9000	<b>Pages:</b>	2 & cover
<b>Phone #:</b>	202-565-1554	<b>Date:</b>	5/10/06
<b>Re:</b>	Docket # AB-307 (Sub-No. 6X)	<b>cc:</b>	

Urgent     For Review     Please Comment     Please Reply     As Requested

- Comments:** Kenneth- Hard copies will follow in mail. Mary: