

JANET NAPOLITANO
Governor



DONALD BUTLER
Director

Arizona Department of Agriculture

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#E1-2462
DBW

July 5, 2006

Scott Steinwert
Circle Point
135 Main Street, Suite 1600
San Francisco, CA 94105

Re: STB Finance Docket No. 34836, Arizona Eastern Railway – Construction and Operation – In Graham County, Arizona.

Dear Mr. Steinwert:

The Arizona Department of Agriculture has reviewed the referenced letter.

The project area is located in the Arizona Upland subdivision. The typical vegetation present consists mainly of desert plants that most often take on the appearance of scrubland or low woodland of leguminous trees and various cacti.

The Department recommends avoiding or transplanting any protected native plant that will be adversely impacted by the project. For a list of the protected plant species, visit our website at www.azda.gov/ESD/nativeplants.htm.

If it is not known if protected plants occur within the project sites, the Department, upon written request, will conduct a site examination survey to determine the type and number of protected plant species present. The applicant will be billed for the service. The Department will also accept survey data from other competent environmental consultants.

In addition, the following general recommendations are suggested:

- Minimize the removal of existing vegetation along the right-of-way to the greatest extent possible.
- Salvage or replant any protected plants including any cacti, mature trees, agave, yucca, etc.
- Hazardous material generated (e.g. motor oil) should be disposed of properly.
- Trenches, pits, or holes excavated in association with this project should be fenced or covered to avoid wildlife entrapment.

We appreciate the opportunity to review the proposed improvement project. If you need additional information, please contact me at (602) 364-0907, or e-mail at jmccginnis.azda.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "James McGinnis".

James McGinnis
Environmental Services Division