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## United States Department of the Interior



### FISH AND WILDLIFE SERVICE

Sacramento Fish and Wildlife Office  
2800 Cottage Way, Room W-2605  
Sacramento, California 95825-1846

In reply refer to:  
1-1-05-I-0745

**MAR 31 2005**

Ms. Catherine Glidden  
Surface Transportation Board  
Section of Environmental Analysis, Room 500  
1925 K Street, NW  
Washington, D.C. 20423-0001

Subject: Comment on the Proposed Sierra Northern Railway Abandonment Project,  
Yolo County, California

Dear Ms. Glidden:

This letter is response to your February 7, 2005, letter to the U.S. Fish and Wildlife Service (Service) regarding the Surface Transportation Board's (STB) proposed Sierra Northern Railway Abandonment project (project), located in Yolo County. The Service received your letter on February 17, 2005. At issue is the potential effects of the proposed project on the federally-threatened giant garter snake (*Thamnophis gigas*) (snake). This letter reports the results of a consultation with Sierra Northern Railway (project proponent) pursuant to a condition of STB's *Environmental Assessment, STB Docket Number AB-847 (Sub. No. 0X)* and is pursuant to the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) (Act).

This response is based on: (1) a letter from the STB to the Service, dated February 7, 2005, providing a description of the proposed project and an Environmental/Historical Report; (2) a site visit conducted by Allison Arnold of the Service and Michael Buck of Hanson Bridgett Law Offices on January 20, 2005; (3) a December 30, 2004, Environmental Assessment for the proposed project, prepared by STB; and (4) other information available to the Service.

The project proponent, in conjunction with STB, is proposing to abandon the Sierra Northern Railway line, which is located in a combination of industrial, residential, and rural settings that roughly parallel the Sacramento River to the west. The railway line right-of-way is between approximately 80 to 100 feet wide, with some sections up to 120 feet wide. For at least two years, no traffic has originated, terminated, or moved on this segment of the Sierra Northern Railway line. The project proponent has indicated that the abandonment of this railway line will not appreciably remove or alter the contour of the roadbed underlying the railway line, that the extent of disturbed areas will be limited to the right-of-way wherever possible, and that all

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culverts and the 1918 wooden trestle bridge that crosses South River Road will remain in place. All materials will be hauled off-site and recycled by the project proponent. The abandoned railway line may be suitable for alternative public use in the future. Both the Yolo County Board of Supervisors and the Yolo County Planning and Public Works Department have been advised about the proposed project and the potential use of the abandoned railway line as a trail or for other recreational or public use.

The proposed project alignment crosses over several sloughs, agricultural canals, and ditches. At one location along the proposed project alignment, situated at Willow Point, is the Main Canal that may support suitable habitat for the snake. In the January 20, 2005, site visit, Allison Arnold identified this canal as suitable habitat for the snake. The Main Canal holds water during the snake's active season, identified as the period between May 1 and October 1. The point where the railway line crosses over this canal is within five miles of two records of the snake (CNDDDB 2005). According to the California Natural Diversity Data Base (2005), the snake records are from Morrison Creek, on the east side of the Sacramento River.

Although this one segment of the proposed project is located within 200 feet of suitable aquatic habitat for the snake, all construction work associated with this component of the proposed project will occur entirely within the alignment's right-of-way. Thus, take of the snake is unlikely. The following conservation measures that have been proposed by the project proponent:

1. Prior to the initiation of construction, all workers involved in the railway line abandonment shall participate in an environmental awareness training instructed by a Service-approved biologist. The program shall provide workers with information on their responsibilities with regards to the snake, an overview of the life-history of this species, information on take prohibitions, and an explanation of the relevant conservation measures to avoid potential take of the snake associated with the proposed project.
2. Exclusionary fencing shall be installed around the abandonment site at the Main Canal located at Willow Point Road. Fencing installation shall be verified by a Service-approved biologist prior to the initiation of railway abandonment activities at this segment of the proposed project, and shall remain in place until railway abandonment at this location is complete.
3. Within 24 hours prior to the commencement of railway abandonment activities at the Main Canal located at Willow Point Road, this segment of the proposed project site shall be inspected by a Service-approved biologist. The Service-approved biologist shall be on-site and monitor abandonment work at this segment of the proposed project site during all construction-related activities that may require the use of heavy equipment. The biologist shall ensure that all safeguards are in place during all construction activities to protect aquatic and upland habitat for the snake. If a snake is encountered on the proposed project site, any construction activity that could result in take of the snake shall immediately cease, and shall not resume until appropriate corrective measures have been completed and the biologist has determined that the snake will not be harmed.

Snakes encountered during construction activities shall be allowed to move away from the construction site on their own volition. All confirmed snake observations shall be reported immediately to the Service.

4. Plastic mono-filament netting (erosion control matting) or similar material shall not be used at the proposed project sites because snakes may become entangled in it. Acceptable substitutes included coconut coir matting or tackified hydro-seeding.
5. After completion of construction activities associated with all components of the proposed project, any temporary fill and construction debris shall be removed and disposed of off-site.

The Service concurs that, with the implementation of the above proposed conservation measures, the construction related to the Sierra Northern Railway line abandonment is not likely to result in take of the snake.

If you have questions or concerns about this letter regarding STB's proposed Sierra Northern Railway Abandonment project, please contact Kelly Fitzgerald or the Acting Sacramento Valley Branch Chief of my office at (916) 414-6645.

Sincerely,



Chris Nagano  
Chief, Endangered Species Division

cc:

Mr. Kent Smith, California Dept. of Fish and Game, Rancho Cordova, CA  
Sierra Northern Railway, Woodland, CA  
Janie Sheng, Kirkpatrick & Lockhart, Washington, D.C.  
Mr. Michael Buck, Hanson Bridgett Law Offices, Sacramento, CA