

SURFACE TRANSPORTATION BOARD
Washington, DC 20423

E0-254
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Office of Economics, Environmental Analysis, and Administration

February 3, 2006

Mr. Mark Wilson
US Fish and Wildlife Service
Montana Field Office
100 North Park, Suite 320
Helena, MT 59601

Re: STB Finance Docket No. 30186 (Sub-No. 3) - Tongue River Railroad Company, Inc. -
Construction and Operation - Western Alignment
Endangered Species Act Section 7 Consultation Process, USFWS Log Number 6MT-06-F02B

Dear Mr. Wilson:

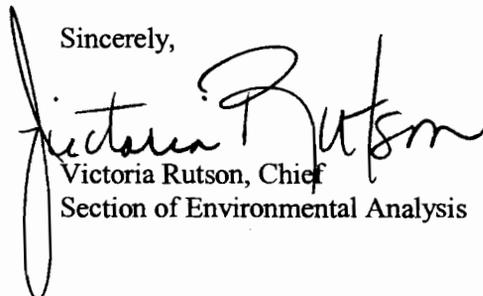
The Surface Transportation Board's Section of Environmental Analysis (SEA) is in receipt of your letter dated January 12, 2006, in which the U.S. Fish and Wildlife Service (USFWS) recommends that SEA request a suspension of formal consultation on the Tongue River Railroad Company's proposed rail construction and operation of the Tongue River Railroad in Rosebud, Custer, and Big Horn Counties, Montana. To address USFWS's concerns regarding possible impacts to pallid sturgeon at the Miles City Fish Hatchery (MCFH), SEA agrees to an extension of 90 days to the formal consultation period for USFWS to complete its Biological Opinion. We appreciate your assistance in helping to resolve this issue as it has presented a challenge for some time. SEA is anxious to find a satisfactory resolution as expeditiously as possible.

SEA will, if warranted, submit a revised Biological Assessment (BA) to the Service that will include a discussion of potential vibration impacts at the MCFH. During the 90 day extension, USFWS will assist in the facilitation of discussions involving interested parties which will result in recommended mitigation which SEA can incorporate in the revised BA to address vibration impacts, should they occur.

In support of our efforts, SEA requests that USFWS make available the relevant Section 7 authorization(s) issued for the ongoing operation of the pallid sturgeon breeding program at the MCFH.

Please do not hesitate to me or Kenneth Blodgett of my staff by telephone at (202) 565-1554, fax at (202) 565-9000, or e-mail at blodgettk@stb.dot.gov. We look forward to working with you.

Sincerely,



Victoria Rutson, Chief
Section of Environmental Analysis