



**United States Department of the Interior**



**FISH AND WILDLIFE SERVICE**

New York Field Office

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<http://www.fws.gov/northeast/nyfo>

To: Jo Ann Burroughs

Date: Apr 28, 2015

USFWS File No: 150488

Regarding your:  Letter  Fax  Email

Dated: Mar 23, 2015

For project: Proposed abandonment - STB Docket No. AB-55 (Sub No. 740X)

Located: Railroad Milepost QDD 173.33 to QDD 173.81

In Town/County: Town of Niagara Falls, Niagara County

Pursuant to the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*), the U.S. Fish and Wildlife Service:

Acknowledges receipt of your "no effect" and/or no impact determination. No further ESA coordination or consultation is required.

Acknowledges receipt of your determination. Please provide a copy of your determination and supporting materials to any involved Federal agency for their final ESA determination.

Is taking no action pursuant to ESA or any legislation at this time, but would like to be kept informed of project developments.

As a reminder, until the proposed project is complete, we recommend that you check our website (<http://www.fws.gov/northeast/nyfo/es/section7.htm>) every 90 days from the date of this letter to ensure that listed species presence/absence information for the proposed project is current. Should project plans change or if additional information on listed or proposed species or critical habitat becomes available, this determination may be reconsidered.

USFWS Contact(s): Sandra L. Dorn 04-28-2015

Supervisor: Anne d. Secore Date: 4/28/15