



United States Department of the Interior

FISH AND WILDLIFE SERVICE
446 Neal Street
Cookeville, TN 38501

September 29, 2014

Ms. Jo Ann Burroughs
CSX
500 Water Street - J-315
Jacksonville Florida 32202

Subject: FWS #14-CPA-0748. Proposed Abandonment of CSX Transportation Common Carrier Obligation and Norfolk Southern Railway Company Discontinuance of Trackage Rights, Knoxville, Knox County, Tennessee.

Dear Ms. Burroughs:

Thank you for your correspondence of June 26, 2014, regarding proposed abandonment of CSX Transportation (CSXT) common carrier obligation and Norfolk Southern Railway Company (NSR) discontinuance of trackage rights in Knoxville, Knox County, Tennessee. This proposal is for CSXT to abandon service and discontinuance of the trackage rights in the Huntington Division, KD Subdivision from Railroad Milepost OSK 275.09 to OSK 276.27. The Distance is approximately 1.18 miles, also known as the Second Creek Spur. U.S. Fish and Wildlife Service (Service) personnel have reviewed the information submitted and we offer the following comments.

Endangered species collection records available to the Service do not indicate that federally listed or proposed endangered or threatened species occur within the impact area of the project. We note, however, that collection records available to the Service may not be all-inclusive. Our data base is a compilation of collection records made available by various individuals and resource agencies. This information is seldom based on comprehensive surveys of all potential habitat and thus does not necessarily provide conclusive evidence that protected species are present or absent at a specific locality. However, based on the best information available at this time, we believe that the requirements of section 7 of the Endangered Species Act of 1973, as amended, are fulfilled. Obligations under section 7 of the Act must be reconsidered if (1) new information reveals impacts of the proposed action that may affect listed species or critical habitat in a manner not previously considered, (2) the proposed action is subsequently modified to include activities which were not considered during this consultation, or (3) new species are listed or critical habitat designated that might be affected by the proposed action.

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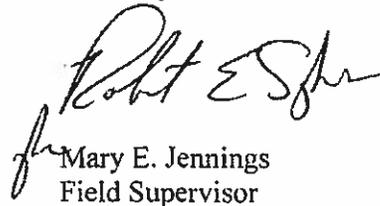
Information available to the Service does not indicate that wetlands exist in the vicinity of the proposed project. However, our wetland determination has been made in the absence of a field inspection and does not constitute a wetland delineation for the purposes of Section 404 of the Clean Water Act. The Corps of Engineers and Tennessee Department of Environment and Conservation should be contacted if other evidence, particularly that obtained during an on-site inspection, indicates the potential presence of wetlands.

When removing the track and bridge over and near Second Creek, we recommend that an erosion and sediment control plan be prepared in accordance with National Pollutant Discharge Elimination System (NPDES) permitting program guidelines prior to the initiation of any construction activities. All work within the project area should be scheduled during the low-flow period. If in-stream access is required, we recommend the use of temporary pads of clean shot rock with no earth fill. Fill material must not be taken from the streambed. Shot rock should be removed following instream activity and the streambed restored to original condition. Any intrusions into flowing waters should not extend more than one-third the distance from shore so that no more than one-third of the stream is obstructed at any time. Equipment staging and maintenance areas should be developed an adequate distance from Second Creek to avoid entry of petroleum-based pollutants into the water. Concrete and cement dust must be kept out of the stream as they alter water chemical properties and can be toxic to aquatic species.

Best management practices (BMPs) should be utilized throughout the entire construction project to minimize runoff of sediment into Second Creek. All sediment structures should be inspected and cleaned regularly to ensure the maximum level of sediment control. If structures fail or are found to be inadequate, work should cease and not resume until appropriate corrective measures have been taken. Provided that BMPs are properly implemented, and the bridge is removed with minimal aquatic impact, we would have no objection to authorization of this bridge replacement.

Thank you for the opportunity to review this proposal. If you have any questions regarding our comments, please contact Sarah Harrison of my staff at 931/525-4991 or by email at sarah_sorenson@fws.gov.

Sincerely,



Mary E. Jennings
Field Supervisor