

From: [Crystal Zorbaugh](#)
To: [Stevens, Karen](#)
Subject: Fw: U.S. Army Corps of Engineers, Response to Letter RE: AB-290 (Sub-No. 412X), Norfolk Southern Railway Company - Abandonment – in Baltimore, MD
Date: Tuesday, November 5, 2024 2:26:27 PM
Attachments: [image834569.png](#)

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Per your resquesr, see attached email

Best,

Crystal



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From: Plum, Scott D. <Scott.Plum@nscorp.com>
Sent: Tuesday, November 5, 2024 1:21 PM
To: Crystal Zorbaugh <czorbaugh@mullinslawgroup.net>
Subject: FW: U.S. Army Corps of Engineers, Response to Letter RE: AB-290 (Sub-No. 412X), Norfolk Southern Railway Company - Abandonment – in Baltimore, MD

Here is the response from the USACE. Schniekees...Looks like the date is wrong...

From: Rosenberg, Rachel R CIV USARMY CENAB (USA) <Rachel.R.Rosenberg@usace.army.mil>
Sent: Thursday, September 21, 2023 11:06 AM
To: Plum, Scott D. <Scott.Plum@nscorp.com>
Cc: Davia, Joseph P CIV USARMY CENAB (USA) <Joseph.DaVia@usace.army.mil>
Subject: [EXTERNAL] U.S. Army Corps of Engineers, Response to Letter RE: AB-290 (Sub-No. 412X), Norfolk Southern Railway Company - Abandonment – in Baltimore, MD

Dear Mr. Plum,

The Corps has received your August 29, 2023 letter RE: AB-290 (Sub-No. 412X), Norfolk Southern Railway Company - Abandonment – in Baltimore, MD, regarding the proposed abandonment of a 1.0 mile section of railroad in Baltimore, Maryland.

Under Section 404 of the Clean Water Act, the Corps regulates the discharge of dredged or fill material (e.g., soil, rock, concrete, debris, etc.) into all waters of the U.S., including jurisdictional wetlands. If the abandonment action does not involve any discharge of dredged or fill material into waters of the U.S. at the site, and is simply a legal change, there should be no discharge of fill into waters of the U.S., including jurisdictional wetlands. In this case, Section 404 authorization from the Corps would not be required. If, however, the abandonment action includes any temporary or permanent discharge of fill (including the placement of construction matting) into waters or wetlands, then Corps review and authorization of the proposed action will be required.

Please let me know if you have any questions or would like to discuss this matter. I can be reached by telephone at 410-487-5476 or email at rachel.r.rosenberg@usace.army.mil.

Thank you for notifying the Corps regarding this matter.

Rachel Rosenberg
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US Army Corps of Engineers, Baltimore District
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410.487.5476 (cell)
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