



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, GALVESTON DISTRICT
2000 FORT POINT RD
GALVESTON, TEXAS 77550

August 25, 2026

Special Projects Branch

SUBJECT: General Information Letter; File No. SWG-2026-00515; Surface Transportation Board, Docket No. FD 36873, NEPA Comments on Union Pacific Corporation and Union Pacific Railroad Company acquisition of Norfolk Southern Corporation and Norfolk Southern Railway Company

Elizabeth Webster
Surface Transportation Board (Docket No. FD 36873)
395 E Street SW
Washington, DC 20423

Dear Ms. Webster:

This letter is in reference to your letter dated August 19, 2026, requesting preliminary comments on any environmental issues and/or concerns associated with the proposed Union Pacific Corporation and Union Pacific Railroad Company acquisition of Norfolk Southern Corporation and Norfolk Southern Railroad Company. The project may affect various rail line segments, rail yards, and intermodal facilities located in the State of Texas.

The U.S. Army Corps of Engineers (Corps) regulates work and structures in or affecting navigable waters of the United States (U.S.) under Section 10 of the Rivers and Harbors Act of 1899. Navigable waters of the U.S. include waters that are currently navigable, were navigable in the past, may become navigable in the future, or are subject to the ebb and flow of the tide. The Corps also regulates the discharge of dredged or fill material into waters of the U.S. under Section 404 of the Clean Water Act. Waters of the U.S. include navigable waters, rivers, lakes, streams, tidal and mudflats, and adjacent wetlands.

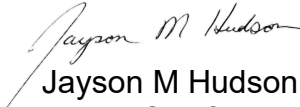
Additionally, activities that affect Federal Interests (federal projects and/or work areas) would also be subject to federal regulation under the authority of Section 14 of the Rivers and Harbors Act (Section 408). Section 408 makes it unlawful for anyone to alter in any manner, in whole or in part, any work (ship channel, flood control channels, seawalls, bulkhead, jetty, piers, etc.) built by the United States government unless it is authorized by the Corps of Engineers (i.e. Navigation and Operations Division). Lastly, the Corps has real estate interests over lands for various purposes, including operations and maintenance of its navigation and flood risk management projects. These interests

include fee ownership, perpetual easements, navigational servitude, rights-of-way, etc. Coordination with the Galveston District is required in order to use these lands. Depending on the scope and location of the non-federal project, coordination with one, or all, of the following Galveston District offices may be required: Regulatory Division (Department of Army Permits), Real Estate Division (Outgrants) and/or Operations Division (Section 408 reviews). For further information, please see <https://www.swg.usace.army.mil/Missions/Navigation/Land-Use/>.

If any activity is performed that triggers any of the aforementioned federal regulations, a Department of Army permit will be required prior to the activity occurring. Due to the nature of this request, we cannot address any specific requirement but do note that jurisdictional aquatic resources have been identified within the Corps Texas area of operations. To address any permit requirements, we will require specific project details.

Please refer to the subject file number **SWG-2026-00515** in future correspondence pertaining to this subject. If you have any questions, please contact Mr. Kevin Mannie at the letterhead address or at 409-766-3016.

Sincerely,

Handwritten signature of Jayson M Hudson in cursive script.

Jayson M Hudson
Acting Chief and Team Lead
Special Projects Branch