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September 17, 2019

Ms. Victoria Rutson
Director, Office of Environmental Analysis
Surface Transportation Board
395 E Street S.W.
Washington, D.C. 20423

RE: Docket No. AB-55 (Sub-No. 794X), *CSX Transportation, Inc.—Abandonment
Exemption—in Pinellas County, FL*

Dear Ms. Rutson:

Enclosed please find a an email dated September 17, 2019, from the U.S. Army Corp. of Engineers finding that a permit under Section 404 of the Clean Water Act is not required.

CSXT is efilng this letter. Thank you for your assistance. If you have any questions, please contact me.

Sincerely yours,

Louis E. Gitomer

Louis E. Gitomer
Attorney for CSX Transportation, Inc.

From: Irlanda, Adelyn M CIV USARMY CESAJ (USA) <Adelyn.M.Irlanda@usace.army.mil>
Sent: Tuesday, September 17, 2019 10:56 AM
To: Payne, Gene <Gene_Payne@csx.com>
Subject: STB Docket No. AB-55 (Sub-No. 794X) CSX Transportation, Inc.--Abandonment Exemption--
Pinellas County, FL

Mr. Payne,

We are in receipt of your correspondence dated July 31, 2019 in which you request a response from the US Army Corps of Engineers on whether a permit under Section 404 of the Clean Water Act is required for the proposed abandonment of a 0.86-mile segment of a CSX rail line in Pinellas County between milepost ARE 897.57 and milepost ARE 898.43.

Since the proposed activities associated with the abandonment of the aforementioned rail line will not involve the discharge of dredged or fill material into wetlands or waters of the United States, a Section 404 permit will not be required. Furthermore, the proposed activities will not require a Department of the Army permit in accordance with Section 10 of the Rivers and Harbors Act of 1899 as they are not located within navigable waters of the United States.

I should caution that work conducted in Waters of the United States without authorization from the Department of the Army may result in an enforcement case if the work is associated with regulated activities.

Please let me know if you have any questions.

Respectfully,
Adelyn M. Irlanda
U.S. Army Corps of Engineers
10117 Princess Palm Ave., Suite 120
Tampa, FL 33610
 (813)769-7073

*** Our files are 100% electronic. Please send NEW PERMIT APPLICATIONS to
tampareg@usace.army.mil

*** File too large to send through email? Please contact us to obtain a code/link to our Secure Access File Exchange. Once you have received your code, go to <https://safe.apps.mil/> to "Drop-off" (upload) your file.

*** Send compliance-related documents to SAJ-RD-Enforcement@usace.army.mil