

#E1-18765

DFW
AB-979 LX

Melanie Yasbin

From: Desista, Robert J NAE [Robert.J.Desista@usace.army.mil]
Sent: Monday, December 19, 2011 1:43 PM
To: Melanie Yasbin
Cc: Lee, Susan K NAE; Killman, Ryan T NAE; McCabe, Maureen A NAE; Fedele, Francis J NAE
Subject: CT Southern RR (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Ms Yasbin,

Our Regulatory Division has reviewed Connecticut Southern Railroad's Combined Environmental and Historic Report to be submitted by the Railroad to the Surface Transportation Board in connection with the Railroad's notice of exemption seeking authority to abandon 2.4 miles of line in Hartford County, CT.

We have a couple of comments from our Regulatory perspective. There may be other comments from our Operations and Real Estate offices.

1. The work, as far as I can conclude from the document, appears to not require a 404 permit. This is based on the information stated in item (9)(ii) -Water. See comment below.

2. Item (1) - The proposed abandonment activity involves removal of rail, track, and possibly the upper layer of ballast.

3. Item (9)(ii) states that 'removal of material will be accomplished by use of the right-of-way for access'...

Comment - The right-of-way is not necessarily confined to the width of the ballast and tracks. Item 2. Of the HISTORIC REPORT states that the ...'right-of-way averages 80 feet wide'...

There should be clarification that access to the tracks and ballast areas, etc. does not entail going through wetland/waters that may be present beyond the limits of the track and associated ballast, unless access to remove materials is confined to traveling straight down the tracks.

Since no information is provided regarding wetland/water resources adjacent to the rail line, except that there is a crossing over Stony Brook, it is not clear that no other 404 resources are present.

If you have further questions or need clarification regarding permitting requirements, please contact Susan Lee of our office at 978-318-8494.

Bob DeSista

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