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February 12, 2020

300367

Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street SW
Washington, DC 20024

ENTERED
Office of Proceedings
February 12, 2020
Part of
Public Record

Re: Portland & Western Railroad, Inc. – Abandonment Exemption –
in Washington County, OR
Surface Transportation Board Docket No. AB 541 (Sub. No. 3X)

Dear Ms. Brown

On January 31, 2020, Portland & Western Railroad, Inc. (“PNWR”) submitted an Environmental and Historic Report in accordance with the requirements of 49 CFR sections 1105.7 and 1105.8 for the abandonment of a line of railroad in Washington County, OR. On February 5, 2020, the Army Corps of Engineers provided comment to PNWR regarding the abandonment. The Army Corps of Engineers comment and PNWR’s response are enclosed with this letter as a supplement to the Environmental and Historic Report.

If you have any questions, please contact me.

Sincerely,



Justin J. Marks
Counsel for Portland & Western Railroad, Inc.

Enclosure

Marks, Justin J.

From: Bond, Carrie L CIV USARMY CENWP (USA) <Carrie.L.Bond@usace.army.mil>
Sent: Wednesday, February 5, 2020 1:58 PM
To: Marks, Justin J.
Subject: Letter regarding RR abandonment - Regulatory office - Corps Portland District

[External Message]

Good morning,

I have received your letter regarding the railroad abandonment for Portland & Western Railroad, Inc. in Washington County, Oregon. I am the Washington County project manager for the Corps of Engineers Regulatory program. If there is any discharge of fill material planned in waters of the U.S., including but not limited to wetlands, ditches, swales, creeks, and rivers, then you may need a Corps permit under Section 404 of the Clean Water Act. If there is any work that may affect navigable waters, you may need a Corps permit under Section 10 of the Rivers and Harbors Act. You can find applications and more information here: <http://www.nwp.usace.army.mil/Missions/Regulatory/Apply/>.

I have forwarded your letter to our Real Estate and Section 408 offices for their review. Section 408 deals with permissions for altering Corps Civil Works projects.

Please let me know if you have any questions.

Thank you,

Carrie Bond
U.S. Army Corps of Engineers
Portland District, Regulatory Branch

CENWP-ODG
P.O. Box 2946
Portland, Oregon 97208-2946

Phone: 503-808-4387
Email: Carrie.L.Bond@usace.army.mil

Visit our website: <http://www.nwp.usace.army.mil/Missions/Regulatory.aspx>

Let us know how we're doing:
http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey

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TRANSMITTED VIA EMAIL

Carrie Bond
U.S. Army Corps of Engineers
Portland District, Regulatory Branch
CENWP-ODG
P.O. Box 2946
Portland, Oregon 97208-2946

Re: Portland & Western Railroad, Inc. – Abandonment Exemption –
in Washington County, OR
Surface Transportation Board Docket No. AB 541 (Sub. No. 3X)

Dear Ms. Bond:

Thank you for your February 5, 2020 email. The Portland & Western Railroad, Inc. (“PNWR”) does not have any intention to discharge any fill material into waters of the United States as part of its abandonment of the line of railroad between Milepost 10.28 in Forest Grove and Milepost 4.68 in Hillsboro. PNWR will be mindful of the requirements you outline in your email.

Thank you,



Justin J. Marks
Counsel for Portland & Western Railroad, Inc.