

EI-18732 33-255



DEPARTMENT OF THE ARMY
ST. PAUL DISTRICT, CORPS OF ENGINEERS
180 FIFTH STREET EAST, SUITE 700
ST. PAUL MINNESOTA 55101-1678



AUG 19 2011

COPY

REPLY TO
ATTENTION OF

Operations
Regulatory (2009-01715-MTS)

Mr. Darin Bair
Union Pacific Railroad
1400 Douglas Street, MS 0910
Omaha, Nebraska 68179

Dear Mr. Bair:

We have reviewed information about a project of the Union Pacific Railroad to remove an existing, abandoned railroad bridge crossing the Minnesota River at Milepost 36.17 in Carver. The work would include dismantling and removal of the existing structure. All debris would be hauled away via river barges. No temporary crossings or structures would be constructed to accomplish this work. The project site is located in Section 17, Township 115 N., Range 23, Carver County, Minnesota.

The U.S. Coast Guard (USCG) is the lead federal agency in reference to bridges over navigable waters. According to the USCG/Chief of Engineers, Memorandum of Agreement, the jurisdiction of the USCG over bridges and causeways includes the authority to approve the removal of such structures when the owners thereof desire to discontinue its use.

The work proposed at the location stated is not within the regulatory jurisdiction of the Corps of Engineers. No dredged or fill material, including that associated with mechanical land clearing or temporary side-casting, will be discharged in any water of the United States, including wetlands. Therefore, a Department of the Army permit is not required to do this work.

This letter is valid only for the project referenced above. If any change in design, location, or purpose is contemplated, contact this office to avoid doing work that may be in violation of Federal law. PLEASE NOTE THAT THIS CONFIRMATION LETTER DOES NOT ELIMINATE THE NEED FOR U.S. COAST GUARD, STATE, LOCAL, OR OTHER AUTHORIZATIONS, SUCH AS THOSE OF THE DEPARTMENT OF NATURAL RESOURCES OR COUNTY.

The decision regarding this action is based on information found in the administrative record which documents the District's decision-making process, the basis for the decision, and the final decision.

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If you have any questions, please contact Michael Setering in our St. Paul office at (651) 290-5396. In any correspondence or inquiries, please refer to the Regulatory number shown above.

Sincerely,


/ Tamara E. Cameron
for Chief, Regulatory Branch

Copy furnished:

Mr. Charlie Blair, Minnesota Valley Wildlife Refuge
Mr. Daniel R. Elliott, United Transportation
Mr. James T. Elmquist, City of Carver
Mr. W. Karl Hansen, Leonard Street and Deinard
Mr. Larry Harris, Melchert Hubert Sjodin
Ms. Mary Ann Heidemann, Minnesota State Historic Preservation Office
Mr. Dale E. Homuth, Minnesota DNR
Mr. Jim Ische, Carver County Regional Rail Authority
Mr. Thomas F. Mcfarland, Thomas F. Mcfarland, P.C.
Mr. Gabriel S. Meyer, Union Pacific Railroad
Ms. Cindy Olness, City of Carver
Ms. Ann K, Quinlinn, Surface Transportation Board
Mr. Tom Romaine, Minnesota DNR
Mr. Mark Themig, Scott County Regional Rail Authority
Mr. Eric Washburn, Eighth District, U.S. Coast Guard
U.S. Environmental Protection Agency. Region 5