

## Burroughs, Joann

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**From:** Estill, Leslie A LRL [Leslie.A.Estill@usace.army.mil]  
**Sent:** Monday, January 23, 2012 12:34 PM  
**To:** Burroughs, Joann  
**Cc:** McKay, Gregory A LRL  
**Subject:** CSX Transportation in Danville, Vermilion County, Indiana (UNCLASSIFIED)

Classification: UNCLASSIFIED  
Caveats: NONE

Ms. Jo Ann Burroughs

This is in response to your request addressed to the U.S. Army Corps of Engineers, dated December 16, 2011, concerning the proposal by CSX Transportation, Inc. to abandon a portion of its rail line known as the Pekin Running Track in Danville, Vermilion County, Indiana. It is my understanding that the proposal involves only the removal and repair of the existing rail line and that no debris will be placed in streams or wetlands.

The Corps' comments for this proposal will be summarized in this email response. Any discharge of dredged or fill material into waters of the U.S., including streams and wetlands, will require a Department of the Army (DA) permit under Section 404 of the Clean Water Act. In addition, a DA permit is required under Section 10 of the Rivers and Harbors Act of 1899 for the placement of any structure or work that takes place in, under, or over a navigable water.

Based on the information you submitted, it appears that no waters of the U.S. will be impacted by the proposal. If no waters will be impacted then no authorization is need under Section 404 of the Clean Water Act. In addition, there appears to be no navigable waters within the project area.

However, if your project does necessitates any regulated work in waters as described in the second paragraph, please submit a DA permit application prior to any work. The necessary permit application and additional information can be found on our website at <http://www.lrl.usace.army.mil> by clicking on "How do I...Obtain a Permit." If you have any questions, please do not hesitate to contact me.

Sincerely,

Leslie Estill  
Project Manager  
North Section  
Louisville District  
US Army Corps of Engineers  
Office Phone (502) 315-6711

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Caveats: NONE