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Thomas J Healey
Counsel - Regulatory

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September 28, 2007

Via Overnight Mail

Mr Vernon A Williams
Secretary
Surface Transportation Board
395 E Street, N W
Washington, D C. 20424-0001

ENTERED
Office of Proceedings

OCT 1 - 2007

Part of
Public Record

Re Docket No AB-303 (Sub-No. 31X), Wisconsin Central Ltd
— Abandonment Exemption — in Hayward, Sawyer County, Wisconsin

Dear Secretary Williams.

Wisconsin Central Ltd intends on filing a Notice of Exemption for the above-referenced proposed abandonment any time on or after October 22, 2007. Enclosed for the above-referenced Abandonment Exemption are the following, which are required by 49 C F R Part 1105

- 1 An original and ten copies of the Environmental/Historic Report
- 2 An original and ten copies of the transmittal letter that accompanied the reports, and
- 3 An original and ten copies of a certificate demonstrating compliance with the requirements of 49 C F R Part 1105

Please stamp and return the duplicate copy of this letter to my attention to indicate that you received the items listed

Feel free to call me if you have any questions

Respectfully submitted,

Thomas J Healey
Attorney for
Wisconsin Central Ltd

Encls



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September 28, 2007

Re: Wisconsin Central Ltd. Notice of Exemption for Abandonment – Hayward, Sawyer County, Wisconsin - Docket AB-303 (Sub-No. 31X)

To Whom It May Concern

Any time on or after October 22, 2007, Wisconsin Central Ltd ("WCL") expects to file with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority to abandon a railroad line located between milepost 100.80 and milepost 102.60, a distance of 1.80 miles, in Hayward, Sawyer County, Wisconsin. Enclosed is an Environmental Report and a Historic Report describing the proposed action and any expected environmental and historical effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental and historical analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental and historic review process, please contact their Section of Environmental Analysis (SEA), at the Surface Transportation Board, 395 E Street, SW, Washington, D.C. 20423-0001, (202) 245-0245, and refer to the above docket number.

WCL will file the Environmental Report and Historic Report with the STB on or about September 28, 2007. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to the STB (with a copy to the undersigned) would be appreciated within three weeks. Your comments will be considered by the STB in evaluating the environmental and historical impact of the contemplated action.

If there are any questions concerning this proposal, please contact the undersigned directly at (708) 332-4381 or by mail at the above address.

Sincerely,

Thomas J. Healey
Attorney for Wisconsin Central Ltd.

Encls

Docket No AB-303 (Sub-No 31X)

WISCONSIN CENTRAL LTD

NOTICE OF EXEMPTION FOR
ABANDONMENT IN HAYWARD
SAWYER COUNTY, WISCONSIN

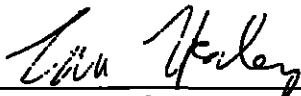
To. **Vernon A. Williams, Secretary**
Surface Transportation Board (STB)
395 E Street, SW
Washington, DC 20424

CERTIFICATE OF COMPLIANCE WITH 49 C F R PART 1105

I hereby certify that on September 28, 2007, copies of the Environmental Report and Historic Report for the above-captioned proceeding were served on the agencies listed at 49 C.F.R. § 1105 7(b), all agencies consulted in preparing the reports, and on the Wisconsin Department of Archives and History. A service list is attached and incorporated into this certificate as Attachment A. The reports have been sent within the time period specified, as Wisconsin Central Ltd intends to file its Notice of Exemption in the above-captioned matter no earlier than October 22, 2007. All appropriate agencies as listed in 49 C.F.R. § 1105 7(e) have been consulted well in advance of preparing the Environmental Report.

I also certify that a newspaper notice was published on June 13, 2007, in *The Sawyer County Record*, a newspaper of general circulation in Sawyer County, Wisconsin. The notice alerted the public to the proposed abandonment, to possible reuse alternatives, and to procedures for participating in the STB proceeding. A copy of the notice is attached to this certificate as Attachment B.

Dated this 28th day of September, 2007.



Thomas J. Healey
Attorney for Wisconsin Central Ltd

Mr Sherman Banker, SHPO
Wisconsin Historical Society
816 State Street
Madison WI 53706

Wisconsin Clearing House for
Prevention Resources
1552 University Avenue
Madison, WI 53726-4085

Mr. Kenneth A Westlake
Chief, NEPA Implementation Section
US EPA Region 5
77 W Jackson Blvd
Chicago, IL 60604

Mr David M Kennedy, Director
Office of Ocean and Coastal
Resource Management NOAA Ocean Service
1305 East West Highway
Silver Spring, MD 20910

Mr Hal Helwig
Board Chairman
10610 Main Street, PO Box 836
County Courthouse
Hayward WI 54843-6595

Wisconsin Department of Transportation
Hill Farms State Transportation Building
4802 Sheboygan Avenue
PO Box 7910
Madison, WI 53707-7910

U.S. Fish & Wildlife Service
2800 Lake Shore Drive East Suite B
Ashland, WI 54806-2427

Mr. Bill Sande
Department of the Army Corp of Engineers
15954 Rivers Edge, Suite 240
Hayward, WI 54843

National Park Service
Department of the Interior
1849 C Street, NW
Washington, DC 20240

Natural Resource Conservation Service
Service Center
1120 West Lake Ave
PO Box 222
Ladysmith, WI 54848

Wisconsin DNR
DNR Service Center
10220 St. Hwy 27
Hayward, WI 54843

National Geodetic Survey Information Services
SSMC-3, #9202
1315 East-West Highway
Silver Spring, MD 20910-3282

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO AB-303 (SUB-NO 31X)

WISCONSIN CENTRAL, LTD
-- ABANDONMENT EXEMPTION --
IN HAYWARD, SAWYER COUNTY, WISCONSIN

ENVIRONMENTAL/HISTORIC REPORT

Wisconsin Central, Ltd ("WCL") submits this Environmental/Historic Report in compliance with the reporting requirements of 49 C.F.R. §§1105.7 and 1105.8. Supporting correspondence and certifications are attached. It is the conclusion of this Report that the proposed abandonment, if implemented, will not significantly affect either the quality of the human environment or the conservation of energy resources.

ENVIRONMENTAL REPORT - 49 C.F.R. § 1105.7(e)

1 Proposed Action and Alternatives. WCL seeks to abandon its line of railroad extending from milepost 100.80 to milepost 102.60 in Hayward, Wisconsin, (the "Line"). The Line is situated in Sawyer County, Wisconsin and extends a total distance of approximately 1.80 miles.

The Line has not been required to serve any customer in many years. The Line was previously used to load logs or pulp wood for nearby smaller communities. There have been no rail shipments of any kind on the Line in the last two years, and no reasonable possibility for the development of new rail traffic exists.

Following abandonment, WCL intends to salvage rail, ties and track materials from the Line. Three grade crossings will also be removed. There are no structures or bridges located along this portion of the Line.

No alternatives to the proposed abandonment have been considered. A map showing the location of the Line is attached herein as **Appendix A**.

WCL has contacted and requested comments from the Sawyer County Board of Supervisors. See correspondence attached herein as **Appendix B**. The Board has not made any comments to date.

2 Transportation System WCL does not anticipate that existing regional or local transportation systems or patterns will be affected by the proposed abandonment. No rail service is currently provided on the Line. Thus, no traffic will be diverted to other transportation systems or modes as a result of the proposed abandonment. There is no overhead traffic on the Line, and no passenger trains are operated over the Line.

Abandonment of this Line will allow permanent closure of three grade crossings as follows:

- (i) Public At Grade Crossing. Milepost 101.02,
- (ii) Private At Grade Crossing. Milepost 101.55; and
- (iii) Public At Grade Crossing. Milepost 101.76

WCL has contacted and requested comments from the State of Wisconsin Department of Transportation. See correspondence attached herein as **Appendix C**. The Department has requested that any debris caused by this abandonment be cleaned up, and further requested that WCL comply with the WisDOT Abandoned Railroad Line Salvage and Clean-Up Policy. The

WisDOT has also requested that WCL protect the surveying benchmarks, monumentation and mapping information for this segment of Line

3 Land Use

(i) WCL does not foresee any inconsistency with regional and/or local land use plans, but has contacted and requested comments from the NOAA/National Geodetic Survey. See correspondence attached herein as **Appendix D**. There has been no comment to date.

(ii) The proposed abandonment lies entirely within the limits of Sawyer County, Wisconsin. The Natural Resource Conservation Service (NRCS) has been contacted and comments requested. See correspondence attached herein as **Appendix E**. No comments have been received to this date.

(iii) This track does not appear to lie within a designated Coastal Zone Management Area and, accordingly, the proposed abandonment will not affect any land or water uses in such an area or result in any coastal impacts. WCL has contacted the Office of Water at the U.S. Environmental Protection Agency, to determine whether the proposed abandonment is consistent with applicable federal, state and local water quality standards. See correspondence attached hereto as **Appendix F**. The Department responded that this was a more specific issue in Wisconsin, and WCL should contact the Region 5 office, which we have done. WCL will be mindful of proper erosion control in the removal of rail and other salvageable materials to minimize impact.

(iv) WCL is not aware of any alternative public use under 49 U.S.C. § 10905 for which the right-of-way of this track would be suitable, other than possibly a trail.

4 Energy

(i) The proposed abandonment will not have any effect on the transportation of energy resources. No energy resource commodities move on the Line, and WCL foresees little or no possibility that such on-line traffic would develop in the future.

(ii) The movement and/or recovery of recyclable commodities will not be adversely affected by this abandonment. No such traffic has been handled on this line, and WCL foresees little or no possibility that any online recyclable commodity traffic would develop in the future.

(iii) Abandonment will not result in an increase or decrease in overall energy efficiency. There is no freight traffic on the Line and thus there will be no changes in existing transportation patterns or energy usage as a result of the proposed abandonment.

(iv) Not applicable Abandonment of the Line will not cause the diversion of more than 1,000 rail carloads per year or an average of 50 rail carloads per mile per year to motor carriers

5. Air

(i) Not applicable. Abandonment will not result in (A) a minimum increase in rail traffic of 100% or eight trains per day on any segment of rail line, (B) an increase in rail yard activity of at least 100%, or (C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles per day on any road segment

(ii) Not applicable Abandonment of the Line will not result in traffic increases which exceed the thresholds specified in 49 C F R. §1105.7(e)(5)(ii)(A), (B) or (C)

(iii) Not applicable This is an abandonment of a line on which there have been no customers for at least two years and there is no overhead traffic on the line

6 Noise Not applicable. As indicated above, none of the thresholds identified in 49 C.F.R. § 1105.7(c)(5)(i) will be exceeded as a result of the abandonment.

7 Safety.

(i) The proposed action will have no adverse effect upon public health or safety. Abandonment of the line will allow elimination of three grade crossings. During any salvage operations on the Line, precautions will be taken to ensure public safety.

(ii) Not applicable. To WCL's knowledge, no hazardous commodities were ever handled on this Line. Accordingly, the proposed abandonment will have no effect on the transportation of hazardous materials.

(iii) To the best of WCL's knowledge, there are no known hazardous waste sites or any hazardous waste materials involved. Therefore, WCL believes that its abandonment will not have any adverse impact on this site.

8 Biological Resources.

(i) The U.S. Fish and Wildlife Service have been contacted and we have requested comments. No comments have been received to date. WCL does not believe this abandonment will affect the wetlands or any endangered or threatened species, if any, present in this area. See correspondence attached as **Appendix G**.

WCL has also contacted and requested comments from the Wisconsin Department of Natural Resources. See correspondence attached herein as **Appendix H**. There have been no comments to date.

(ii) The National Park Service has been contacted and comments requested. See correspondence attached herein as **Appendix I**. There has been no response to date.

9 Water.

(i) The US EPA for Region 5 of the Environmental Protection Agency has been contacted and we have requested comments from them. See correspondence attached herein as **Appendix J**. The EPA has asked that we contact all of the departments addressed above. It also inquired as to WCL's plans as to the other portion of the track leading up to and beyond our proposed abandonment. WCL will continue to operate up to milepost 100.80, and there is no track beyond milepost 102.60. WCL believes that no permits under section 402 of the Clean Water Act (33 U.S.C. 1342) will be required for the proposed action.

(ii) The Army Corps of Engineers has been contacted to determine if the proposed abandonment requires permits under Section 404 of the Clean Water Act. See correspondence attached herein as **Appendix K**. There have been no comments to date.

WCL also believes that removal of the rails will not affect any existing wetlands. In addition, abandonment should not impact any 100-year floodplain if no additional fill is placed in any floodplain.

(iii) Based on WCL's plans for disposal and recycling of track material, WCL concludes that no permits under Section 402 of the Clean Water Act are required. No material will be disposed of into waterway as part of the abandonment.

10 Proposed Mitigation. As no adverse impact is anticipated, WCL does not propose any mitigation activities.

HISTORIC REPORT - 49 C.F.R. § 1105.8(d)

1. **Map** A map of the Line is attached hereto as **Appendix A**
2. **Description of Line** The line to be abandoned extends from milepost 100.80 to milepost 102.60 in Hayward, Wisconsin. The Line is situated in Sawyer County, Wisconsin and extends a total distance of approximately 1.80 miles, or approximately 9,504 feet.
3. **Photographs**. There are no photographs of this Line because there are no buildings or structures located along this portion. There are three grade crossings which will be removed with this abandonment.
4. **Information on Structures** There are no structures or bridges located along this Line.
5. **History of Operations** The Line has not been required to serve any customer in many years. The Line was previously used to load logs or pulp wood for nearby smaller communities. There have been no rail shipments of any kind on the Line in the last two years, and no reasonable possibility for the development of new rail traffic exists.
6. **Engineering Documents** WCL will provide copies of any documents in its possession.
7. **Historic Criteria** WCL has contacted and given notice of the proposed abandonment to The State Historic Preservation Office within the Wisconsin Historical Society ("SHPO"). See correspondence attached as **Appendix L**. The SHPO requested that WCL search the archaeological database for any significant findings. Attached as **Appendix M** is the Historical and Archaeological Sites Literature Search that WCL obtained and forwarded to the SHPO on August 10, 2007. This report states there is nothing historic along this line that will be affected by the proposed abandonment. Attached as **Appendix N** is correspondence from the

SHPO confirming WCL's finding that no historic properties will be affected by the proposed abandonment

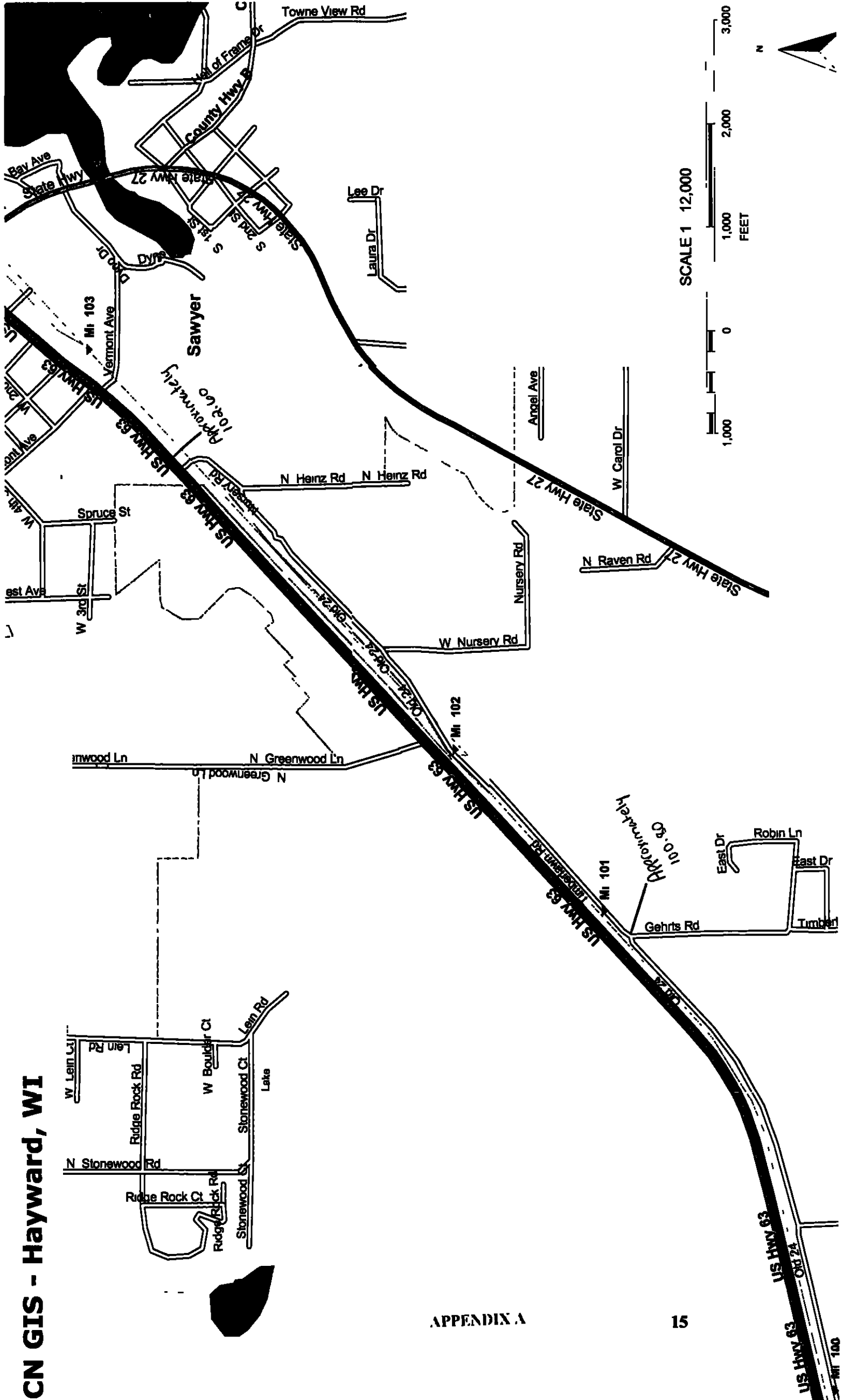
8. Ground Disturbances As stated above, WCL has reported there are no archaeological resources in the area. Access to the line is generally good

Dated 9-28, 2007

Respectfully submitted,



Thomas J. Healey
Attorney for the Wisconsin Central, Ltd
17641 South Ashland Avenue
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Telephone 708-332-4381
Fax 708-332-4361





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May 18, 2007

Mr. Hal Helwig
Board Chairman
10610 Main Street, PO Box 836
County Courthouse
Hayward, WI 54843-6595

Re: Wisconsin Central Ltd. Proposed Abandonment in Sawyer County, Wisconsin
AB-303 (Sub-No. 31X)

Dear Mr. Helwig:

Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 1.80 miles of railroad line starting at MP 100.80 and ending at MP 102.60 in Sawyer County, Hayward, Wisconsin. For your convenience, we have attached a map for your reference. WCL is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

1. Water quality,
2. Designated wetlands,
3. 100-year-old flood plains,
4. Endangered or threatened species,
5. Critical habitats,
6. Wildlife sanctuaries or refuges,
7. National or state parks or forests,
8. Coastal zone management,
9. Soil and natural resource conservation,
10. Agricultural land,
11. Regional and/or local use plans, and
12. The need for permits under Sections 402 or 404 of the Clean Water Act.

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Wisconsin Central Ltd.

Encl



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May 18, 2007

Wisconsin Department of Transportation
Hill Farms State Transportation Building
4802 Sheboygan Avenue
PO Box 7910
Madison, WI 53707-7910

Re Wisconsin Central Ltd. Proposed Abandonment in Sawyer County, Wisconsin
AB-303 (Sub-No. 31X)

Dear Sir or Madam:

Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 1.80 miles of railroad line starting at MP 100.80 and ending at MP 102.60 in Sawyer County, Hayward, Wisconsin. For your convenience, we have attached a map for your reference. WCL is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

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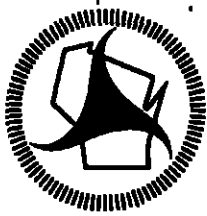
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Very truly yours,

Thomas J. Healey
Counsel for Wisconsin Central Ltd.

Encl



Wisconsin Department of Transportation

www.dot.wisconsin.gov

Jim Doyle
Governor

Frank J. Busalacchi
Secretary

Office of General Counsel
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Madison, WI 53707-7910

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FAX 608-267-6734
E-mail ogc_exec@dot.state.wi.us

June 13, 2007

Thomas J. Healy
Counsel – Regulatory
Wisconsin Central Ltd.
17641 S. Ashland Avenue
Homewood, IL 60430-1339

**Re: Request for Comments on Potential Environmental Impacts of Proposed Line Abandonment
Located between Milepost 100.80 and ending at Milepost 102.60 in Sawyer County,
Hayward, Wisconsin – STB Docket No. AB-303 (Sub-No. 31X)**

Dear Mr. Healy:

At your request, we have reviewed the environmental effects of the proposed abandonment of the rail line of the Wisconsin Central Ltd. Milepost 100.80 to Milepost 102.60, in Sawyer County, Hayward, Wisconsin.

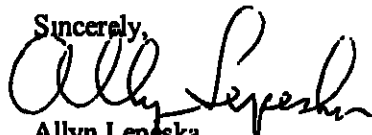
As a multimodal agency, WisDOT would encourage the preservation of this transportation corridor consistent with existing land use plans and essential for efficient use of natural resources for future transportation needs if the line is abandoned.

If the line is abandoned, the greatest potential for environmental damage is because of the failure to properly clean up debris, which is often left on former rail lines after items of value are removed. Because of this, the WCL must comply with the WisDOT Abandoned Railroad Line Salvage and Clean-up Policy/Standards/Procedures when they do the abandonment and related activities.

If the line is abandoned, the railroad needs to protect surveying benchmarks, monumentation and mapping information for the segment.

Upon abandonment, the railroad must remove the rail, ties and ballast at the crossings of the streets. Before crossings are removed across other streets and roadways, the railroad must contact the maintaining authority to coordinate work with them.

If you have any questions, feel free to contact me.

Sincerely,

Allyn Lepeska
Attorney

pc Mark Hughes
Richard Steffes
Vicki Schaefer



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Counsel - Regulatory

17641 S. Ashland Avenue
Homewood, IL 60430-1339

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tom.healey@cn.ca

May 18, 2007

Mr. David M. Kennedy, Director
Office of Ocean and Coastal Resource Management
NOAA Ocean Service
1305 East West Highway
Silver Spring, MD 20910

Re: Wisconsin Central Ltd. Proposed Abandonment in Sawyer County, Wisconsin
AB-303 (Sub-No. 31X)

Dear Mr. Kennedy:

Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 1.80 miles of railroad line starting at MP 100.80 and ending at MP 102.60 in Sawyer County, Hayward, Wisconsin. For your convenience, we have attached a map for your reference. WCL is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

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- 12 The need for permits under Sections 402 or 404 of the Clean Water Act

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Wisconsin Central Ltd.

Encl

APPENDIX D



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tom.healey@cn.ca

May 18, 2007

Natural Resource Conservation Service
Service Center
1120 West Lake Ave
PO Box 222
Ladysmith, WI 54848

Re Wisconsin Central Ltd. Proposed Abandonment in Sawyer County, Wisconsin
AB-303 (Sub-No. 31X)

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Very truly yours,

Thomas J. Healey
Counsel for Wisconsin Central Ltd.

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APPENDIX E



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May 18, 2007

U.S. Environmental Protection Agency
Office of Water
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Re: Wisconsin Central Ltd. Proposed Abandonment in Sawyer County, Wisconsin
AB-303 (Sub-No. 31X)

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Thomas J. Healey
Counsel for Wisconsin Central Ltd.

Encl



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D C 20460

JUN - 7 2007

**OFFICE OF
WATER**

**Mr Thomas J Healey
Counsel for Wisconsin Central Ltd
17641 S Ashland Avenue
Homewood, IL 60430-1339**

Dear Mr Healey

Thank you for your letter to the Environmental Protection Agency regarding Wisconsin Central Ltd proposed abandonment of approximately 180 miles of railroad line in Sawyer County, Wisconsin

Per request from the Office of Wetlands, Oceans, and Watersheds this letter deals with a specific issue in Wisconsin, not a general policy or program question. We are transferring it to our regional office. EPA's Region 5 office is located at 77 W Jackson Boulevard, Chicago, Illinois. I have forwarded your letter to them for response by their office. You should hear from them in the near future.

Sincerely,

A handwritten signature in black ink, appearing to read "Wanda R. Fields", is positioned above the printed name.

Wanda R. Fields



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17641 S. Ashland Avenue
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May 18, 2007

U.S. Fish & Wildlife Service
2800 Lake Shore Drive East Suite B
Ashland, WI 54806-2427

Re Wisconsin Central Ltd. Proposed Abandonment in Sawyer County, Wisconsin
AB-303 (Sub-No. 31X)

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11. Regional and/or local use plans, and
12. The need for permits under Sections 402 or 404 of the Clean Water Act.

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Wisconsin Central Ltd.

Encl.



www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory

17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

May 18, 2007

Wisconsin DNR
DNR Service Center
10220 St. Hwy 27
Hayward, WI 54843

Re Wisconsin Central Ltd. Proposed Abandonment in Sawyer County, Wisconsin
AB-303 (Sub-No. 31X)

Dear Sir or Madam:

Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 1.80 miles of railroad line starting at MP 100.80 and ending at MP 102.60 in Sawyer County, Hayward, Wisconsin. For your convenience, we have attached a map for your reference. WCL is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

- 1 Water quality,
- 2 Designated wetlands,
- 3 100-year-old flood plains,
- 4 Endangered or threatened species,
- 5 Critical habitats,
- 6 Wildlife sanctuaries or refuges,
- 7 National or state parks or forests,
- 8 Coastal zone management,
- 9 Soil and natural resource conservation,
- 10 Agricultural land,
- 11 Regional and/or local use plans, and
- 12 The need for permits under Sections 402 or 404 of the Clean Water Act

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Wisconsin Central Ltd.

Encl



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tom.healey@cn.ca

May 18, 2007

National Park Service
Department of the Interior
1849 C Street, NW
Washington, DC 20240

Re Wisconsin Central Ltd. Proposed Abandonment in Sawyer County, Wisconsin
AB-303 (Sub-No. 31X)

Dear Sir or Madam:

Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 1.80 miles of railroad line starting at MP 100.80 and ending at MP 102.60 in Sawyer County, Hayward, Wisconsin. For your convenience, we have attached a map for your reference. WCL is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

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Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Wisconsin Central Ltd.

Encl



www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory

17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
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tom.healey@cn.ca

May 18, 2007

Mr. Kenneth A. Westlake
Chief, NEPA Implementation Section
US EPA Region 5
77 W. Jackson Blvd.
Chicago, IL 60604

Re: Wisconsin Central Ltd. Proposed Abandonment in Sawyer County, Wisconsin
AB-303 (Sub-No. 31X)

Dear Mr. Westlake:

Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 1.80 miles of railroad line starting at MP 100.80 and ending at MP 102.60 in Sawyer County, Hayward, Wisconsin. For your convenience, we have attached a map for your reference. WCL is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

1. Water quality,
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3. 100-year-old flood plains,
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5. Critical habitats,
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7. National or state parks or forests,
8. Coastal zone management,
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10. Agricultural land,
11. Regional and/or local use plans, and
12. The need for permits under Sections 402 or 404 of the Clean Water Act.

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Wisconsin Central Ltd.

Encl

APPENDIX J



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

**77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590**

JUN 04 2007

REPLY TO THE ATTENTION OF

B-19J

**Thomas J Hcaley
Counsel for Wisconsin Central Ltd
17641 South Ashland Avenue
Homewood, Illinois 60430**

**Re Wisconsin Central Ltd Proposed Abandonment in Sawyer County, Wisconsin
AB-303 (Sub-No 31X)**

Dear Mr Hcaley

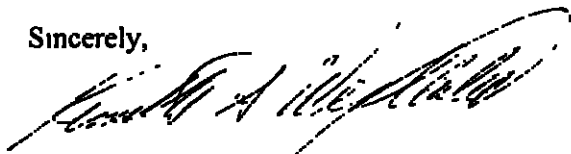
The U S Environmental Protection Agency (U S EPA) received your letter dated May 18, 2007 concerning a proposed abandonment of 1.80 miles of rail line starting at MP 100.80 and ending at MP 102.60 in Hayward, Sawyer County, Wisconsin. Our comments in this letter are provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR 1500-1508), and Section 309 of the Clean Air Act.

Responding to the specific questions contained in your scoping letter, a Clean Water Act Section 402 permit covering stormwater runoff from construction sites may be required, please consult with the Wisconsin Department of Natural Resources (WDNR) if construction activities are part of the proposed project. The U S Army Corps of Engineers is the agency responsible for administering Section 404 of the Clean Water Act. However, if designated wetlands are located adjacent to the rail line proposed for abandonment, the Wisconsin Department of Transportation is the appropriate agency with whom to discuss this issue. The U S EPA cannot comment on State and local water quality standards which may be applicable to this abandonment, the WDNR and local officials can address these questions. The U S Fish and Wildlife Service can assist your efforts to discern whether threatened or endangered species or critical habitat exist in the area of the proposed abandonment.

You can find environmental resource information on two U S EPA websites: (1) the Envirofacts Data Warehouse, <http://www.epa.gov/enviro/> and (2) Surf Your Watershed, <http://www.epa.gov/surf>. Please consider information from these sites when assessing your project's impact and completing the forthcoming Environmental and Historic Report (Report). Specifically, we request the Report address the issues discussed in the enclosed "STANDING CONCERNS FOR RAILWAY ABANDONMENT PROJECTS". Disposition of the remaining portion of the rail line extending to the northeast and the southwest as shown on the map attached to your letter should also be covered in the discussion.

We appreciate the opportunity to comment during the early stages of this project and look forward to reviewing the Environmental and Historic Report for this project. Should you have any questions, please do not hesitate to contact me or Kathleen Kowal of my staff at (312) 353-5206 or via e-mail at kowal.kathleen@epa.gov. Please address all future correspondence regarding rail line abandonment to my attention.

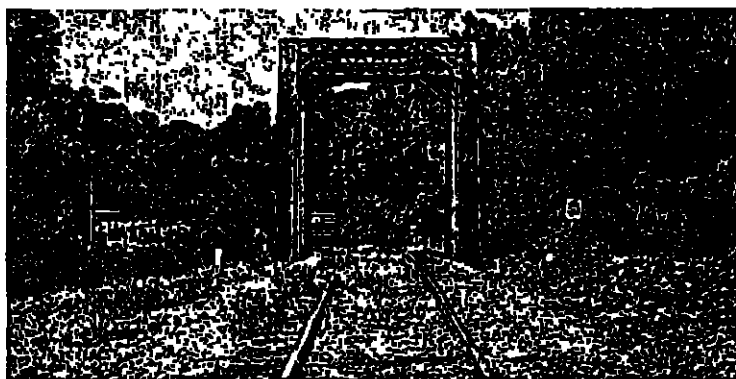
Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth A. Westlake", written over a horizontal line.

Kenneth A. Westlake, Chief
NEPA Implementation Section
Office of Science, Ecosystems and Communities

Enclosure

cc David Navecky, Surface Transportation Board



**U.S. EPA
REGION 5
GREENSHEET**

STANDING CONCERNS FOR RAILWAY ABANDONMENT PROJECTS

.....

Rail line abandonment is a procedure which frees up assets, recycles materials and returns property to new uses. The process is normally carried out within a railroad right-of-way (ROW). However, most track, including custom service and interlinking sections of track, were laid before environmental stewardship became a nationally recognized consideration and thus, track removal could have impacts if site specific issues are overlooked.

When applying to the Surface Transportation Board (STB) for exemption from an extensive environmental review, the US EPA Region 5 requests that you address the following issues in preparing your abandonment Environmental Report (ER)

Routine Procedures

- Whenever waters of the U.S. lie adjacent to the right-of-way (ROW), or at waterway crossing points, the work proposal should specify what precautions will be taken to assure water resource protection during construction, which go beyond the general "best practices." Such precautions would include no equipment staging areas, new access-egress paths or piling of materials along flood zone, wetland and runoff areas even within the ROW, and avoiding even incidental spills, dumping, discarding debris or damage to area flora.
- Machinery maintenance and refueling should occur away from the above sensitive areas, to minimize water as well as air and noise pollution.
- Any spills in the ROW, whether current or historic, should be indicated if they involved toxic or other environmentally significant materials. If the roadbed is to be removed or significantly disturbed, the appropriate state environmental agency or equivalent, should be consulted.
- Recycling of materials such as rail steel, electrical and signal housings, bridge work and other materials, which are to be removed from this ROW site should be specifically addressed and documented. Culverts, pilings and small bridge abutments, like track and ties, are typically removed from above, using the rail or ROW bed as the operating platform. Disposition of larger abutments, which require breaking up for removal, are best addressed by consulting the surface water program of the state environmental agency to determine whether leaving them in place or removing them is preferred.
- In accordance with the Federal Insecticide, Fungicide, and Rodenticide Act, the final disposition of wood treated with creosote should be burial in a non-hazardous waste landfill, unless the state permits landscaping reuses or other handling procedures.

Special Attentions

- Although not required by all states, we encourage restoring the natural ecosystem, such as a wetlands area or species specific upland forest, to its former functional state. This should be coordinated with the specific state's DNR, or equivalent.
- Future land use and legal standing for this property should be discussed. It would be appropriate to involve the local or state Planning / Zoning Office(s) along with Non-governmental Organizations (NGO), not only for purchase and alternate uses, but also for concerns of ROW maintenance. This might include prevention of invasive flora and derelict dumping, or sustained functioning of abandoned structures such as culverts, retaining barriers and embankments.
- Potential impacts of induced economic developments should always be indicated in the ER. If this abandonment is one of a connected series of events along this rail line, such cumulative impacts need to also be specifically addressed in the ER.

Concurrences

- Disposition of all at-grade crossings should be negotiated with the appropriate state, county or local Departments of Transportation.
- Considerations of wildlife, habitats and endangered or threatened species should be addressed with the US Fish and Wildlife Service and the appropriate state wildlife agency.
- Questions regarding soil and natural resource conservation and agricultural lands should be addressed to the US Department of Agriculture's local Natural Resource Conservation Service office.
- Structures, artifacts and other objects within the ROW which might have historic, tribal or cultural significance should be identified and their handling negotiated with the State Historic Preservation Officer for National Historic Preservation Act compliance.

Permits

- Permits related to the Clean Water Act Sections 401 (floodplains), 402 (stormwater management) and 404 (waters of the US including wetlands) are addressed with the US Army Corp of Engineers and/or the appropriate state DNR or equivalent.

Other environmental resource information for your project is available at the US EPA websites:

- 1) Envirofacts Data Warehouse, <http://www.epa.gov/enviro/>, which includes capabilities of mapping EPA database information on specified locations, making inquiries about selected topics, and accessing EPA reports, and
- 2) Surf Your Watershed, <http://www.epa.gov/surf/>, which provides maps locating and identifying watershed information
- 3) Enviromapper Superstore, <http://www.epa.gov/enviro/html/cm/index2.html>, which is a GIS multi-datalayer mapping facility for many of the EPA actions and concerns.

We encourage use of these resources in assessing this project's impacts and preparing the ER.



www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory

17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

May 18, 2007

Mr. Bill Sande
Department of the Army Corp of Engineers
15954 Rivers Edge, Suite 240
Hayward, WI 54843

Re: Wisconsin Central Ltd. Proposed Abandonment in Sawyer County, Wisconsin
AB-303 (Sub-No. 31X)

Dear Mr. Sande:

Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 1.80 miles of railroad line starting at MP 100.80 and ending at MP 102.60 in Sawyer County, Hayward, Wisconsin. For your convenience, we have attached a map for your reference. WCL is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

1. Water quality,
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3. 100-year-old flood plains,
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5. Critical habitats,
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7. National or state parks or forests,
8. Coastal zone management,
9. Soil and natural resource conservation,
10. Agricultural land,
11. Regional and/or local use plans, and
12. The need for permits under Sections 402 or 404 of the Clean Water Act.

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Wisconsin Central Ltd.

Encl

REQUEST FOR SHPO COMMENT AND CONSULTATION ON A FEDERAL UNDERTAKING

Submit one copy with each undertaking for which our comment is requested. Please print or type.
Return to:

Wisconsin Historical Society, Division of Historic Preservation, Office of Preservation Planning, 816 State Street, Madison, WI 53706

RECEIVED

JUN 11 2007

Please Check All Boxes and Include All of the Following Information, as Applicable **DIVISION HIST PRES**

I. GENERAL INFORMATION

☒ This is a new submittal.

☐ This is supplemental information relating to Case #: _____, and title: _____

☐ This project is being undertaken pursuant to the terms and conditions of a programmatic or other interagency agreement. The title of the agreement is _____

a Federal Agency Jurisdiction (Agency providing funds, assistance, license, permit) Surface Transportation Board, 395 E Street, SW, Washington, DC 20423.

b Federal Agency Contact Person: Vernon A. Williams, Secretary Phone: 202-245-0245

c Project Contact Person Thomas Healey; Phone 708-332-4381

d Return Address Wisconsin Central Ltd., c/o CN, 17641 S. Ashland Ave., Homewood, Illinois 60430

e Email Address tom.healey@cn.ca

f Project Name Wisconsin Central, Ltd. Proposed Abandonment in Sawyer County, Hayward, WI, AB-303 (Sub-No. 31X).

g Project Street Address N/A - Rail Line Abandonment - Sawyer County, Hayward, Wisconsin.

h County Sawyer City Hayward, Zip Code 54843

i Project Location Township _____, Range _____, E/W (circle one), Section _____, Quarter Sections _____

j Project Narrative Description — Wisconsin Central, Ltd. ("WCL") plans to file a Notice of Exemption for an abandonment with the STB for approval to abandon 1.80 miles of railroad line starting at milepost 100.80 and ending at milepost 102.60. After the STB's final decision, WCL intends to salvage rail, ties and track materials from the line. With this proposed abandonment, WCL will also remove four crossings.

k Area of Potential Effect (APE) Attach Copy of U S G S 7 5 Minute Topographic Quadrangle showing APE — See Attached Exhibit A

II. IDENTIFICATION OF HISTORIC PROPERTIES

- ☐ Historic Properties are located within the project APE per 36 CFR 800.4 Attach supporting materials
- ☒ Historic Properties are not located within the project APE per 36 CFR 800.4 Attach supporting materials
- There are no buildings, structures, or bridges located along this portion of the rail line. Therefore, no historic properties will be affected with this abandonment.**

III. FINDINGS

- ☒ No historic properties will be affected (i.e., none is present or there are historic properties present but the project will have no effect upon them) Attach necessary documentation, as described at 36 CFR 800.11
- ☐ The proposed undertaking will have no adverse effect on one or more historic properties located within the project APE under 36 CFR 800.5. Attach necessary documentation, as described at 36 CFR 800.11
- ☐ The proposed undertaking will result in an adverse effect to one or more historic properties and the applicant, or other federally authorized representative, will consult with the SHPO and other consulting parties to resolve the adverse effect per 36 CFR 800.6 Attach supporting documentation as described at 36 CFR 800.11 with a proposed plan to resolve adverse effect(s)

Authorized Signature Tom Healey Date 6/6/07

Type or print name Tom Healey

IV. STATE HISTORIC PRESERVATION OFFICE COMMENTS

- ☐ Agree with the finding in section III above.
- ☐ Object to the finding for reasons indicated in attached letter.
- ☒ Cannot review until information is sent as follows _____

Authorized Signature Stewart Bender Date 7/10/07
HP-05-07 (8/15/03)

→ What did you do to identify historic properties?



www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory

17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
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tom.healey@cn.ca

August 10, 2007

Mr. Sherman Banker
Wisconsin Historical Society
816 State Street
Madison WI 53706-1417

Re: Wisconsin Central Ltd (WCL) Proposed Abandonment in Sawyer County, WI
Your Case # 07-0459/SY
AB-303 (Sub-No. 31X)

Dear Mr. Banker:

Pursuant to your request to further identify the historic properties, I am enclosing a Historical and Archaeological Sites Literature Search. According to this Search, the Mississippi Valley Archaeology Center has found no previously reported sites that will be affected by WCL's proposed abandonment.

Should you have any questions, please do not hesitate to call. Thank you for your assistance in this matter.

Very truly yours,

Thomas J. Healey
Wisconsin Central, Ltd.

Enc.



Historical and Archaeological Sites Literature Search MVAC SR# 2007-41

Prepared for: Wisconsin Central Ltd.

Principal Investigator: Robert F. Boszhardt

Prepared by: Wendy K. Holtz-Leith
Mississippi Valley Archaeology Center
at the University of Wisconsin-La Crosse
1725 State Street
La Crosse, WI 54601
608.785.8455
holtz-lewend@uwlax.edu

Date: 31 July, 2007

Site: Mile post 100.80 to 102.60 Hayward, Sawyer County, WI

Site Location: T41R09W-27, 28, and 32; Sawyer County, Wisconsin

A site search of the Wisconsin Historical Society WHPD was conducted to locate previously surveyed standing structures and archaeological sites within and around the project area. The project area is located on the C & NW railroad tracks southwest of Hayward, Wisconsin (Figure 1). All sites within one mile of the project area were searched. There are no previously reported archaeological sites within the project area. There are 11 sites located within one mile of the proposed project area (Table 1 and See Figure 1).

According to the Architectural History Inventory Database (AHI) there is one previously reported historic district with four contributing structures located within one mile of the proposed project area. The Hayward State Nursery Historic District has been nominated to the National Register of Historic Places. There are four contributing structures on the property. AHI #32535 is the Hayward Nursery Oil House. It was built in 1936 and is an astylistic utilitarian building. AHI #32536 is the Hayward Nursery Pump House. It was constructed in 1936 and is an astylistic utilitarian building, water utility. AHI #32537 is the Hayward Nursery Refrigeration Building. The building was built in 1936 as an ice house and is described as an astylistic utilitarian building. AHI #32538 is the Hayward Nursery (Nursery Stock). This resource is described as the orchard which was constructed in 1936. The District is located approximately one-quarter mile southeast of the railroad abandonment.

Previous archaeological investigations took place in the late 1980s along the USH 63 corridor. These survey corridor paralleled the C & NW railroad tracks. Only one site was found during these investigations, 47Sy72 (Meinholz 1988).

There are no previously reported archaeological sites that will be directly effected by the abandonment of the C & NW railroad tracks. An architectural District is located near the tracks but should also not be visually effected by the abandonment

Table 1 Previously reported sites located within one mile of the project area

Site Number	Location	Archaeological Affiliation and site type	Comments
47Sk72	T41R09W-32, site is located 100 feet NW of USH 63 on the toe slope of a steep bank	Unknown prehistoric, campsite/village	site located northwest of the railroad tracks
47Sy54	T41R09W-27, site is located on Namckagon River in the southeast corner of the Village of Hayward	Historic Euro-American Mill/sawmill, dam/historic earthwork	site is located just north of the railroad abandonment The site consists of some remnants from the dam and mill pond The mill was destroyed in 1922 The site has been heavily impacted by urban development
47Sy29	T41R09W-27, site is located on a point of the Namekagon River in the Village of Hayward	Unknown prehistoric Campsite/village	site located approximately one-half miles east of north end of the railroad abandonment terminus
47Sy120	T41R09W-27, site is located on the northwest shore of the Namekagon River	Historic Euro-American dam/historic earthwork	site is located one-quarter mile southeast of the railroad abandonment
47Sy122	T41R09W-28, site is located on the northwest shore of the Namekagon River	Historic Euro-American HCM concentration	site is located one-quarter mile southeast of the railroad abandonment
47Sy123	T41R09W-28 site is located on the northwest shore of the Namekagon River	Historic Euro-American Foundation/depression	site is located one-quarter mile southeast of the railroad abandonment
47Sy124	T41R09W-33, site is located on the northwest shore of the Namekagon River	Historic Euro-American dam/historic earthwork	site is located one-quarter mile southeast of the railroad abandonment
47Sy125	T41R09W-33, site is located on the northwest shore of the Namekagon River	Historic Euro-American HCM concentration	site is located one-quarter mile southeast of the railroad abandonment
47Sy126	T41R09W-33, site is located on the northwest shore of the Namekagon River	Historic Euro-American other	site is located one-quarter mile southeast of the railroad abandonment
47Sy285	T41R09W-33, site is located on the southeastt shore of the Namekagon River	Historic Euro-American other	site is located one-quarter mile southeast of the railroad abandonment
47BSy11	T41R09W-27, site is located near bluff base north of RR	Historic Euro-American cemetery	site is located over one-half miles north of the railroad abandonment

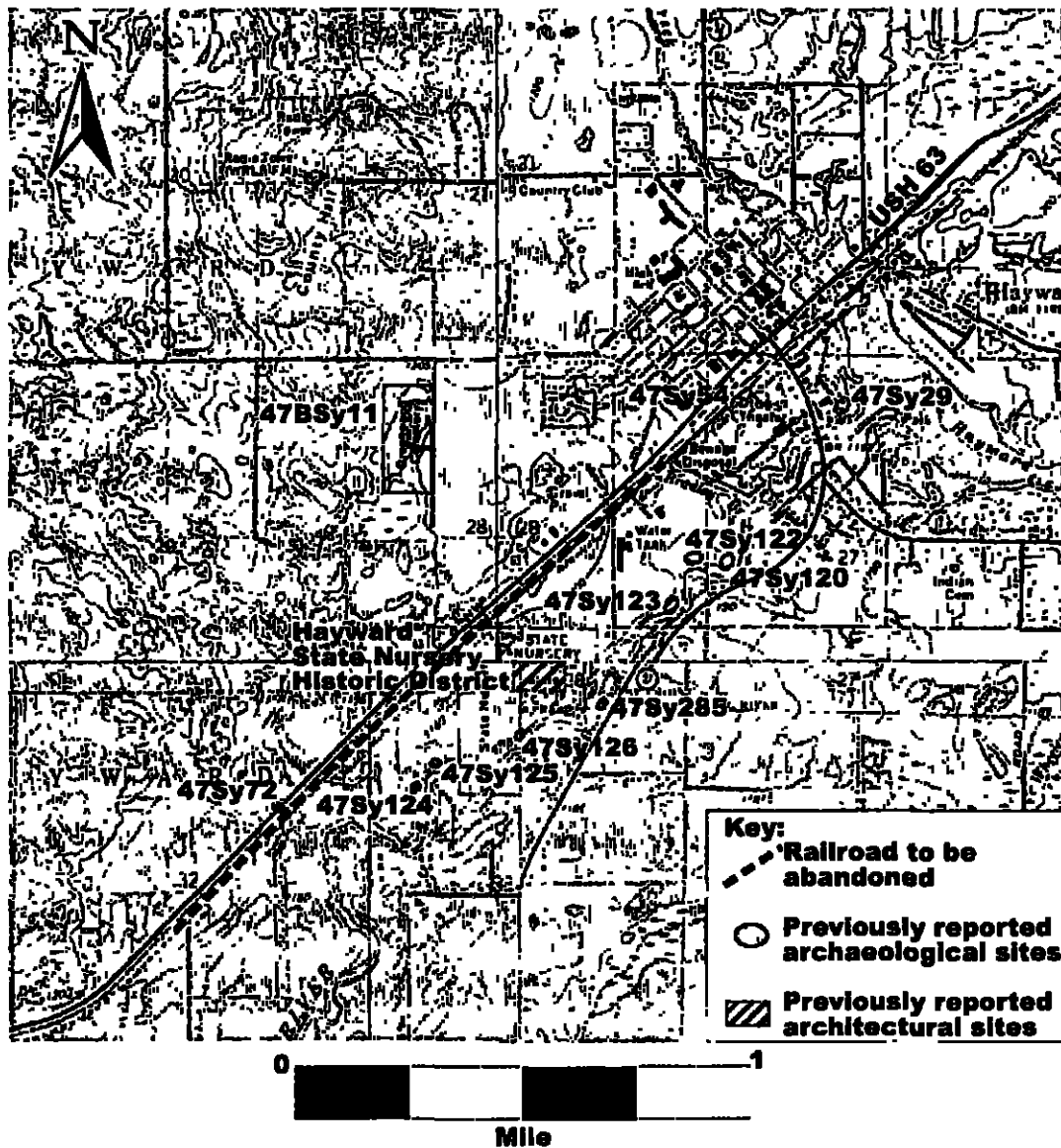


Figure 1 Location of proposed railroad abandonment on the Hayward, Bean Lake, Reserve, and Stansberry 7.5 minute topographic maps.

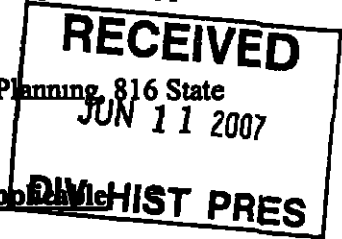
Reference Cited
Meinholz, Norm

1988 Initial Archaeological Investigations Along a Portion of USH 63 in Sawyer and Washburn Counties.
Wisconsin State Historical Society of Wisconsin

REQUEST FOR SHPO COMMENT AND CONSULTATION ON A FEDERAL UNDERTAKING

Submit one copy with each undertaking for which our comment is requested. Please print or type.
Return to:

Wisconsin Historical Society, Division of Historic Preservation, Office of Preservation Planning, 816 State Street, Madison, WI 53706



Please Check All Boxes and Include All of the Following Information, as Applicable

I. GENERAL INFORMATION

- ☒ This is a new submittal.
☐ This is supplemental information relating to Case #: _____, and title: _____
☐ This project is being undertaken pursuant to the terms and conditions of a programmatic or other interagency agreement. The title of the agreement is _____
- a. Federal Agency Jurisdiction (Agency providing funds, assistance, license, permit): Surface Transportation Board, 395 E Street, SW, Washington, DC 20423.
- b. Federal Agency Contact Person: Vernon A. Williams, Secretary Phone: 202-245-0245
- c. Project Contact Person: Thomas Healey; Phone: 708-332-4381
- d. Return Address Wisconsin Central Ltd., c/o CN, 17641 S. Ashland Ave., Homewood, Illinois 60430
- e. Email Address: tom.healey@cn.ca
- f. Project Name: Wisconsin Central, Ltd. Proposed Abandonment in Sawyer County, Hayward, WI, AB-303 (Sub-No. 31X).
- g. Project Street Address N/A - Rail Line Abandonment - Sawyer County, Hayward, Wisconsin.
- h. County: Sawyer City: Hayward, Zip Code: 54843
- i. Project Location: Township _____, Range _____, E/W (circle one), Section _____, Quarter Sections _____
- j. Project Narrative Description — Wisconsin Central, Ltd. ("WCL") plans to file a Notice of Exemption for an abandonment with the STB for approval to abandon 1.80 miles of railroad line starting at milepost 100.80 and ending at milepost 102.60. After the STB's final decision, WCL intends to salvage rail, ties and track materials from the line. With this proposed abandonment, WCL will also remove four crossings.
- k. Area of Potential Effect (APE). Attach Copy of U S.G.S. 7 5 Minute Topographic Quadrangle showing APE — See Attached Exhibit A

IDENTIFICATION OF HISTORIC PROPERTIES

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- ☒ Historic Properties are not located within the project APE per 36 CFR 800.4. Attach supporting materials

There are no buildings, structures, or bridges located along this portion of the rail line.
Therefore, no historic properties will be affected with this abandonment.

III. FINDINGS

- ☒ No historic properties will be affected (i.e., none is present or there are historic properties present but the project will have no effect upon them). Attach necessary documentation, as described at 36 CFR 800.11.
- ☐ The proposed undertaking will have no adverse effect on one or more historic properties located within the project APE under 36 CFR 800.5. Attach necessary documentation, as described at 36 CFR 800.11.
- ☐ The proposed undertaking will result in an adverse effect to one or more historic properties and the applicant, or other federally authorized representative, will consult with the SHPO and other consulting parties to resolve the adverse effect per 36 CFR 800.6. Attach supporting documentation as described at 36 CFR 800.11 with a proposed plan to resolve adverse effect(s).

Authorized Signature: Tom Healey Date 6-6-07

Type or print name: Tom Healey

IV. STATE HISTORIC PRESERVATION OFFICE COMMENTS

- ☒ Agree with the finding in section III above
- ☐ Object to the finding for reasons indicated in attached letter.
- Cannot review until information is sent as follows: _____

Authorized Signature: Shawn Boy Date: 9/17/07
HP-05-07 (8/15/03)