



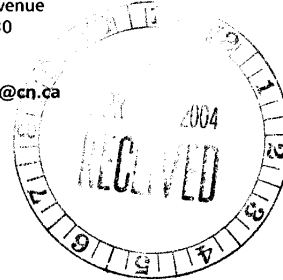
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March 31, 2004

Mr. Vernon A. Williams  
Secretary  
Surface Transportation Board  
1925 K Street, N.W.  
Washington, D.C. 20423-0001

United States Region

Michael J. Barron  
Counsel  
CN  
17641 S. Ashland Avenue  
Homewood, IL 60430  
T - 708-332-3954  
F - 708-332-3052  
E - michael.barron@cn.ca



Re: Environmental Report, Historic Report and Required Certifications for  
Docket No. AB-303 (Sub-No. 26X), Wisconsin Central Ltd.—  
Notice of Exemption for Abandonment in Ashland 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 April 20, 2004. Enclosed for the above-referenced Notice of 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,

  
Michael J. Barron, Jr.  
Counsel for Wisconsin Central Ltd.

Encls.

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Office of Proceedings  
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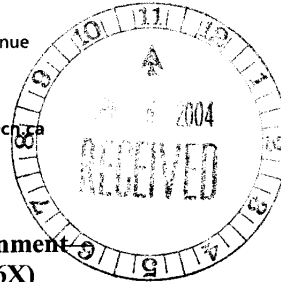


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March 31, 2004

United States Region

Michael J. Barron  
Counsel  
CN  
17641 S. Ashland Avenue  
Homewood, IL 60430  
T - 708-332-3954  
F - 708-332-3052  
E - michael.barron@cn.ca



**Re: Wisconsin Central Ltd. Notice of Exemption for Abandonment of  
Ashland County, Wisconsin—Docket AB-303 (Sub-No. 26X)**

To Whom It May Concern:

Any time on or after April 20, 2004, 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 in Ashland, Ashland County, Wisconsin, starting at milepost 435.35 on the Lake Superior lakefront and continuing 2,552 feet in a southwesterly direction along the lakefront for a total of approximately 0.48 miles. 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, 1925 K Street, N.W., Washington, D.C. 20423-0001, (202) 565-1545, and refer to the above docket number.

WCL will file the Environmental Report and Historic Report with the STB on or about March 31, 2004. 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) 332-3954 or by mail at the above address.

Sincerely,

Michael J. Barron, Jr.  
Counsel for Wisconsin Central Ltd.

Encls.

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Office of Proceedings

APR - 5 2004

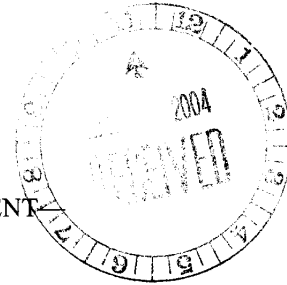
Re: ...

210488

BEFORE THE  
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-303 (SUB-NO. 26X)

WISCONSIN CENTRAL LTD.  
— NOTICE OF EXEMPTION FOR ABANDONMENT  
IN ASHLAND 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 is 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 in Ashland, Ashland County, Wisconsin, referred to herein as "Ashland Trackage," from milepost 435.35 on Ashland's Lake Superior lakefront, and traveling southwest along the lakefront 2,552 feet to a point where it connects with a private spur that used to serve C. Reiss Coal Company ("Reiss"), for a total of approximately 0.48 miles.

Ashland Trackage is constructed on terrain that slopes downhill toward Lake Superior. A combination of residential and commercial property is in proximity to the proposed abandonment.

Following abandonment, one at-grade crossing can be removed.

EXTENDED  
Office of Proceedings

APR - 5 2004

No existing or former customers are located along Ashland Trackage. The line was formerly used to link up with the Reiss spur. Reiss has not requested rail service for more than two years.

No alternatives to the proposed abandonment have been considered other than a possible conversion to trail/recreational use. If the line is converted to a trail, all culverts would remain in place.

After abandonment, WCL intends to salvage rail, ties and track material from the line.

A map showing the location of Ashland Trackage is attached hereto as Exhibit A.

2. Transportation System. WCL does not anticipate that existing regional or local transportation systems or patterns will be adversely affected by the proposed abandonment. The Wisconsin Department of Transportation, in response to our request for comments, requested that WCL comply with the WisDOT Abandoned Railroad Line Salvage and Clean-up Policy/Standards/Procedures when implementing the abandonment of Ashland Trackage. See correspondence attached hereto as Exhibit B.

There are no customers located along Ashland Trackage, and the linkup to the Reiss spur is no longer needed as there has been no Reiss traffic over Ashland Trackage for more than two years.

Ashland Trackage's right-of-way is generally a minimum of 50' in width, with some extra width in spots extending to the Lake Superior Shoreline. Ashland Trackage sits between Front Street and Lake Superior. Moving across the right-of-way from Front Street, there is a drop-off to the tracks, and then it is flat out to the Lake Superior Shoreline.

Abandonment of Ashland Trackage will allow permanent closure of at least one highway grade crossing, Ellis Avenue, which currently has crossbucks for warning devices.

3. Land Use.

(i) WCL does not foresee any inconsistency with regional and/or local land use plans. WCL has contacted the City of Ashland. See correspondence attached as Exhibit C. While the City has not formally responded to this correspondence, the City had previously indicated that they were considering the conversion of Ashland Trackage to trail or other recreational use. WCL has contacted the Ashland County Administrator, and the Ashland County Board Chairman; they have not yet responded. See correspondence attached hereto as Exhibits D and E respectively.

(ii) The proposed Ashland Trackage abandonment lies entirely within the city limits of Ashland, and thus WCL does not believe that the proposed abandonment will impact any prime agricultural lands. The property adjacent to the proposed abandonment is a combination of residential and commercial. The U.S. Department of Agriculture, Natural Resources Conservation Service, in Madison, Wisconsin, has been notified of the proposed abandonment, but there has been no response thus far. See Correspondence attached hereto as Exhibit F.

(iii) WCL is aware that some coastal areas in the State of Wisconsin are part of a Coastal Zone Management Program, however, the Wisconsin Coastal Zone Management Program has not yet responded to our correspondence regarding the program status of Ashland Trackage. See correspondence attached hereto as Exhibit G. WCL believes the proposed abandonment will not adversely affect any land or water uses in such an area or result in any

coastal impacts. If the City of Ashland converts the line to a lakefront trail, the existing topography and relationship to the Lake Superior shoreline will be maintained.

(iv) WCL believes that Ashland Trackage would make an excellent trail, as it parallels and lies close to Lake Superior. It would not be suitable as a roadway, as this is an urban area with an already-developed roadway system. The Wisconsin Historical Society has indicated they will wait for WCL's submission of the Historic Report before commenting. See correspondence attached hereto as Exhibit H.

(v) In the U.S. Environmental Protection Agency's (EPA) response to our request for comment, they note the EPA has determined that there are no significant concerns meriting comment regarding the proposed abandonment of Ashland Trackage. See correspondence attached hereto as Exhibit I.

4. Energy.

(i) The proposed abandonment will not have any effect on the transportation of energy resources. No energy resource commodities have moved over Ashland Trackage in the last two years, 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 Ashland Trackage, and WCL foresees little or no possibility that any on-line 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 rail freight traffic on Ashland Trackage 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 Ashland Trackage 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) Abandonment of Ashland Trackage 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. There is no traffic on the proposed abandonment, thus no shipments of ozone-depleting materials will be diverted as a result of this abandonment.

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

7. Safety.

(i) The proposed action will have a positive effect on public health and safety. Abandonment of Ashland Trackage will allow elimination of at least one at-grade crossing at Ellis Avenue. During any salvage operations on Ashland Trackage, precautions will be taken to ensure public safety.

(ii) Not applicable. To WCL's knowledge no hazardous commodities were handled on Ashland Trackage in recent times. As there is no traffic at all, the proposed abandonment will have no effect on the transportation of hazardous materials.

(iii) A portion of Ashland Trackage passes through or is adjacent to an area where soil and groundwater contamination have been found (Ashland/Northern States Power Lakefront superfund site). Cleanup efforts within the site area are primarily directed and handled by Northern States Power and the State of Wisconsin. WCL shall be mindful of its obligations under applicable law when salvaging track in the vicinity of this site, but WCL believes that its abandonment will not have any adverse impact on this site.

8. Biological Resources.

(i) In response to our notice of intent to abandon Ashland Trackage, the U.S. Department of the Interior, Fish and Wildlife Service noted that at present there are no federally-listed threatened or endangered species or critical habitat present within the abandonment area. If there is a delay in implementing the abandonment, the Fish and Wildlife Service requested WCL contact them for updates to the list. See correspondence attached hereto as Exhibit J.

(ii) Ashland Trackage does not pass through or is not adjacent to any wildlife sanctuaries or refuges or any national or state parks or forests and, accordingly, none will be adversely affected.

9. Water.

(i) WCL has contacted the U.S. Environmental Protection Agency (EPA) to determine whether the proposed abandonment is consistent with applicable federal, state and local water quality standards. The EPA has determined that there are no significant concerns meriting comment. See correspondence attached hereto as Exhibit I. WCL will be mindful of proper erosion control in the removal of track and other salvageable materials to minimize impact. WCL intends on leaving culverts in place in case Ashland Trackage is converted to a trail.

In response to our request for comments, the Spooner Service Center of the Wisconsin Department of Natural Resources, noted that a portion of Ashland Trackage passes through or is adjacent to locations where soil or groundwater contamination has been documented. The area is within a superfund site where activities are primarily directed by Northern States Power and the State of Wisconsin. See correspondence attached hereto as Exhibits K and L respectively, and see our comments in Section 7 (iii) herein.

(ii) WCL has contacted the Army Corps of Engineers to determine if the proposed abandonment requires permits under Section 404 of the Clean Water Act. The Corps has not yet responded. WCL does believe, however, that no Section 404 permit will be required. No work will be done in a navigable water of the United States, and no dredged or fill material will be discharged in any water of the United States, including wetlands. See correspondence attached hereto as Exhibit M.

WCL also believes that removal of rails and ties 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 waterways as part of the abandonment.

10. Proposed Mitigation.

Since WCL anticipates no adverse environmental impact from this proposed transaction, no mitigation actions are proposed.

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### **HISTORICAL REPORT — 49 C.F.R. § 1105.8(d)**

1. Map. A map of Ashland Trackage is attached hereto as Exhibit A.
2. Description of Line. Ashland Trackage runs for approximately 0.48 miles in a generally southwesterly direction from a point at milepost 435.35 on Ashland's lakefront and traveling southwest along the lakefront 2,552 feet to a point where it connects with a private spur that used to serve C. Reiss Coal Company, in Ashland, Ashland County, Wisconsin.

Ashland Trackage is constructed on terrain that slopes downhill toward Lake Superior. A combination of residential and commercial property are in proximity to the proposed abandonment.

Ashland Trackage's right-of-way is generally a minimum of 50' in width, with some extra width in spots extending to the Lake Superior Shoreline. Ashland Trackage sits between Front Street and Lake Superior. Moving across the right-of-way from Front Street, there is a drop-off to the tracks, and then it is flat out to the Lake Superior Shoreline. Based on documents in our possession, Ashland Trackage does not appear to contain any federally-granted right-of-way.

3. Photographs. There are no buildings, structures, bridges, or anything of note within the proposed abandonment, thus no photographs are submitted.
4. Information on Structures. There are no buildings, structures, or bridges within the proposed Ashland Trackage abandonment.
5. History of Operations. A brief history is as follows:

- |           |                                                                                                          |
|-----------|----------------------------------------------------------------------------------------------------------|
| 1871      | Wisconsin Central Railroad incorporated on February 4.                                                   |
| 1872-1885 | Wisconsin Central Railroad constructs tracks in the City of Ashland and from Ashland south to Milwaukee. |

- 1909      Wisconsin Central Railroad and Soo Line sign a lease agreement to operate as one railroad. Trackage is called "Lake States Division." The corporate name "Soo Line" ultimately prevails.
- 1987      Soo Line sells the Lake States Division to newly formed Wisconsin Central Transportation Corporation who operates the trackage as Wisconsin Central Ltd.
- 2001      Wisconsin Central Transportation Corporation merges into Canadian National Railway Company.
- Future      Possible conversion to trail/recreational use

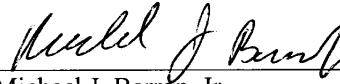
6.      Engineering Documents. There are no engineering documents related to Ashland Trackage.

7.      Historic Criteria. Based on readily available information in its possession, WCL believes that no site or structure listed in or meeting the criteria for listing in the *National Register of Historic Places* is located on Ashland Trackage or will be affected by the abandonment. As noted above, there are no buildings or structures located within the proposed abandonment area. WCL also believes that no culturally significant locations, archaeological sites or unique landforms will be affected by the abandonment. WCL has contacted the Wisconsin Historical Society. They will wait for WCL's submission of the Historic Report before commenting. See correspondence attached hereto as Exhibit H.

8.      Ground Disturbance. WCL is unaware of any possibility that archaeological resources may be in the area. It is possible that the ongoing remediation discussed in the Environmental Report involving Northern States Power and the State of Wisconsin may have an impact on recovery of such resources, if any may be discovered at some point. However, the abandonment activities should have no impact as WCL simply intends on removing the rail and ties and leaving the right-of-way intact for possible trail-conversion purposes. Access to the line is good.

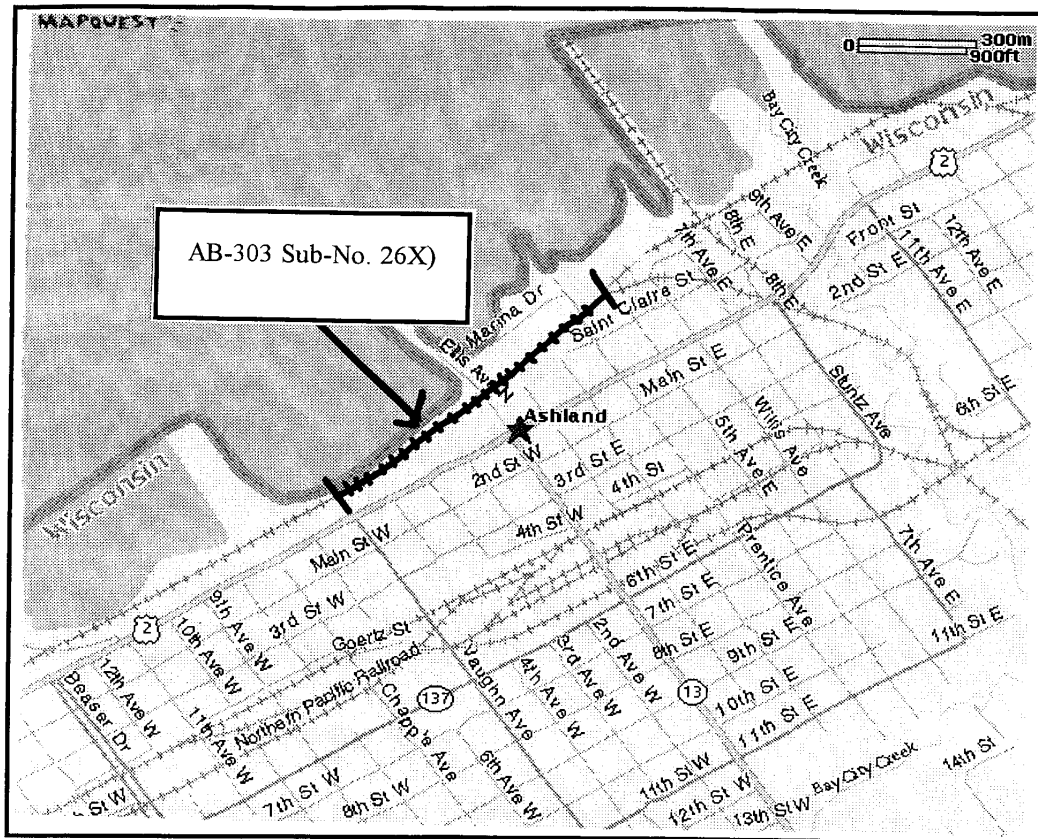
Dated: March 31, 2004

Respectfully submitted,

A handwritten signature in cursive script, reading "Michael J. Barron, Jr.", positioned above a horizontal line.

Michael J. Barron, Jr.  
Counsel for Wisconsin Central Ltd.  
CN  
17641 South Ashland Avenue  
Homewood, IL 60430-1345  
(708) 332-3954

## EXHIBIT A



Michael J. Barron, Jr.  
Counsel  
Legal Department

Exhibit B



Canadian National/Illinois Central  
455 North Cityfront Plaza Drive  
Chicago, Illinois 60611-5317  
Telephone: (312) 755-7954  
Fax: (312) 755-7669  
Internet: Michael.Barron@cn.ca

April 24, 2003

Mr. Allyn Lepaske  
Office of General Counsel  
Wisconsin Dept. of Transportation  
4802 Sheboygan Ave. Rm. 115B  
P.O. Box 7910  
Madison, WI 53707-7910

**Re: Wisconsin Central Ltd. Proposed Abandonment in Ashland County, Wisconsin**

Dear Mr. Lepaske:

Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon an approximately 0.48 mile line of railroad starting from a point at milepost 435.35 on Ashland's lakefront, and traveling southwest along the lakefront 2,552 feet to a point where it connects with a private spur that used to serve C. Reiss Coal Company, in Ashland, Ashland County, 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 land 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,

  
Michael J. Barron, Jr.  
Counsel for Wisconsin Central Ltd.

Encl.



**Wisconsin Department of Transportation**

[www.dot.wisconsin.gov](http://www.dot.wisconsin.gov)

Jim Doyle  
Governor

Frank J. Busalacchi  
Secretary

Office of General Counsel  
4802 Sheboygan Ave., Rm. 115B  
P O Box 7910  
Madison, WI 53707-7910

Telephone: 608-266-8810  
FAX: 608-267-6734  
E-mail: [ogc.exec@dot.state.wi.us](mailto:ogc.exec@dot.state.wi.us)

June 26, 2003

Michael J. Barron, Jr.  
Counsel  
Canadian National/Illinois Central  
455 North Cityfront Plaza Drive  
Chicago, Illinois 60611-5317

Dear Mr. Barron:

Pursuant to our phone conversation today, I am confirming that the department's response to your request for the environmental effects of the proposed abandonment of approximately 0.48 mile line railroad starting from a point at milepost 435.35 on Ashland's lakefront, and traveling southwest along the lake front 2,552 feet to a point where it connects to a private spur that used to serve C. Reiss Coal Company, in Ashland would not change from its January 17, 2001 reply (enclosed) covering milepost 433.20 through Milepost 435.95 in Ashland, which includes the 0.48 mile lakefront segment in Ashland.

I understand that there may still be some nonenvironmental issues to resolve.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Allyn Lepeska".

Allyn Lepeska  
Attorney

Enclosure

pc: Anna Davey  
Vicki Schaefer



## Wisconsin Department of Transportation

www.dot.state.wi.us

Tommy G. Thompson  
Governor

Terrence D. Mulcahy, P.E.  
Secretary

Office of General Counsel  
4802 Sheboygan Ave., Rm. 115B  
P.O. Box 7910  
Madison, WI 53707-7910

Telephone: 608-266-8810  
FAX: 608-267-6734  
E-Mail: ogc.exec@dot.state.wi.us

FILE COPY

Exhibit B

January 17, 2001

Michael J. Barron, Jr.  
General Attorney  
Wisconsin Central Ltd.  
P.O. Box 5062  
Rosemont, IL 60017-5062

**Re: Wisconsin Central Ltd. Proposed Abandonment in Ashland and Price Counties,  
Wisconsin**

Dear Mr. Barron,

At your request, we have reviewed the environmental effects of the proposed abandonment of the rail line in Ashland and Price Counties from Milepost 433.20 and Milepost 435.95 in Ashland and Milepost 343.3 to Milepost 344.6 in Prentice, approximately 4.05 miles of railroad.

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 corridors are abandoned, there is interest in the corridors for trail use.

If the line is abandoned, the greatest potential for environmental damage is because of the failure to properly clean up debris that is often left on former rail lines after items of value are removed. Because of this, Wisconsin Central Ltd 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 state highways. The railroad is required to obtain a permit from the District Maintenance section to work on highway right-of-way. The railroad will need to handle traffic while the crossing is being removed. The roadway should be restored in like kind.

Exhibit B

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,

A handwritten signature in black ink, appearing to read "Allyn Lepeska". The signature is fluid and cursive, with the first name "Allyn" and last name "Lepeska" clearly distinguishable.

Allyn Lepeska  
Attorney

pc: Carol Cutshall  
Donna Brown  
George Albright  
Vicki Schaefer  
Harry Hardy  
Anna Davey

Michael J. Barron, Jr.  
Counsel  
Legal Department

Exhibit C



Canadian National/Illinois Central  
455 North Cityfront Plaza Drive  
Chicago, Illinois 60611-5317  
Telephone: (312) 755-7954  
Fax: (312) 755-7669  
Internet: Michael.Barron@cn.ca

April 24, 2003

Mr. David Frasher  
City Administrator  
City of Ashland  
City Hall  
601 Main Street West  
Ashland, WI 54806

**Re: Wisconsin Central Ltd. Proposed Abandonment in Ashland County, Wisconsin**

Dear Mr. Frasher:

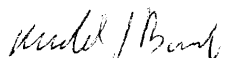
Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon an approximately 0.48 mile line of railroad starting from a point at milepost 435.35 on Ashland's lakefront, and traveling southwest along the lakefront 2,552 feet to a point where it connects with a private spur that used to serve C. Reiss Coal Company, in Ashland, Ashland County, 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;
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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 land 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,

  
Michael J. Barron, Jr.  
Counsel for Wisconsin Central Ltd.

Encl.

Michael J. Barron, Jr.  
Counsel  
Legal Department

Exhibit D



Canadian National/Illinois Central  
455 North Cityfront Plaza Drive  
Chicago, Illinois 60611-5317  
Telephone: (312) 755-7954  
Fax: (312) 755-7669  
Internet: Michael.Barron@cn.ca

April 24, 2003

Mr. Thomas Kieweg  
Ashland County Administrator  
Room 301 - Courthouse  
201 W. Main St.  
Ashland, WI 54806-1652

**Re: Wisconsin Central Ltd. Proposed Abandonment in Ashland County, Wisconsin**

Dear Mr. Kieweg:

Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon an approximately 0.48 mile line of railroad starting from a point at milepost 435.35 on Ashland's lakefront, and traveling southwest along the lakefront 2,552 feet to a point where it connects with a private spur that used to serve C. Reiss Coal Company, in Ashland, Ashland County, 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,

  
Michael J. Barron, Jr.  
Counsel for Wisconsin Central Ltd.

Encl.

Michael J. Barron, Jr.  
Counsel  
Legal Department

Exhibit E



Canadian National/Illinois Central  
455 North Cityfront Plaza Drive  
Chicago, Illinois 60611-5317  
Telephone: (312) 755-7954  
Fax: (312) 755-7669  
Internet: Michael.Barron@cn.ca

April 24, 2003

Mr. Ken Lindquist  
Ashland County Board Chairman  
Room 301 - Courthouse  
201 W. Main St.  
Ashland, WI 54806-1652

**Re: Wisconsin Central Ltd. Proposed Abandonment in Ashland County, Wisconsin**

Dear Mr. Lindquist:

Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon an approximately 0.48 mile line of railroad starting from a point at milepost 435.35 on Ashland's lakefront, and traveling southwest along the lakefront 2,552 feet to a point where it connects with a private spur that used to serve C. Reiss Coal Company, in Ashland, Ashland County, 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,

  
Michael J. Barron, Jr.  
Counsel for Wisconsin Central Ltd.

Encl.

Michael J. Barron, Jr.  
Counsel  
Legal Department

Exhibit F



Canadian National/Ilinois Central  
455 North Cityfront Plaza Drive  
Chicago, Illinois 60611-5317  
Telephone: (312) 755-7954  
Fax: (312) 755-7669  
Internet: Michael.Barron@cn.ca

April 24, 2003

Ms. Patricia S. Leavenworth  
State Conservationist  
USDA Natural Resources Conservation Service  
6515 Watts Road, Suite 200  
Madison, WI 53719-2726

**Re: Wisconsin Central Ltd. Proposed Abandonment in Ashland County, Wisconsin**

Dear Ms. Leavenworth:

Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon an approximately 0.48 mile line of railroad starting from a point at milepost 435.35 on Ashland's lakefront, and traveling southwest along the lakefront 2,552 feet to a point where it connects with a private spur that used to serve C. Reiss Coal Company, in Ashland, Ashland County, 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;
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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 land 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,

  
Michael J. Barron, Jr.  
Counsel for Wisconsin Central Ltd.

Encl.

Michael J. Barron, Jr.  
Counsel  
Legal Department

Exhibit G



Canadian National/Illinois Central  
455 North Cityfront Plaza Drive  
Chicago, Illinois 60611-5317  
Telephone: (312) 755-7954  
Fax: (312) 755-7669  
Internet: Michael.Barron@cn.ca

April 24, 2003

Ms. Dea Larsen Converse  
Wisconsin Coastal Zone Management Program  
Wisconsin Dept. of Administration  
P.O. Box 8944  
Madison, WI 53708-8944

**Re: Wisconsin Central Ltd. Proposed Abandonment in Ashland County, Wisconsin**

Dear Ms. Larsen Converse:

Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon an approximately 0.48 mile line of railroad starting from a point at milepost 435.35 on Ashland's lakefront, and traveling southwest along the lakefront 2,552 feet to a point where it connects with a private spur that used to serve C. Reiss Coal Company, in Ashland, Ashland County, 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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Thank you for your assistance.

Very truly yours,

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Michael J. Barron, Jr.  
Counsel for Wisconsin Central Ltd.

Encl.

Michael J. Barron, Jr.  
Counsel  
Legal Department

Exhibit H



Canadian National/Illinois Central  
455 North Cityfront Plaza Drive  
Chicago, Illinois 60611-5317  
Telephone: (312) 755-7954  
Fax: (312) 755-7669  
Internet: Michael.Barron@cn.ca

April 24, 2003

Mr. Richard A. Bernstein  
Division of Historic Preservation  
Wisconsin Historical Society  
816 State Street  
Madison, WI 53706-1482

**Re: Wisconsin Central Ltd. Proposed Abandonment in Ashland County, WI**

Dear Mr. Bernstein:

Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon an approximately 0.48 mile line of railroad starting from a point at milepost 435.35 on Ashland's lakefront, and traveling southwest along the lakefront 2,552 feet to a point where it connects with a private spur that used to serve C. Reiss Coal Company in Ashland, Ashland County, 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 performing a historical review process. No photographs are enclosed since there are no structures in the proposed abandonment area.

Thank you for your assistance. Please call me should you have any questions.

Very truly yours,

  
Michael J. Barron, Jr.  
Counsel for Wisconsin Central Ltd.

Encl.

Michael J. Barron, Jr.  
Counsel  
Legal Department

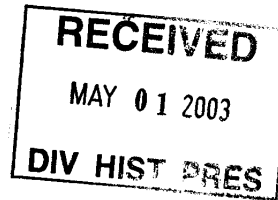
-0345 /AS



Canadian National/Illinois Central  
455 North Cityfront Plaza Drive  
Chicago, Illinois 60611-5317  
Telephone: (312) 755-7954  
Fax: (312) 755-7669  
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Exhibit H

April 24, 2003



Mr. Richard A. Bernstein  
Division of Historic Preservation  
Wisconsin Historical Society  
816 State Street  
Madison, WI 53706-1482

Re: Wisconsin Central Ltd. Proposed Abandonment in Ashland County, WI

Dear Mr. Bernstein:

Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon an approximately 0.48 mile line of railroad starting from a point at milepost 435.35 on Ashland's lakefront, and traveling southwest along the lakefront 2,552 feet to a point where it connects with a private spur that used to serve C. Reiss Coal Company in Ashland, Ashland County, 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 performing a historical review process. No photographs are enclosed since there are no structures in the proposed abandonment area.

Thank you for your assistance. Please call me should you have any questions.

Very truly yours,

  
Michael J. Barron, Jr.  
Counsel for Wisconsin Central Ltd.

Encl.

5/1/03

*Mr. Barron -  
We no longer have staff to provide assistance  
to you. There are numerous private consultants  
who do this type of work - please check our web site  
for further information.  
Rick Dub*



"Richard Dexter"  
<rwddexter@whs.wisc  
.edu>

To: <Carol.Brandenburg@cn.ca>  
CC:  
Subject: Re: Wis.Central abandonment in Ashland

05/13/03 09:52 AM

Our response is going to be based on your findings. If nothings there, nothings there. Please use our cover sheet as part of your submission;  
<http://www.wisconsinhistory.org/histbuild/protecting/instructions.html>

Thanks,  
Rick

>>> <Carol.Brandenburg@cn.ca> 05/13/03 09:17AM >>>

This is in response to your message of May 8 (written on our letter to Mr. Bernstein dated April 24 which you returned to us). There is nothing of historical note (buildings, bridges, etc.) along the approximately half mile proposed abandonment, and hiring a consultant at this stage would be premature. The absence of anything of historical value will be outlined in the Environmental and Historic Report that we will submit to the Surface Transportation Board. You will receive a copy (as required by the STB rules) and we will await your comments after you've had an opportunity to review the report.

Our question is this. If the information contained in the Historic Report is sufficient for your purposes (we normally prepare it using our own in-house expertise), will the SHPO issue the standard no-action letter?

Michael J. Barron, Jr.  
Counsel  
Legal Department

Exhibit I



Canadian National/Illinois Central  
455 North Cityfront Plaza Drive  
Chicago, Illinois 60611-5317  
Telephone: (312) 755-7954  
Fax: (312) 755-7669  
Internet: Michael.Barron@cn.ca

April 24, 2003

Mr. Thomas V. Skinner  
Regional Administrator  
US EPA, Region 5  
Mail Code B-19J  
77 West Jackson Blvd.  
Chicago, IL 60604-3590

**Re: Wisconsin Central Ltd. Proposed Abandonment in Ashland County, Wisconsin**

Dear Mr. Skinner:

Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon an approximately 0.48 mile line of railroad starting from a point at milepost 435.35 on Ashland's lakefront, and traveling southwest along the lakefront 2,552 feet to a point where it connects with a private spur that used to serve C. Reiss Coal Company, in Ashland, Ashland County, 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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Thank you for your assistance.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'Michael J. Barron, Jr.', written in a cursive style.

Michael J. Barron, Jr.  
Counsel for Wisconsin Central Ltd.

Encl.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION V  
77 West Jackson Boulevard  
Chicago, IL 60604

Date: 5/5/03

Document: WISCONSIN CENTRAL LTD. PROPOSED ABANDONMENT  
IN ASHLAND COUNTY, WISCONSIN

Dear Interested Party:

The Environmental Planning and Evaluation Branch has received the document listed above. Under the National Environmental Policy Act (NEPA), the Council on Environmental Quality regulations, and Section 309 of the Clean Air Act; U.S. EPA reviews and comments on major federal actions. Typically, these reviews focus on Environmental Impact Statements, but we also have the discretion to review and comment on other environmental documents prepared under NEPA if interest and resources permit.

We did not undertake a detailed review of the document you sent to this office, and will not be generating comments because of the reason selected below.

- ☐ The document was not prepared under NEPA.
- ☐ The document was given a cursory review, but other workload priorities precluded us from undertaking a detailed review and generating comments.
- ☒ The document was given a cursory review, and we determined that there were no significant concerns meriting comment.
- ☐ We opted to wait for the next level of documentation on this project before deciding whether or not to comment.

We reserve the right to reconsider undertaking a review at future planning stages, or if significant new data on the project is made available by the sponsoring agency or other interested parties. Thank you for providing information on the project.

Sincerely,

  
for Kenneth A. Westlake, Chief  
Environmental Planning and Evaluation Branch

Michael J. Barron, Jr.  
Counsel  
Legal Department

Exhibit J



Canadian National/Illinois Central  
455 North Cityfront Plaza Drive  
Chicago, Illinois 60611-5317  
Telephone: (312) 755-7954  
Fax: (312) 755-7669  
Internet: Michael.Barron@cn.ca

April 24, 2003

Ms. Janet M. Smith  
Field Supervisor  
U.S. Dept. of the Interior  
Fish and Wildlife Service  
1015 Challenger Court  
Green Bay, WI 54311-8331

**Re: Wisconsin Central Ltd. Proposed Abandonment in Ashland County, Wisconsin**

Dear Ms. Smith:

Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon an approximately 0.48 mile line of railroad starting from a point at milepost 435.35 on Ashland's lakefront, and traveling southwest along the lakefront 2,552 feet to a point where it connects with a private spur that used to serve C. Reiss Coal Company, in Ashland, Ashland County, 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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Thank you for your assistance.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'Michael J. Barron, Jr.'.

Michael J. Barron, Jr.  
Counsel for Wisconsin Central Ltd.

Encl.



## United States Department of the Interior

### FISH AND WILDLIFE SERVICE

Green Bay ES Field Office  
2661 Scott Tower Drive  
New Franken, Wisconsin 54229-9565  
Telephone 920/866-1717  
FAX 920/866-1710

July 23, 2003

Mr. Michael J. Barron, Jr.  
Counsel for Wisconsin Central Ltd.  
Canadian National/Illinois Central  
455 North Cityfront Plaza Drive  
Chicago, Illinois 60611-5317

re: Wisconsin Central Ltd. Proposed Abandonment  
Milepost 435.35 on Ashland's Lakefront to Private  
Spur that was used to serve C. Reiss Coal Company  
City of Ashland  
Ashland County, Wisconsin

Dear Mr. Barron:

The U.S. Fish and Wildlife Service (Service) has received your letter dated April 24, 2003, requesting comments on the subject project. Due to staff time constraints and priority work activities, we are able to only review your project for potential impacts to federally-listed threatened and endangered species or those proposed for listing. Be advised that other environmental concerns may be associated with this project such as wetland and stream impacts, erosion control needs, and effects on state-listed threatened or endangered species. State or federal permits may be needed, as well, if stream or wetland impacts will occur. If resource impacts are expected to occur, we recommend that you forward this project to the appropriate Wisconsin Department of Natural Resources office for their review.

Please provide us copies of any future review documents that may be associated with this project or of future projects you may be planning that would require Service review. This will allow us to keep our files current. We will provide comments as time and work priorities allow.

#### **Federally-Listed Threatened and Endangered Species and Critical Habitat**

A review of information in our files indicates that the following federally-listed threatened or endangered species or critical habitat occur in Ashland County:

| <u>Classification</u> | <u>Common Name</u> | <u>Scientific Name</u>                    | <u>Habitat</u> |
|-----------------------|--------------------|-------------------------------------------|----------------|
| threatened            | bald eagle         | <u>Haliaeetus</u><br><u>leucocephalus</u> | breeding       |

Exhibit J

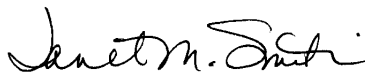
|                  |              |                           |                                                                            |
|------------------|--------------|---------------------------|----------------------------------------------------------------------------|
| threatened       | gray wolf    | <u>Canis lupus</u>        | northern and central forested areas                                        |
| threatened       | Canada lynx  | <u>Lynx Canadensis</u>    | potential habitat                                                          |
| endangered       | pipin plover | <u>Charadrius melodus</u> | sandy beaches; bare alluvial and dredge spoil islands                      |
| critical habitat | pipin plover | <u>Charadrius melodus</u> | sandy beaches that possess all or most of the primary constituent elements |

Currently, there are no federally-listed threatened or endangered species or critical habitat present at the project site; however, over time, habitats at or near the project site may be utilized by listed or proposed species not present at this time. Further, fish, wildlife or plant species occurring within the project area may become federally-listed as threatened or endangered or proposed for listing; it also is possible that critical habitat could be proposed or designated for a species. Therefore, it is important to reassess the impact of the project on federally-listed or proposed species or designated critical habitat prior to completion of the final project design and/or beginning construction activities if there is a lag between plan completion and construction. In such instances, this office should be contacted for updated species and critical habitat information. Our species/critical habitat list is updated every 6 months.

If this project involves a Federal action (i.e., funding) and/or activity (i.e., permits), the lead Federal agency (e.g., Department of Transportation), or its designated agent, is responsible for contacting the Service regarding that agency's determination as to whether the selected project alternative may affect federally-listed threatened or endangered species or adversely modify designated critical habitat. Section 7 of the Endangered Species Act of 1973, as amended (ESA), directs Federal agencies to consult with the Service on such matters. The Service would respond as to whether we concur with the determination of the Federal agency or its designated agent. If the proposed project may adversely affect federally-listed threatened or endangered species or adversely modify designated critical habitat, the Federal action agency, or its designated agent, should initiate formal consultation with the Service in accordance with section 7 of the ESA. Information on the section 7 consultation process can be obtained by contacting the staff person identified at the end of this letter.

We appreciate the opportunity to respond. Questions pertaining to these comments can be directed to Mr. Ronald Spry by calling 920-866-1734.

Sincerely,



Janet M. Smith  
Field Supervisor

Michael J. Barron, Jr.  
Counsel  
Legal Department

Exhibit K



Canadian National/Illinois Central  
455 North Cityfront Plaza Drive  
Chicago, Illinois 60611-5317  
Telephone: (312) 755-7954  
Fax: (312) 755-7669  
Internet: Michael.Barron@cn.ca

April 24, 2003

Mr. R. E. Steffes  
Wisconsin Dept. of Natural Resources  
101 S. Webster Street  
P.O. Box 7921  
Madison, WI 53707

**Re: Wisconsin Central Ltd. Proposed Abandonment in Ashland County, Wisconsin**

Dear Mr. Steffes:

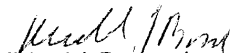
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Thank you for your assistance.

Very truly yours,

  
Michael J. Barron, Jr.  
Counsel for Wisconsin Central Ltd.

Encl.

Michael J. Barron, Jr.  
Counsel  
Legal Department

Exhibit L



Canadian National/Illinois Central  
455 North Cityfront Plaza Drive  
Chicago, Illinois 60611-5317  
Telephone: (312) 755-7954  
Fax: (312) 755-7669  
Internet: Michael.Barron@cn.ca

April 24, 2003

Mr. William H. Smith  
Regional Director  
Wisconsin Dept. of Natural Resources  
810 West Maple Street  
Spooner, WI 54801

**Re: Wisconsin Central Ltd. Proposed Abandonment in Ashland County, Wisconsin**

Dear Mr. Smith:

Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon an approximately 0.48 mile line of railroad starting from a point at milepost 435.35 on Ashland's lakefront, and traveling southwest along the lakefront 2,552 feet to a point where it connects with a private spur that used to serve C. Reiss Coal Company, in Ashland, Ashland County, 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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Thank you for your assistance.

Very truly yours,

  
Michael J. Barron, Jr.  
Counsel for Wisconsin Central Ltd.

Encl.



**State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES**

Jim Doyle, Governor  
Scott Hassett, Secretary  
William H. Smith, Regional Director

Spooner Service Center  
810 W. Maple Street  
Spooner, WI. 54801  
TELEPHONE 715-635-2101  
FAX 715-635-4105  
TDD 715-635-4001

May 22, 2003

Michael Barron – General Attorney  
Canadian National/Illinois Central  
455 North Cityfront Plaza Drive  
Chicago IL 60611-5317

SUBJECT: Wisconsin Central Ltd. Railroad – Proposed Abandonment in Ashland County,  
Wisconsin (Milepost 435.35 to Milepost 435.83)

Dear Mr. Barron:

We have completed our review on your request to identify potential environmental effects for the above referenced project.

**Ashland County abandonment proposal comments – Milepost 435.35 to Milepost 435.83**

**Water quality** - The rail property proposed for abandonment passes through or is adjacent to areas where soil and groundwater contamination have been found. Part of this area is listed as the Ashland/Northern States Power Lakefront superfund site (listed on 9-5-2002). In the areas indicated as part of the proposed abandonment there are several locations where soil or groundwater contamination have been documented. A first step in determining the number and degree of environmental issues at hand would be to have a complete legal description of the properties proposed for abandonment.

One portion of the rail corridor will need shoreline stabilization in order to prevent erosion into Lake Superior. Details regarding this problem will be discussed during salvage and cleanup.

**Salvage and cleanup of any contaminants found on railroad property** - The abandonment cannot be finalized until cleanup of these areas is complete. State statutes regarding cleanup of contaminants may require that a site investigation be completed to determine the degree of contamination present. This study would define contamination areas so appropriate cleanup could be accomplished.

**Designated wetlands** - An initial review of Wisconsin wetland inventory maps did not indicate that any wetlands are located within the abandonment proposal. The maps are only a screening tool – an actual field survey of the line may find wetlands to be present. Railroad grade fills that were placed in these areas may need to be removed to restore the original wetland if that particular wetland crossing does not become a permanent recreational trail.

**100 year floodplains** - The City of Ashland floodplain zoning ordinances would apply and that office would be your contact to gather more information. Mapped floodplain also exists out into Lake Superior, and surrounding the coal dock. Compliance with the floodplain zoning ordinance would also apply for these areas.

**Endangered and Threatened Species** - Our review of regional files indicates that there are endangered and threatened species located near the site. A complete endangered resources review should be requested through the Bureau of Endangered Resources in Madison. The bureau staff would be able to determine if such resources are along the proposed route and determine if they would be affected by the proposed abandonment. The contact for such a review is Helen Kitchel. She can be reached at 608-266-5248.

---

*Quality Natural Resources Management  
Through Excellent Customer Service*



**Critical Habitats** - No critical habitat areas are known to exist in the immediate vicinity of the proposed abandonment.

**Wildlife Sanctuaries or Refuges** - For information on Federal facilities please contact appropriate federal agencies. No State facilities are located in close proximity to the abandonment proposal.

**National or State Parks or Forests** - No State Parks or Forests would be directly affected by this proposal. For information on federal parks or forests you should contact the appropriate federal agencies.

**Coastal Zone Management** - This project is in the Coastal Zone. The Coastal Zone address is: 101 E. Wilson, P.O. Box 7868, Madison, WI 53707-7868. The Coastal Zone office should be contacted to provide comments on this proposal.

**Soil and Natural Resource Conservation** - The NRCS would be the appropriate contact for this information.

**Agricultural lands** - The county agricultural agents would be the best information source for this information.

**Regional and local land use plans** - The regional planning commission would be the best contact for this information.

**Section 402 and 404 Clean Water Act permit needs** - These are federal permits and federal agency contacts would be the appropriate contact for information. The Army Corps of Engineers would likely require a Section 10, Rivers and Harbors Act permit for any structure remaining on lakebed.

We appreciate this opportunity to provide comments on your proposal. If you have any questions regarding our comments please contact me at 715-635-4227.

Sincerely,



William L. Gantz  
Environmental Review Coordinator

cc:

Richard Steffes - LF/4

George Albright - SS/6

Mike Cain - LE/5

Duane Lahti - Superior

Steve Schram - Bayfield

Chris Saari - Ashland

John Spangberg - Ashland

Jim Ross - Superior

James Dunn - Spooner

Dea Larsen Converse - Coastal Zone, 101 E. Wilson, P.O. Box 7868, Madison, WI 53707-7868

Lisie Kitchel - ER/4

Jason Berkner - USACOE, 1554 Hwy 2, Suite 2, Two Harbors, MN 55616

Vicki Schaefer - DOT- Bureau of Rail and Harbor, 4802 Sheboygan Ave, P.O. Box 7914, Madison, WI 53707-7914

Surface Transportation Board, Section of Environmental Analysis, 1925 K St. NW, Washington D.C. 20423

Michael J. Barron, Jr.  
Counsel  
Legal Department

Exhibit M



Canadian National/Illinois Central  
455 North Cityfront Plaza Drive  
Chicago, Illinois 60611-5317  
Telephone: (312) 755-7954  
Fax: (312) 755-7669  
Internet: Michael.Barron@cn.ca

April 24, 2003

Mr. Robert Whiting  
Chief, Regulatory Branch  
U.S. Army Corps of Engineers  
190 Fifth Street East  
St. Paul, MN 55101-1638

**Re: Wisconsin Central Ltd. Proposed Abandonment in Ashland County, Wisconsin**

Dear Mr. Whiting:

Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon an approximately 0.48 mile line of railroad starting from a point at milepost 435.35 on Ashland's lakefront, and traveling southwest along the lakefront 2,552 feet to a point where it connects with a private spur that used to serve C. Reiss Coal Company, in Ashland, Ashland County, 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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11. Regional and/or local land 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,

  
Michael J. Barron, Jr.  
Counsel for Wisconsin Central Ltd.

Encl.