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U.S. Legal Affairs

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August 25, 2005

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

214 617



Re: Environmental Report, Historic Report and Required Certifications for
Docket No. AB-303 (Sub-No. 28X), 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 September 14, 2005. 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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Docket No. AB-303 (Sub-No. 28X)

WISCONSIN CENTRAL LTD.

- NOTICE OF EXEMPTION FOR
ABANDONMENT IN ASHLAND
COUNTY, WISCONSIN

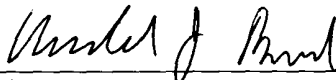
To: Mr. Vernon A. Williams
Secretary
Surface Transportation Board (STB)
1925 K Street, N.W.
Washington, DC 20423-0001

CERTIFICATE OF COMPLIANCE WITH 49 C.F.R. PART 1105

I hereby certify that on August 25, 2005, 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 Historical Society. 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 September 14, 2005. 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 March 7, 2005, in *The Daily Press*, a newspaper of general circulation in Ashland County, Wisconsin. The notices 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 25th day of August, 2005.



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

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ATTACHMENT A

Division of Intergovernmental Relations
ATTENTION: Director
Wisconsin Department of Administration
P.O. Box 8944
Madison, WI 53708-8944

Mr. Sherman Banker
Division of Historic Preservation
Wisconsin Historical Society
816 State Street
Madison, WI 53706-1482

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

Mr. Michael Friis
Manager
Wisconsin Department of Administration
101 East Wilson Street, 10th Floor
P.O. Box 8944
Madison, WI 53708-8944

Mr. William L. Gantz
Environmental Review Coordinator - Northern Region
Wisconsin Department of Natural Resources
810 W. Maple Street
Spooner, WI 54801

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

Ms. Patricia S. Leavenworth
State Conservationist
USDA Natural Resources Conservation Service
8030 Excelsior Dr., Suite 100
Madison, WI 53717

Ms. Brea R. Lemke
Zoning Administrator/Planning Specialist
Ashland Wisconsin
City Hall
601 Main Street West
Ashland, WI 54806

Mr. Allyn Lepeska
Office of General Counsel
Wisconsin Department of Transportation
4802 Sheboygan Avenue, Room 115B
P.O. Box 7910
Madison, WI 53707-7910

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

Mr. Edward J. McKay
Chief, Spatial Reference System Div.
National Geodetic Survey
National Oceanic & Atmospheric Adm.
1315 East-West Highway, Room 8813
Silver Spring, MD 20910

Mr. Thomas Ross
Division Chief
Nat'l. Cntr. for Recreation and Conservation
1201 Eye St., N.W.
9th Floor
Washington, DC 20005

Mr. Christopher A. Saari
Hydrogeologist
Wisconsin Department of Natural Resources
2501 Golf Course Road
Ashland, WI 54806

Mr. William D. Shaddox
Chief, Land Resources Division
National Park Service
1201 Eye St., N.W., 9th Floor
Washington, DC 20005

Ms. Jane Silberstein
Community Resource Development Agent
UW Extension
Ashland Co. Extension Office
201 W. Main St, Courthouse, Room 107
Ashland, WI 54806-1652

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

Ms. Janet Smith
Field Supervisor
U.S. Dept. of Interior
Fish and Wildlife Service
2661 Scott Tower Drive
New Franken, WI 54229-9565

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

Mr. John Spangberg
Water Management Specialist
Wisconsin Department of Natural Resources
2501 Golf Course Road
Ashland, WI 54806

Mr. R. E. Steffes
Wisconsin Dept. of Natural Resources
101 S. Webster Street
P.O. Box 7921
Madison, WI 53703

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

Mr. Duane Lahti
Lake Superior Basin Water Team Leader
DNR Service Center
1401 Tower Avenue
Spooner, WI 54880

LEGAL NOTICE

WISCONSIN CENTRAL LTD. gives notice that on or after April 20, 2005, it intends to file with the Surface Transportation Board, Washington, DC 20423, a notice of exemption under 49 CFR 1152 Subpart F - Exempt Abandonments, permitting the abandonment of a line of railroad known as the Ashland Ore Dock line segment, starting from a point of switch off WCL's main line through

Ashland at MP 434.49 and extending 5,160 feet to the end of WCL's Ashland Ore Dock in Ashland, Ashland County, Wisconsin, which line traverses through U.S. Postal Zip Code 54806. The proceeding will be docketed as AB-303 (Sub-No. 28X).

The Board's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the SEA, Surface Transportation Board, 1925 K Street NW, Washington, DC 20423 or by calling that office at (202) 565-1545.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assis

tance) must be filed directly with the Board's Office of the Secretary, 1925 K Street NW, Washington, DC 20423-0001 [See 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on applicant's representative. [See 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the Commission's Office of Congressional and Public Services at (202) 565-1592. Copies of any comments or requests for conditions should be served on the applicant's representative: Michael J. Barron, Jr., (708) 332-3954 at 17641 S. Ashland Avenue, Homewood, IL 60430.

Mar. 7—1T Mon.

/ATTACHMENT B



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U.S. Legal Affairs

Michael J. Barron
Counsel

17641 South Ashland Avenue
Homewood, Illinois 60430

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August 25, 2005

**Re: Wisconsin Central Ltd. Notice of Exemption for Abandonment—
Ashland County, Wisconsin—Docket AB-303 (Sub-No. 28X)**

To Whom It May Concern:

Any time on or after September 14, 2005, 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 from a point of switch off WCL's mainline through Ashland at milepost 434.49, and continuing 5,160 feet to the end of WCL's Ashland Ore Dock. 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 August 25, 2005. 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.

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-303 (SUB-NO. 28X)

WISCONSIN CENTRAL LTD.
— NOTICE OF EXEMPTION FOR ABANDONMENT —
IN ASHLAND COUNTY, WISCONSIN



ENTERED
Office of Proceedings

AUG 30 2005

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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 the "Ore Dock Line" from a point of switch off WCL's mainline through Ashland at milepost 434.49 and continuing 5,160 feet to the end of WCL's Ashland Ore Dock.

The Ore Dock Line begins at ground level and then slopes upward on an elevated line to its endpoint on Lake Superior. A combination of residential and commercial property is in proximity to the proposed abandonment.

Following abandonment, no grade crossings will be removed because the line is primarily grade separated.

No existing or former customers are located along the Ore Dock Line. The line was formerly used to transfer iron ore from rail cars to lake freighters.

Upon abandonment, the portion of the line nearest the point of switch at milepost 434.49 is a possible candidate for conversion to a trail. A substantial portion of the elevated approach to the ore dock would be removed. The actual ore dock itself would remain, pending regulatory approval, in the water as a maritime and historical resource.

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

WCL has entered into an agreement in which, pending STB and other regulatory approval, WCL will transfer rights in the Ore Dock Line, including the ore dock itself and associated riparian rights, to the Northeastern Maritime Historical Foundation (the "Foundation"). The parties to such transaction shall be filing an application to keep the ore dock in the water with approval from the state of Wisconsin pursuant to the Wisconsin Statutes ("Dock Application"). A proposal on work at the Ore Dock which the Foundation hopes to accomplish is attached herein as Appendix 1.

A map showing the location of the Ore Dock Line 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 ("WisDOT"), 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 the Ore Dock Line, and to protect surveying benchmarks, monumentation and supply information. See correspondence attached hereto as Exhibit B. WisDOT's other concerns shall be addressed in the Dock Application.

There are no customers located along the Ore Dock Line, and no revenue service has occurred along the line for decades.

The Ore Dock Line starts at a point just north of Main Street, then travels over U.S. Highway 2, Saint Claire Street, and Water Street, over some city-owned trackage then out onto Lake Superior. The overland portion is primarily elevated.

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 (“City”). See correspondence attached as Exhibit C.

The City has filed a standing objection to the abandonment. WCL and the Foundation has provided the City with the Foundation’s plans for the ore dock. The City also raised possible concerns of the Wisconsin Department of Natural Resources (“WDNR”). The parties will address the concerns of WDNR in its Dock Application, which WDNR reviews.

The City has also raised the issues of delinquent taxes on the ore dock and adjacent properties. Taxation of railroad property in Wisconsin is a matter of state, not federal, law, and the STB should not consider this issue as part of this proceeding.

To the extent that the tax issue is relevant, WCL states that the taxes which the City asserts on the Ore Dock Line are uncollectible in that they are local taxes, the Ore Dock Line is rail operating property, and that in Wisconsin such taxes on rail operating property are assessed and collected by the State Department of Revenue, not by localities.

The City also raises the issue of compatibility with the location and daily operations of a USGS vessel, the Kiyi. WCL and the Foundation are willing to discuss that issue with the City. As information, the USGS has a lease with WCL by which WCL allows the Kiyi

to dock at the ore dock. WCL and the Foundation will discuss this issue with the City, and the Foundation has indicated a willingness in Appendix 1 to keep the KIYI at the dock. But WCL does not believe this is germane to the abandonment proceeding.

The City notes that the ore dock is in a floodplain, but if no additional fill is placed in the water there should be no impact.

The City brings up the Ashland Waterfront Trail. There is a portion of the Ore Dock Line that WCL does not plan on transferring to the Foundation. WCL is willing to enter into negotiations for the conveyance of such portion to the City, preferably under the Rails-to-Trails program. With regard to the Waterfront Trail, to the extent the City requires additional land rights for the trail (since it exists already it may be protected), WCL and the Foundation will contact the City to discuss that issue. The Waterfront Trail, however, is not eligible for NITU status and is not relevant to whether the Ore Dock Line itself is a candidate for abandonment, but the Foundation has indicated in Appendix 1 that it will keep the waterfront trail on its property.

WCL and the Foundation shall address the remaining concerns in other sections of the Environmental/Historic Report and in the Dock Application.

WCL has contacted the Ashland County Administrator, the Ashland County Board Chairman and the Ashland County Extension Office; they have not yet responded. See correspondence attached hereto as Exhibits D, E and F respectively.

(ii) The proposed 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 G.

(iii) In response to correspondence from WCL, the Wisconsin Coastal Management Program waived its right to review the abandonment for federal consistency. See correspondence attached hereto as Exhibit H. WCL believes the proposed abandonment will not adversely affect any land or water uses in such an area or result in any adverse coastal impacts.

(iv) WCL believes that the land portions of the Ore Dock Line have trail potential. It would not be suitable as a roadway, as this is an urban area with an already-developed roadway system. The ore dock itself would make an excellent maritime and historical resource if it remains in place.

(v) In the U.S. Environmental Protection Agency's (EPA) response to our request for comments, the EPA directed us to contact other agencies, but cites that the final report address the issue of disposition of rails and ties, removal of all other waste and debris, proper erosion control and possible alternate uses. See correspondence attached hereto as Exhibit I.

In response, WCL states that it will recycle rails and ties to the extent they are recyclable, will not dispose of any such material into waterways as part of the salvage of the line, and will be mindful of erosion control measures during salvage. This report addresses reuse alternatives in other sections.

4. Energy.

(i) The proposed abandonment will not have any effect on the transportation of energy resources. No energy resource commodities have moved over the Ore Dock Line in

many years, if ever, 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 the Ore Dock Line, 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 the Ore Dock 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 Ore Dock 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) Abandonment of the Ore Dock 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. 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. The ore dock shall become a maritime and historic resource. During any salvage operations on the Ore Dock Line, WCL will take precautions to ensure public safety.

(ii) Not applicable. To WCL's knowledge no hazardous commodities were handled on the Ore Dock Line 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 the Ore Dock Line 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 the Ore Dock Line, 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 habitats 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. FWS also cautioned WCL with regard to its obligations under the Migratory Bird Treaty Act of 1918. See correspondence attached hereto as Exhibit J.

(ii) The Ore Dock Line 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 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. The EPA directed WCL to contact the WDNR. WCL has contacted WDNR.

In our 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 Exhibit K, 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 responded that no Corps permit is necessary for the abandonment itself, but a Section 10 Rivers and Harbors Act permit may be required if the Foundation does any work in, under or on Lake Superior. WCL shall continue to keep the Corps informed of the progress of the abandonment and will copy the Corps on applications sent to the State of Wisconsin to allow the dock itself to remain in Lake Superior. See correspondence attached hereto as Exhibit L. The WDNR also indicated in their correspondence that the projected use of the ore dock after abandonment may

require a Corps permit under the River and Harbors Act. WCL shall consult with the Corps on that issue.

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) WCL also consulted with EPA and WDNR regarding Section 402 permits. Neither agency said one was required. 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 track 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.

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

1. Map. A map of Ore Dock Line is attached hereto as Exhibit A.

2. Description of Line. The Ore Dock Line runs from a point of switch off WCL's mainline through Ashland at milepost 434.49 and continues 5,160 feet to the end of WCL's Ashland Ore Dock. The Ore Dock Line begins at ground level and then slopes upward on an elevated line to its endpoint on Lake Superior. A combination of residential and commercial property is in proximity to the proposed abandonment.

Property line widths are wider than standard so as to contain fill material necessary to support the ore dock elevated approach.

Based on documents in our possession, the Ore Dock Line does not appear to contain any federally-granted right-of-way.

3. Photographs. Photographs are included with the completed Determination of Eligibility form, attached as Exhibit M.

4. Information on Structures. The attached Determination of Eligibility contains substantial information on the ore dock. The STB has this DOE in its possession and the state SHPO concurs in the recommendation that the ore dock is eligible for listing in the National Register.

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 historical/maritime use.

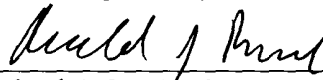
6. Engineering Documents. Should any party request information in addition to what is provided herein, WCL shall endeavor to provide it.

7. Historic Criteria. The STB and state SHPO consider the ore dock eligible for listing in the National Register of Historic Places. WCL has contacted the SHPO (see correspondence attached as Exhibit N) to discuss the next step in the 106 process. Chip Brown said to copy SHPO's Sherman Banker on all correspondence. Chip Brown's number is 608-264-6508.

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 the proposed plan simply intends on removing the rail and ties and portion of the approach structure and leaving the right-of-way intact for possible trail and recreational purposes. Access to the line is good.

Dated: August 25, 2005

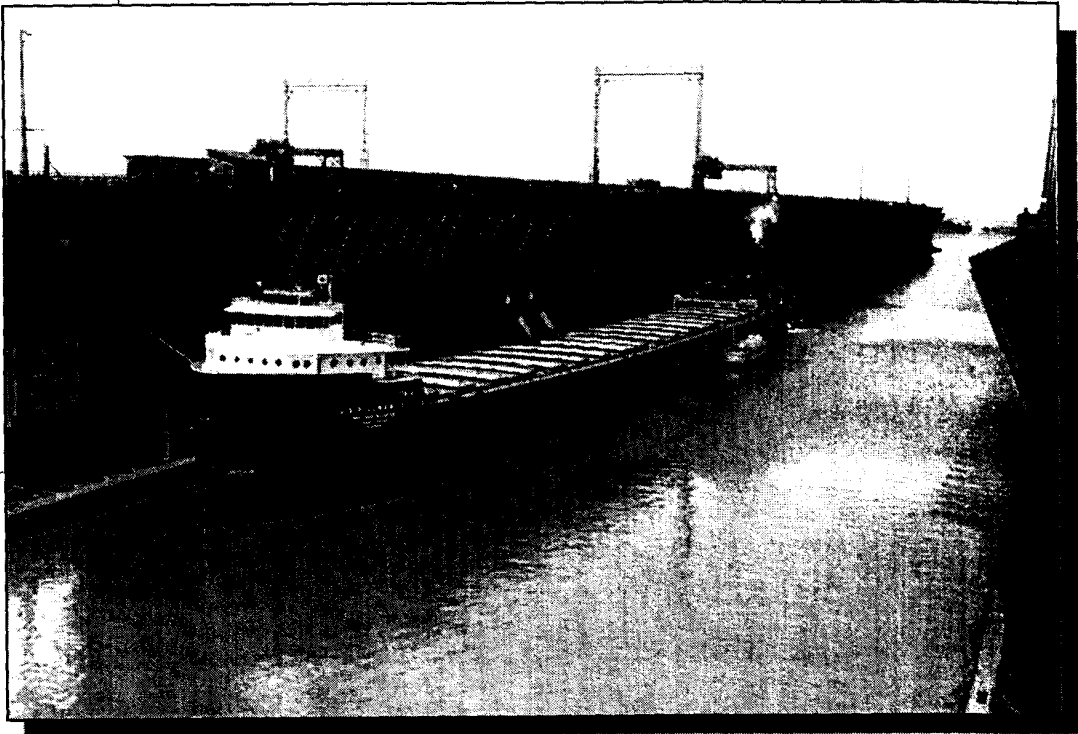
Respectfully submitted,



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

Proposal for a Maritime Heritage Center

**Soo Line Ore Dock
Ashland, Wisconsin**



Northeastern Maritime Historical Foundation

DRAFT, AUGUST 15, 2005

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A brief history of the Foundation

The Northeastern Maritime Historical Foundation was created in the Spring of 2003 as a response to the news that the vulnerable old iron tug *Mount McKay* was to be disposed of after her owner passed away. Many saw this historical 1908 vintage tug as an extremely important vessel to save. Soon after the incorporation of Northeastern Maritime, the tug was donated to the Foundation.

The acquisition of that first tug was only the beginning. The long-term goal of the Northeastern Maritime Historical Foundation is to assemble a first-rate collection of historically significant commercial vessels of the “Northeast” region, including the Great Lakes, East Coast and their link, the Erie Canal. This collection is to be displayed in a new maritime heritage center, which we envision will become one of the premier maritime museums in North America.

Currently, the museum collection consists of several historic tugboats, starting with the *Mount McKay*, which is powered by what is believed to be the world’s last operating example of a C-6 Kahlenberg oil engine. The rare C-6 was the largest model produced by Kahlenberg, a top builder of workboat engines on the Lakes for many years. The *McKay* was joined in 2004 by the last steam-powered “G-tug”, the *Q.A. Gillmore*. Earlier this year, we also acquired the 1892-vintage *Islay*, originally built as the yard tug for Alexander McDougall’s American Steel Barge Company yard (builders of the famed “whaleback” vessels), and the classic 1929-vintage Great Lakes fish tug *Jane*.

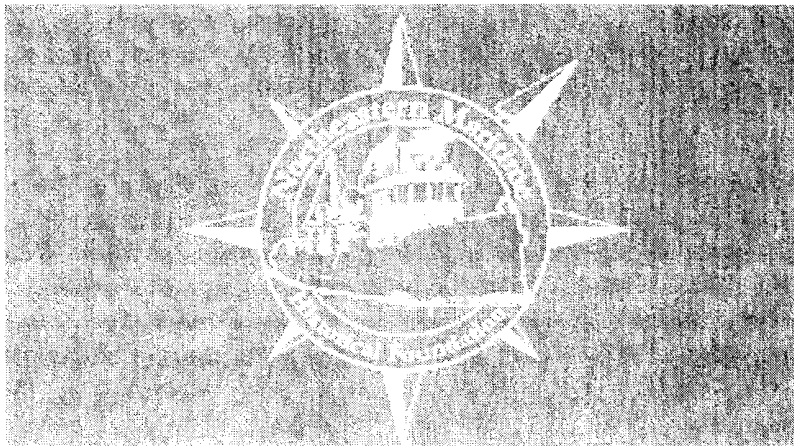
The Northeastern Maritime Historical Foundation is headquartered in Superior, Wisconsin. In addition to our preservation and restoration efforts, we are working closely with the community by volunteering lectures at local schools, aimed at expanding awareness of the great historical aspects that surround us in the port we live in. Educational programs are also in place for youth groups who wish to visit our vessels in person, taking tours, learning about the history of the vessels and piers and discovering the lost arts of operating the engines and throwing lines through supervised, hands-on experiences.

The Foundation is a Wisconsin non-stock, 501(c)(3) nonprofit corporation. The officers and board of directors consist entirely of industry professionals and marine historians, who are familiar with the industry in every aspect, and share the common love for our rich maritime heritage. A major component of the Foundation’s mission is to share its knowledge, through the archives, museum collection and member experiences, with those who are interested, and give the younger generation a chance to learn what it was like to operate vessels from our past.

The Foundation's members are proud of the accomplishments as we enter into our third year. Some of the highlights include:

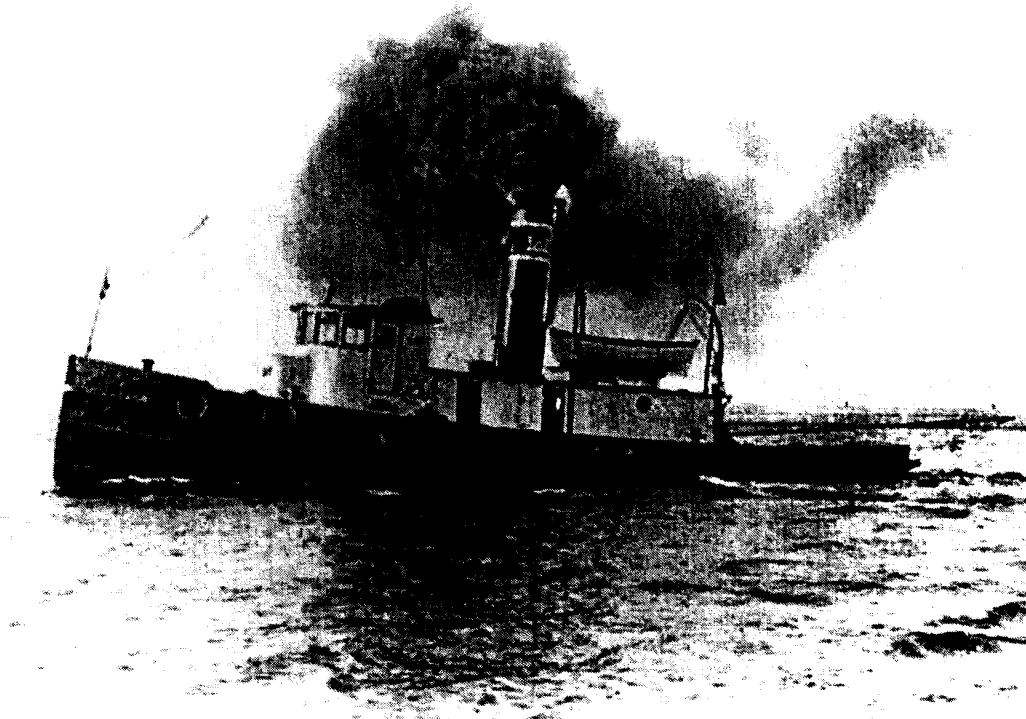
1. Achieved financial self-sufficiency in our first year, with our complete budget covered using funds generated by the museum.
2. Acquired former U.S. Coast Guard cutter *Snohomish* WYTM-98, a well-known ocean-going tug that served for over half a century in daring rescue missions and ice breaking services.
3. Acquired the last remaining steam G-tug, the *Q. A. Gillmore*.
4. Contributed more than \$10,500 towards other organizations and restoration projects that we felt were important to support.
5. Developed a series of educational and community outreach programs, with several successful visits by area youth groups, to tour the tug *Mount McKay*.
6. Established an extensive archive of historical records for the accurate recording of vessel histories, particularly tugboats.
7. Contributed the 180-foot buoy tender *WLB-403 Spar* and the 120-foot tugboat *Titan* to the North Carolina artificial reef program. Although neither vessel was a candidate for preservation afloat (both were donated for fundraising purposes only), as artificial reefs they will continue to serve as a habitat for marine life and an attraction for sport divers for decades to come.
8. Established a vessel brokerage service to connect third-party buyers and sellers on a commission basis, in support of the Foundation's fundraising activities.

Without a group such as the Northeastern Maritime Historical Foundation, a great deal of maritime history would go unrecorded, and the historic vessels we seek to preserve might be forever lost.



The Museum Collection

Fifty years ago, America's railroads went through a period of transition, as steam locomotives were quickly dying out in favor of the efficiency of the diesel, and entire "scrap trains" of retired steamers were heading off to the breaking yards. Few thought to save them earlier than that period, because they were a common sight. Today we are at that same "end of an era" in the marine industry, with single-screw tugboats, Great Lakes commercial fishing vessels, and steam-powered freighters all rapidly approaching extinction. It is a goal of the Foundation to include representatives of these endangered vessel types in our museum collection. The selection of museum candidates is based upon a number of characteristics; for example, a vessel may be of interest as the first of her kind, last of her kind, a particularly rare specimen, or an excellent example of a once-common class.

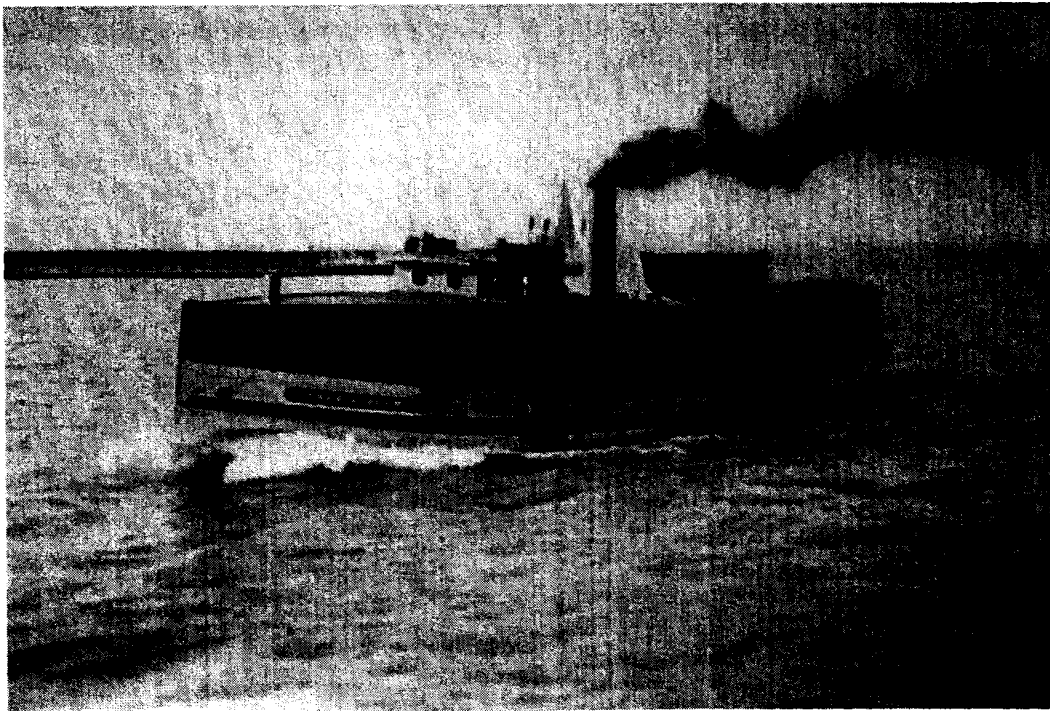


Tug MOUNT MCKAY in the days of steam on Lake Superior.

Currently, the Foundation has the one of the world's largest museum collections of historic tugboats. We have also developed an "adopt a ship" program, in which historically significant vessels are donated to the Foundation while still in service, in order to secure their preservation and maintain their historical integrity upon retirement.

Typically, a retired ship will go through a period of extended lay-up while her fate is decided. During this time in limbo, the vessel's condition will deteriorate, and valuable artifacts will often go missing, sometimes to the point that preservation is no longer feasible. Our "adopt a ship" program is designed to eliminate this period of uncertainty, allowing vessels to be restored at significantly lower cost and with greater authenticity, and in some cases preventing historically important vessels from being lost completely.

Several owners of historic craft have chosen us to take ownership of their vessel upon retirement, recognizing the Foundation as one of the more ambitious and growing maritime preservation groups in the region.



Commercial fishing vessels have been a focus for the Foundation.

Major vessel restorations on the larger boats will be completed in Duluth, Minnesota. "Messy" jobs such as sandblasting, painting, steel work, cleaning bilges and fuel tanks will all be completed at the Duluth facility, which is well-equipped to handle this type of work in a safe and environmentally-friendly manner. Once a boat is made presentable, it would then come home to its permanent berth at the new museum site. Ongoing restoration and maintenance work will continue at the new facility in order to keep the fleet in pristine condition.

The Museum Site

As a future home for this historic collection, the Foundation has sought out several complete shoreside dock loading/unloading facility unique to the industry. Docks with structures such as grain elevators, warehouses, ore docks, or former shipyards are being considered. A facility such as this would provide ample dockage to moor the display vessels and nearly endless interior space for public displays, archives, and museum offices.

We feel it is an important step in historic preservation to save not only paper records and a few important vessels, but a complete cross-section of the industry, including an entire historic dock facility that is unique to the Northeast region, particularly the Great Lakes.

Currently there is no such a museum on the Great Lakes, and it is likely that few in the world could compare to such an elaborate gallery of historic vessels and maritime artifacts in the historically appropriate setting of an impressive dock structure.



Ashland, Wisconsin, 1999.

The Ashland Soo Line No. 2 Ore Dock

One of the primary candidates for the new museum site is the Soo Line Ore Dock in Ashland, Wisconsin. Located in beautiful surroundings in the cold fresh water of Lake Superior, the Ore Dock is a perfect environment for preservation of historic vessels.

While the boats will be a major component of the exhibit, an equally important part of the tour would be the Ore Dock itself. This would give people a chance to see, up close, a world that most have never experienced: to look down at a huge freighter from on top of a gravity ore loading facility, unique to Lake Superior. To walk its cat walks and crawl inside its cavernous bins. To look out at a whole marina of historic workboats, across to Ashland's picturesque downtown area, and the beautiful shoreline of Lake Superior's Chequamegon Bay. It is a view like none other, and one that should be made public, for the first time in the history of the Ore Docks.

The Ashland No. 2 Ore Dock is one of only 13 such docks left on the Great Lakes. Only four are still active and most of the retired docks are in very poor condition. Structurally, the Ashland dock is said to be in better condition than some of those still in service. The dock had undergone major upgrades to its underwater footings and topside only a few years prior to its unexpected closing in the mid-1960's.

Our intentions for the Ashland dock would be to preserve its integrity as an Ore Dock and not strip it of its rigging or tear it down, as other plans had called for. The dock would undergo a major overhaul, stabilizing it and making it safe for public use. The first steps in this process would be as follows:

1. Dismantle the wooden approach and steel supports from the south side of Highway 2 up to, but not including, the first steel column support before the concrete dock begins. That final steel support and last portion of wooden approach would be kept in its original state.
2. Encapsulate areas of deteriorating concrete on the dock itself. The worst of this is at the base of the portion, which crosses over the lakefront trail. The majority of the dock beyond that is in decent condition and needs very little attention.
3. Secure the chutes and rigging that are in danger of breaking loose due to rust and corrosion.
4. Remove iron ore, vegetation, and wood plank decking from upper level of dock and restore drainage, preventing additional damage to the concrete.
5. Install handrails down both sides of the dock and proper mooring bitts for the museum vessels.
6. Restore utilities to the dock and lighting the structure once again, including lights on top and down the walkways; a scaled down version of the work lights it once had.

Only the rear half of the dock would be made accessible, during this first stage of restoration. However, the entire topside would be cleaned off to prevent any more debris falling on the boats, in the water, or on walkways.

A replica of the Ore Dock office would be built on shore, on one side of the wooden approach. This would serve as the museum office and starting point of the tour. A tunnel would connect that building, through the wooden approach, out onto the ore dock, at the level of the horizontal supports below the bin floors. The bins will act as a natural ceiling to the indoor portion of the museum. Housed in and climate controlled, this exhibit area would be designed to be practically invisible from the outside, to avoid disturbing the appearance of the Ore Dock itself. From that level, an elevator would take people to the top deck, where a small portion would be made safe for public access, with the bins decked over, tripping hazards removed, and safety rails and mesh installed around all the edges.

Back on the middle level, an elevator would then take visitors down to the dock level, where they can walk along the facing, to view the museum vessels up close. Some will be open for tours and the exhibits will rotate from year to year. The center of the Ore Dock would be left open. This area would be accessible by museum vehicles. The space could be used for large exhibits such as small craft that are better preserved ashore. This area would also be a place for our collection of historic marine engines. The Foundation has what might be the largest collection of preserved Kahlenberg oil engines in the world; an engine that was once the primary means of propulsion for the local fishing fleet.

A small steamboat might be made operable; to take visitors on a short ride out in the bay to view the facility and the city from the water. Some of the larger museum vessels will also be restored to operating condition for special events or charters. We will keep some of them functioning and be made available for commercial service, pushing Steam Harbor back in time to an era of the living, breathing, working harbor that Ashland once was.

While this project is a huge undertaking, we feel very confident in our ability to make it happen and have the facility made safe for public use once again.



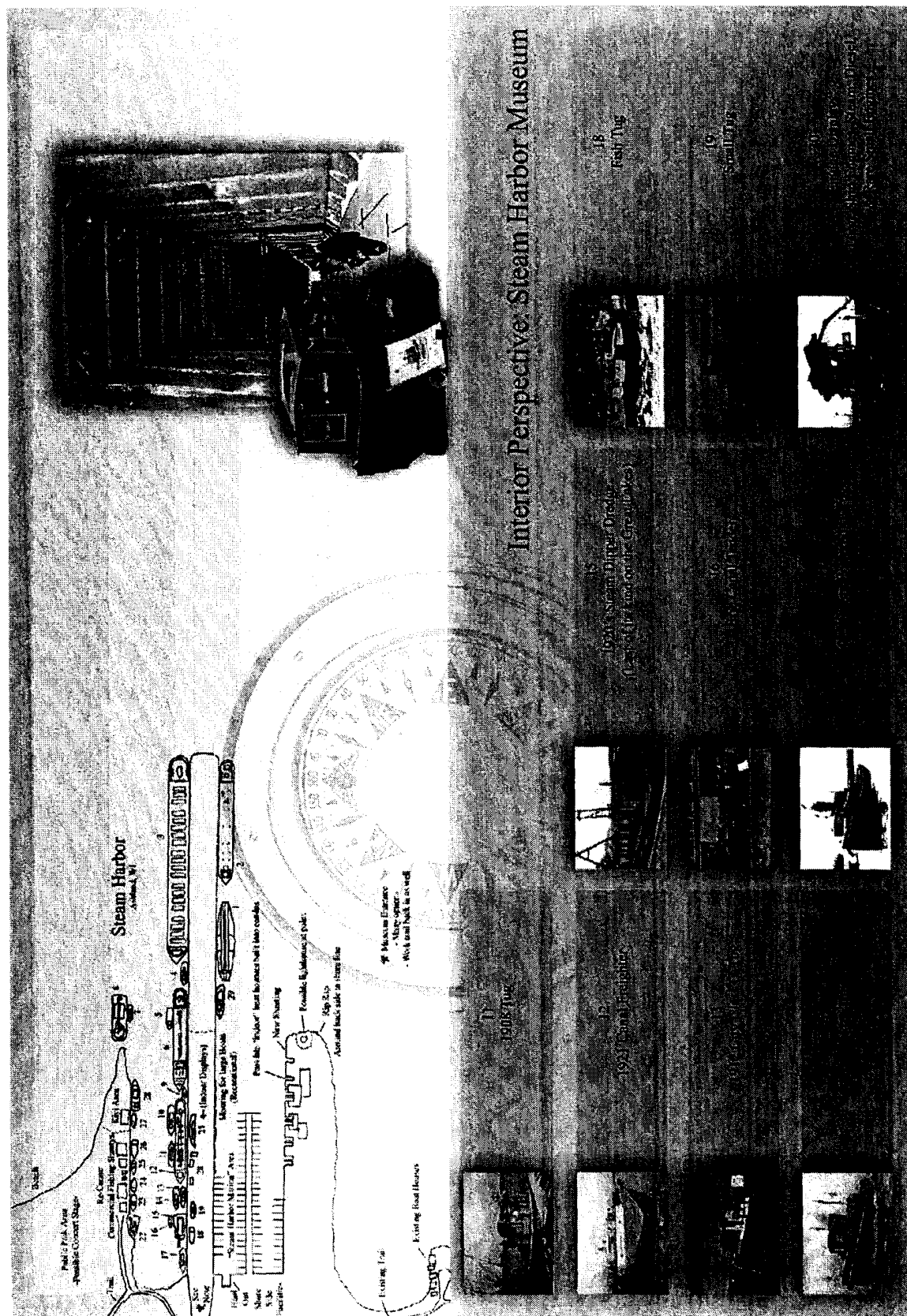
The Ore Dock as it exists today.

Ashland Soo Line No. 2 Ore Dock – Conceptual Plans



A historic fish shanty village will be an educational tool about Chequamegon Bay's commercial fishing industry.

Ashland Soo Line No. 2 Ore Dock – Conceptual Plans



The vast interior space of the structure would be utilized as exhibit space.



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U.S. Legal Affairs

Michael J. Barron
Counsel

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Homewood, Illinois 60430

T 708-332-3954
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michael.barron@cn.ca

March 3, 2005

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 David:

Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon a line of railroad known as the Ashland Ore Dock line segment, starting from a point of switch off WCL's main line through Ashland at MP 434.49 and extending 5,160 feet to the end of WCL's Ashland Ore Dock 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 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.

Exhibit C



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U.S. Legal Affairs

Michael J. Barron
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Homewood, Illinois 60430

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michael.barron@cn.ca

March 3, 2005

Ms. Brea R. Lemke
Zoning Administrator/Planning Specialist
Ashland Wisconsin
City Hall
601 Main Street West
Ashland, WI 54806

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

Dear Ms. Lemke:

Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon a line of railroad known as the Ashland Ore Dock line segment, starting from a point of switch off WCL's main line through Ashland at MP 434.49 and extending 5,160 feet to the end of WCL's Ashland Ore Dock 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.



Wisconsin Department of Transportation

www.dot.wisconsin.gov

Jim Doyle
Governor

Frank J. Busalacchi
Secretary

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

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

April 5, 2004

Michael J. Barron, Jr.
Counsel
Wisconsin Central Ltd.
17641 South Ashland Avenue
Homewood, IL 60430

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

Dear Mr. Barron,

At your request, we have reviewed the environmental effects of the proposed abandonment of a line railroad known as the Ashland Ore Dock line segment, starting from a point of a switch off WCL's main line through Ashland at MP 434.49 and extending 5,160 feet to the end of WCL's Ashland Ore dock in Ashland, Ashland County, 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, 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.

Before crossings are removed across other streets and roadways, the railroad must contact the maintaining authority to coordinate work with them.

It is our understanding that there are 4 substantial overhead structures that will require removal and clean up. We are very concerned that adequate plans do not exist for the removal and clean up. WCL's proposal to transfer the property to a third party does not resolve the potential environmental issues. Other agencies are concerned about the removal of the underwater foundations of the ore dock in Lake Superior, other contaminants and the required clean-up. This is not the usual abandonment and will require a more detailed analysis to satisfy current concerns.

The Department also has plans to widen USH 2 in that area and will need work with WCL on this project.

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

Sincerely,



Allyn Lepeska
Attorney

pc: Vicki Schaefer
Anna Davey
Richard Steffes

Ashland Soo Line No. 2 Ore Dock – Conceptual Plans



A wide variety of commercial vessels will be displayed.

Estimated Costs of Stabilization and Restoration

The estimated costs below were generated by the Foundation's studies, inspections and estimates received during the spring of 2004. Since that time, fuel prices have increased substantially and the value of P&S scrap steel has greatly decreased. These, and other factors, will affect the costs of restoration and it is our position that if an agreement on the property is reached and closing nears, interested parties may want to perform their own cost analysis in these areas, if necessary.

Project Detail:

Estimated Cost:

Phase 1, Stabilization

- Encapsulate concrete portions of the dock that are deteriorating	\$250,000
- Replace steel stairs	8,865
- Repair middle level walkways (needed to perform other work)	42,000
- Secure chutes that are in danger of breaking loose	64,000
- Remove wooden upper level decking that is in danger of falling	46,000
- Dismantle a portion of the wooden approach	67,000
- Remove steel bridges in approach	20,000
Total cost of phase	\$497,865

Phase 2, Safety

- Install hand rails down the sides	152,000
- Prepare safe walkway (leveling, concrete fill, etc)	28,400
- Blasting and painting of certain needed areas	22,855
- Build new entrance gate at dock front	16,000
- Run electrical utilities out onto dock	43,740
- Install proper lighting on dock	62,000
Total cost of phase	\$324,995

Phase 3, Lower Level Access

- Install proper mooring bitts for smaller vessels	\$22,000
- Repair large existing mooring bitts	13,000
- Recap portions of the dock facing that are in need of repair	80,000
- Install stairways and hand rails on the inside for parking area access	9,500
- Fill in 'moon pools' on outer half of dock	45,000
- Complete hand rails the full length of dock	146,000
- Prepare road bed inside dock for parking in front half	20,000
- Remove vegetation from dock at main level	3,600
- Hang proper fendering for vessels	32,480
Total cost of phase	\$371,580

Phase 4, Hillside

- Grade out parking areas and pave as needed	\$18,000
- Construction of lot fencing and roadways	30,000
- Build sidewalks and entrance through approach	10,000
- Landscaping	39,000
- Construction of display plaques near dock on trail	8,000
- Sign on main highway	15,000
Total cost of phase	\$120,000

Phase 5, Upper Level Access

- Replace deteriorating wooden decking	\$175,000
- Repair and add fencing to hand rails	40,000
- Bring utilities to upper level	44,375
- Install proper lighting on upper and intermediate levels	69,414
- Construction of an industrial elevator	96,768
- Deck over some of the pockets	220,000
Total cost of phase	\$645,557

Phase 6, Docking for Museum Vessels

- Sheet piling across front	\$15,000
- "Finger piers" for tugboat display	26,000
- Install shore-power connections	4,800
- Install fendering and bitts	5,000
- Hand rails and utilities	4,762
- Display plaques	6,500
Total cost of phase	\$62,062

Phase 7, Museum Office

- Construction of main office	\$180,000
- Interior finishing	255,000
- Display materials	60,000
Total cost of phase	\$495,000

General Costs

- Administration	\$250,000
- Insurance	49,956
- Advertising	12,000
Total cost	\$311,956

Total cost of project	\$2,829,015
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Funding

Since the Foundation's formation, it has remained financially stable. Each year, as we take on ever-larger projects, we have never had a problem keeping up with the increased demand for funding.

Our major source of funding comes from using the Foundation's own vessels. Some vessels are kept in operable condition and chartered out for commercial service, providing a steady income for the Foundation. Other monies have been generated by contributing non-historic vessels to state-sponsored artificial reef programs. These boats, which have been donated to the Foundation with the understanding that they will only be used for fundraising purposes, are stripped of all usable parts, towed offshore and scuttled, as a benefit to fish habitat and sport diving. All of the salvaged machinery is sold for reuse.

A vessel brokerage service has been established using the Foundation's website. With industry contacts around the world, we have been successful in connecting buyers and sellers of vintage floating equipment, with commission from these sales going towards the preservation of the museum fleet.

For the Ore Dock project, the funding for Phase 1 and Phase 2 of the restoration has already been arranged. Final stages will be funded through private funding and grants, as well as the usual income from the Foundation's ongoing sources and fundraising programs.

Timeline

The first two stages of restoration will be completed within one year of transfer of ownership to the Foundation. The dock would be made safe for public access at that point.

As funding is arranged, the final phases of restoration and improvements to the property will be completed. We expect to complete one phase per year. Our goal is to have all seven phases of restoration, including the majority of cosmetic vessel restorations, completed for the Ore Dock's 100th birthday, in 2016.

Public Use

We feel the Ashland Ore Dock should be made available for public use. An example of every area of the structure and dock would be restored and made safe for touring. Safety is our primary concern with the Ashland Ore Dock property. Like any industrial setting, an Ore Dock can be a dangerous place, with tripping hazards, falling debris, and sharp edges, and should not be taken lightly for those who are timid with heights or dark, scary places. However, dangerous places and activities can always be made safe, and the Ore Dock is no exception. The first two phases of restoration cover a detailed plan for the stabilization and safety refit of the structure. Funding for those two phases has already been arranged.

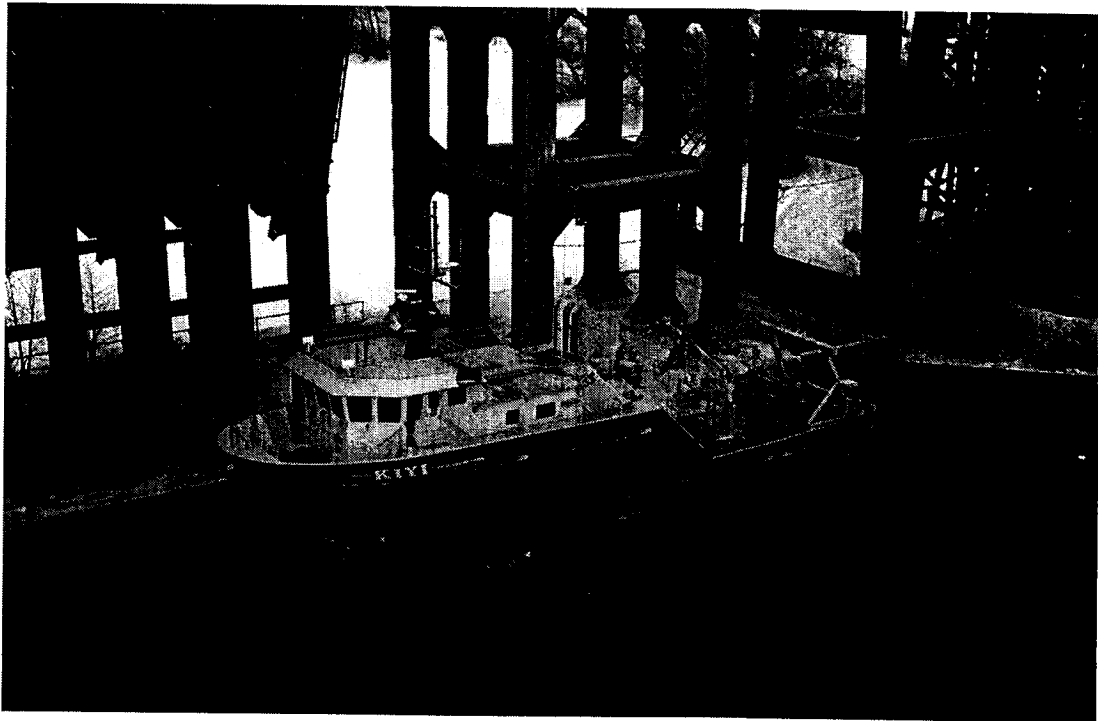
Every effort will be made to ensure the safety of the public when visiting and touring the Ore Dock and museum vessels.

The current waterfront trail will be incorporated into our plan for use of the dock property. We would like the trail to stay as close to the water and the dock facility as possible, allowing the public to enjoy the view of the boats and structure without having to take a paid tour.

We would like to build and display plaques along that section of the trail, pointing out historic aspects of the property as the visitors walk past. A general history of the Ore Dock, the ruins of the old No. 1 Ore Dock, and the local shipping and fishing industries would be areas covered on those plaques.

The *Kiyi*

The *Kiyi* is an important vessel to many in the community and we feel the same way. An actively working vessel arriving and departing from the Ore Dock slip adds excitement for those visiting the site. Initial meetings have placed the *Kiyi* on the west side of the Ore Dock slip. We would like to share a portion of that side, the rear of the slip and approximately 80-feet of the west side to be lined with sheet piling. In that area, we would like to build replica commercial fishing shanties, which could be used as shops or additional museum buildings. The waterfront trail would pass right through this area. Our museum fish tugs would be moored in this area, creating an authentic fishing village, linking the proposed *Kiyi* facility into the Ore Dock complex. Under Foundation ownership of the Ore Dock, the *Kiyi* will always have first rights to a berth at the dock.



KIYI working from the east side of the Ore Dock slip.

Alternate Plans

A concern that has been brought up in initial meetings regarding this project is the question of “What if the project fails?” Taking the Foundation’s plan for restoration and museum use of the property out of the picture, the Ore Dock would still have value to the community as a pier.

As stated above, initial survey and plans from the c.1960 rehab, the dock base is in very solid condition. We believe the dock base itself is worth saving, even after removal of the structure resting on it. The base serves as a breakwall for seas along the shoreline (erosion control) and would provide endless dock space for large visiting vessels, the *Kiyi*, a community fishing pier, or a basis for construction of a marina.

Dismantling the upper Ore Dock structure would generate roughly \$750,000 in scrap steel in today’s market, which has just taken a substantial drop. The remaining copper wiring also has a high value in the scrap market. With topside access limited at this point, the quantity of wiring is unknown.

A small amount of glass, wooden debris, and other items would be hauled away as trash. The remaining concrete structure can be cut down in sections, and hauled, perhaps by barge, to Duluth for processing. Concrete can be pulverized and reused in many applications, such as gravel. Steel rebar would also be recovered for scrap.

Dismantling the upper works in this fashion and leaving the dock base for reuse is a very cost effective way to eliminate the liability of a deteriorating structure. It is also the best alternative to restoration. In the unlikely event that our project should fail, this is the route we would take, with approval from the City and concerned parties.

Estimates for complete removal of the Ore Dock and restoration of the lakebed, including the removal of all debris and pilings, are said to be as high as \$30 million. Dismantling the upper structure and saving the dock base for reuse is estimated to be no more than \$5.5 million gross, excluding the profits from scrap and other resalable materials.

Conclusion

Ashland's Soo Line No. 2 Ore Dock is one of the last reminders of Ashland's commercial and industrial past. Located on Lake Superior's Chequamegon Bay, Ashland was once a vibrant deep water harbor, with daily arrivals and departures of lumber, brownstone, coal, and iron ore. All of the dozen or more dock facilities that once existed along the waterfront are long-gone, except one, the Soo Line No. 2 Ore Dock. Unfortunately the Ore Dock has not improved with age, and it is nearing the turning point where something must be done either to preserve it or dismantle it before it becomes an even greater liability.

We believe this property would form an excellent basis for a world-class maritime heritage center, and we feel that it should be preserved in this manner. Working with the City and the community, the Northeastern Maritime Historical Foundation would be honored to take such an important role in the revitalization of Ashland's waterfront, and bringing this amazing piece of regional history back to life.

Respectfully submitted for public record, August 15, 2005.

Contact Information:

Northeastern Maritime Historical Foundation, Inc.

P.O. Box 16687

Duluth, MN 55816-0687

www.NortheasternMaritime.org

Franz VonRiedel, President

Phone: 218-341-9242

Email: Franz@NortheasternMaritime.org

Richard Jenkins, Director

Email: Richard@NortheasternMaritime.org

PLAN 170
Abandoning Rail Line from point of switch at MP 434.49,
extending 5,160 feet to end of Ashland Ore Dock

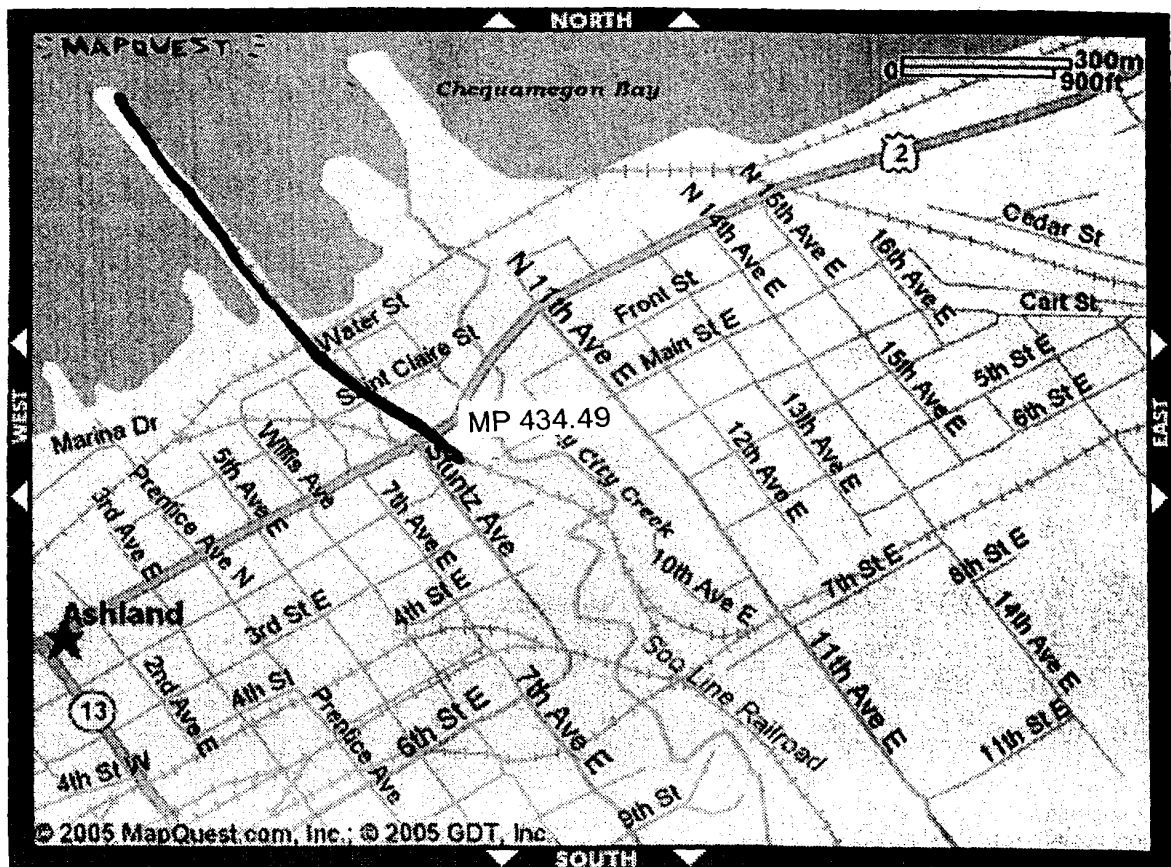


Exhibit A



www.cn.ca

U.S. Legal Affairs

Michael J. Barron
Counsel

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March 3, 2005

Mr. Allyn Lepeska
Office of General Counsel
Wisconsin Department of Transportation
4802 Sheboygan Avenue, Room 115B
P.O. Box 7910
Madison, WI 53707-7910

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

Dear Allyn:

Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon a line of railroad known as the Ashland Ore Dock line segment, starting from a point of switch off WCL's main line through Ashland at MP 434.49 and extending 5,160 feet to the end of WCL's Ashland Ore Dock 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;
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5. Critical habitats;
6. Wildlife sanctuaries or refuges;
7. National or state parks or forests;
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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,

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

Encl.

Exhibit B



Ashland

WISCONSIN

March 23, 2005

Surface Transportation Board
1925 K Street, NW
Washington, DC 20423-0001

RE: Response to CN's Notice of Soo Line Ore Dock Abandonment, Ashland, Wisconsin.

Dear Surface Transportation Board,

I am writing in response to Canadian National's (CN's) notice of abandonment of the Historic Soo Line Ore Dock in Ashland, Wisconsin. On behalf of the City of Ashland we have numerous concerns about CN's intent to abandon the Ore Dock.

D) Standing Objection to Abandonment

The City of Ashland's primary concern is the uncertainty around future reuse of the ore dock. We have had initial discussions with the Northeastern Historical Maritime Foundation and look favorable upon their initial thoughts about reuse. However, until the City of Ashland has the opportunity to review a business plan, architectural renderings, documentation indicating the financial abilities of the Foundation, and other plans for the ore dock's reuse, the City is filing a standing objection to the abandonment.

Additionally, it has been brought to our attention that the Wisconsin Department of Natural Resources (WiDNR) has parallel concerns to those of the City of Ashland regarding the financial responsibility of a prospective owner of the ore dock.

The WiDNR will compel removal of the ore dock by the railroad upon abandonment by the railroad (Wisconsin Statute 190.08). The railroad would not be permitted to abandon the ore dock and avoid the responsibility to remove the ore dock unless adequate arrangements are made for a successor's ownership and use of the ore dock.

The WiDNR will also compel the posting of a bond for security for the maintenance and possible removal of the ore dock to protect the State from the liability for dealing with the ore dock in the event that the successor owner is unsuccessful in its venture or is unable to provide perpetual care for the ore dock (Wisconsin Statute 30.12). The WiDNR requires that a permit be issued to a successor owner for a permitted use of the ore dock, and that as one of the conditions of ownership and use of the ore dock the DNR would impose a bonding requirement to substantiate financial responsibility for maintenance and possible removal of the ore dock in the future.



II) Delinquent Taxes owed to Ashland County

Ashland County has notified the City that back taxes are owed on the ore dock and adjacent properties. Ashland County has indicated that they have sent notice of these taxes, however, we are again addressing the issue so that it is not overlooked.

III) Other Concerns to be addressed before Future Reuse

If at some point the City of Ashland withdraws our standing objection to the abandonment of the ore dock, there are several other concerns that must be address. These concerns are as follows:

A) Compatibility with the Kiyi

Abandonment and any future reuse will need to be compatible with the location and daily operations of the USGS's research vessel, the Kiyi.

B) Location in the Lake Bed

The Soo Line Ore Dock is located in the lake bed of Lake Superior which has strict limitations on the future reuse of the structure. The State of Wisconsin's Public Trust Doctrine indicates that allowable uses of lands/waters in lake bed are restricted to marina or public recreation.

C) Floodplain

The Ore Dock is located in the 100-year floodplain. Copies of FEMA Floodplain maps of this area of enclosed.

D) Future Land Use Plan

The City of Ashland adopted a Comprehensive Plan in October 2004. The Future Land Use Plan in this document identifies future land uses in this area to be Planned Waterfront. The Comprehensive Plan states that, "the overall goal for the planned waterfront area is to promote water-oriented uses, including parks and limited commercial and residential uses, which respect and capitalize on the value of the waterfront."

E) Ashland Waterfront Trail

The City of Ashland's Waterfront Trail currently runs under the Soo Line Ore Dock. Any future reuse plans of the ore dock will be required to incorporate the Waterfront Trail and maintain its location adjacent to the Lake Superior shoreline through the addition of a trail easement in the properties' deeds.

F) City of Ashland Historic Structure

The Soo Line Ore Dock has been designated and is currently listed as a Historic Structure with the City of Ashland. Any structural changes will be required by City Ordinances to successfully obtain a Certificate of Appropriateness before



construction begins. The City of Ashland's Historic Preservation Commission is tasked with reviewing and approving this permit.

G) Eligibility for National Register of Historic Structures

The Soo Line Ore Dock is considered National Register-eligible as a linear historic district under Criterion "A" for their role in helping to develop and facilitate Ashland's association with the regionally prominent iron ore and shipping industries. The City of Ashland's 2001 Historical Architectural Resources Survey indicated:

The most important extant resource associated with industry in Ashland is thought to be the 1916-1917 Wisconsin Central Railroad (later Soo Line) ore dock and the associate wooden railroad trestle that extends to the south, as well as the single span bridge that is a component of the latter. The trestle provides access to the ore dock that extends into Lake Superior.

H) Community Input

The Soo Line Ore Dock is an integral part of the strong sense of place held by everyone in Ashland's community. In fact the mascot for Ashland High School is the ore dock and the teams are nicknamed the "oredockers". Any future reuse plans will be required to be presented to the public for comments and concerns.

The City of Ashland would like to continue working with Canadian National and the Northeast Maritime Foundation on the future reuse of the Historic Soo Line Ore Dock, however at this time we have concerns about specific reuse plans and their feasibility. Until we have been presented with and review all information on any plans, we will continue to hold a standing objection to the abandonment.

The City of Ashland must be held accountable to its citizens and therefore cannot afford to allow a multi-million dollar project fall into a state of disrepair which would require the City, County, or State to be responsible for maintenance and/or demolition of the structure. This accountability requires us to carefully analyze and scrutinize projects so that the best interests of our tax payers are kept in mind. We believe that the initial concepts of this project are in the best interest of Ashland's community, but we will continue to carefully analyze this project to reach assurance into its feasibility and long-term well-being.



Ashland

WISCONSIN

If there are any questions or concerns that we may be able to assist with, please contact us.

Sincerely,

Brea R. Lemke, AICP
Zoning Administrator/ Planning Specialist

Phone: 715.682.7041

Email: BLemke@coawi.org

cc: Michael Barron, CN, 17641 South Ashland Ave, Homewood, IL 60430
Paul LaDue, CN, 17641 South Ashland Ave, Homewood, IL 60430
Franz VonRiedel, Northeastern Historical Maritime Foundation
City of Ashland Development Review Committee
Mayor Schnook
City Council
Planning Commission
Historic Preservation Commission
Tom Kieweg, Ashland County, 201 W Main St, Ashland, WI 54806
Jane Silberstein, UWEX, 201 W Main St, Ashland, WI 54806
Anna Davey, WiDOT, 1701 N 4th St, Superior, WI 54880
Duane Lahti, WiDNR, 1401 Tower Avenue, Superior WI 54880



WWW.CN.CA

U.S. Legal Affairs

Michael J. Barron
Counsel

17641 South Ashland Avenue
Homewood, Illinois 60430

T 708-332-3954
F 708-332-4361
michael.barron@cn.ca

March 3, 2005

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 a line of railroad known as the Ashland Ore Dock line segment, starting from a point of switch off WCL's main line through Ashland at MP 434.49 and extending 5,160 feet to the end of WCL's Ashland Ore Dock 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 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.

Exhibit D



www.wcl.ca

U.S. Legal Affairs

Michael J. Barron
Counsel

17641 South Ashland Avenue
Homewood, Illinois 60430

T 708-332-3954
F 708-332-4361
michael.barron@cn.ca

March 3, 2005

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 a line of railroad known as the Ashland Ore Dock line segment, starting from a point of switch off WCL's main line through Ashland at MP 434.49 and extending 5,160 feet to the end of WCL's Ashland Ore Dock 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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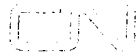
Thank you for your assistance.

Very truly yours,

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

Encl.

Exhibit E



www.cn.ca

U.S. Legal Affairs

Michael J. Barron
Counsel

17641 South Ashland Avenue
Homewood, Illinois 60430

T 708-332-3954
F 708-332-4361
michael.barron@cn.ca

March 3, 2005

Ms. Jane Silberstein
Community Resource Development Agent
UW Extension
Ashland Co. Extension Office
201 W. Main St, Courthouse, Room 107
Ashland, WI 54806-1652

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

Dear Ms. Silberstein

Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon a line of railroad known as the Ashland Ore Dock line segment, starting from a point of switch off WCL's main line through Ashland at MP 434.49 and extending 5,160 feet to the end of WCL's Ashland Ore Dock 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.

Exhibit F



www.cn.ca

U.S. Legal Affairs

Michael J. Barron
Counsel

17641 South Ashland Avenue
Homewood, Illinois 60430

T 708-332-3954
F 708-332-4361
michael.barron@cn.ca

March 3, 2005

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 a line of railroad known as the Ashland Ore Dock line segment, starting from a point of switch off WCL's main line through Ashland at MP 434.49 and extending 5,160 feet to the end of WCL's Ashland Ore Dock 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

Exhibit G



www.cn.ca

U.S. Legal Affairs

Michael J. Barron
Counsel

17641 South Ashland Avenue
Homewood, Illinois 60430

T 708-332-3954
F 708-332-4361
michael.barron@cn.ca

March 14, 2005

Ms. Patricia S. Leavenworth
State Conservationist
USDA Natural Resources Conservation Service
8030 Excelsior Drive
Suite 100
Madison, WI 53717

Re: Proposed Abandonment in Ashland and Forest Counties

Dear Ms. Leavenworth:

The following enclosed letters were sent to an old address and came back. So we are sending them again to your current address.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Michael J. Barron, Jr.', is written above the typed name.

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

Enclosures (2)



www.cn.ca

U.S. Legal Affairs

Michael J. Barron
Counsel

17641 South Ashland Avenue
Homewood, Illinois 60430

T 708-332-3954
F 708-332-4361
michael.barron@cn.ca

March 3, 2005

Mr. Michael Friis
Manager
Wisconsin Department of Administration
101 East Wilson Street, 10th Floor
P.O. Box 8944
Madison, WI 53708-8944

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

Dear Michael:

Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon a line of railroad known as the Ashland Ore Dock line segment, starting from a point of switch off WCL's main line through Ashland at MP 434.49 and extending 5,160 feet to the end of WCL's Ashland Ore Dock 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.

Exhibit H



**WISCONSIN DEPARTMENT OF
ADMINISTRATION**

JIM DOYLE
GOVERNOR

MARC J. MAROTTA
SECRETARY

Division of Intergovernmental Relations
101 East Wilson Street, 10th Floor
Post Office Box 8944
Madison, WI 53708-8944
Voice (608) 266-0288
Fax (608) 267-6917 TTY (608) 267-9629

March 15, 2005

Mr. Michael J. Barron, Jr.
Counsel for Wisconsin Central Ltd.
17641 South Ashland Avenue
Homewood, IL 60430

RE: Wisconsin Central Ltd. Proposed Abandonment in Ashland County, Wisconsin

Dear Mr. Barron:

Thank you for notifying the Wisconsin Coastal Management Program (WCMP) of the proposed abandonment of the Ashland Ore Dock line segment in Ashland, Wisconsin. The WCMP waives its right to review the project for federal consistency.

This does not exempt the proposed project from requiring any other necessary state or local permits or authorizations. If you should have any questions, please feel free to contact me at (608) 267-7988.

Sincerely,

Kathleen Knavel
Program and Planning Analyst
Wisconsin Coastal Management Program

Cc: Michael Friis, Program Manager
Wisconsin Coastal Management Program



www.cn.ca

U.S. Legal Affairs

Michael J. Barron
Counsel

17641 South Ashland Avenue
Homewood, Illinois 60430

T 708-332-3954
F 708-332-4361
michael.barron@cn.ca

March 3, 2005

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 a line of railroad known as the Ashland Ore Dock line segment, starting from a point of switch off WCL's main line through Ashland at MP 434.49 and extending 5,160 feet to the end of WCL's Ashland Ore Dock 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.

Exhibit I



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

MAR 31 2005

REPLY TO THE ATTENTION OF:
B-19J

Michael J. Barron, Jr.
Counsel for Wisconsin Central Ltd.
17641 South Ashland Avenue
Homewood, Illinois 60430

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

Dear Mr. Barron:

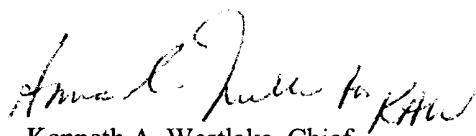
The U.S. Environmental Protection Agency (U.S. EPA) received a letter dated March 3, 2005 concerning a proposed abandonment of 5,160 feet of rail line known as the Ashland Ore Dock line segment located in Ashland County, Wisconsin. Our comments in this letter are provided pursuant to the National Environmental 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 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 also address: the ultimate disposition of rails and crossties, removal of all other waste or debris on the corridor, erosion control measures, and the possibility of converting the corridor to an alternate use.

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,


Kenneth A. Westlake, Chief
NEPA Implementation Section

cc: David Navecky, Surface Transportation Board



www.cn.ca

U.S. Legal Affairs

Michael J. Barron
Counsel

17641 South Ashland Avenue
Homewood, Illinois 60430

T 708-332-3954
F 708-332-4361
michael.barron@cn.ca

March 3, 2005

Ms. Janet M. Smith
Field Supervisor
U.S. Dept. of Interior
Fish and Wildlife Service
2661 Scott Tower Drive
New Franken, WI 54229-9565

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 a line of railroad known as the Ashland Ore Dock line segment, starting from a point of switch off WCL's main line through Ashland at MP 434.49 and extending 5,160 feet to the end of WCL's Ashland Ore Dock 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.

Exhibit J



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

March 22, 2005

Mr. Michael J. Barron, Jr.
Canadian National Railroad
17641 South Ashland Avenue
Homewood, Illinois 60430

re: Proposed Railroad Abandonment
Wisconsin Central Limited
City of Ashland
Ashland County, Wisconsin

Dear Mr. Barron:

The U.S. Fish and Wildlife Service (Service) has received your letter dated March 3, 2005, requesting comments on the subject project. The project entails abandonment of 5,160 feet of Wisconsin Central Limited rail line at the Ashland Ore Dock in the City of Ashland, Ashland County, Wisconsin. Due to staff time constraints and priority work activities, we are able to review your project primarily for potential impacts to federally-listed threatened and endangered species and candidate species. 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. If stream or wetland impacts will occur, state or federal permits may be needed. 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 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 Species, Candidate Species, and Critical Habitat

According to our files, the following federally-listed threatened or endangered species, candidate species, or critical habitats occur in Ashland County:

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

endangered	piping plover	<u>Charadrius melodus</u>	sandy beaches; bare alluvial and dredge spoil islands
endangered	piping plover	<u>Charadrius melodus</u>	Critical habitat
endangered	gray wolf	<u>Canis lupus</u>	northern and central forested areas

In addition, the following species has been documented in Ashland County, but is not known to be resident or breeding within the county at this time:

<u>Classification</u>	<u>Common Name</u>	<u>Scientific Name</u>	<u>Habitat</u>
threatened	Canada lynx	<u>Lynx canadensis</u>	potential habitat

Currently, our records indicate that there are no federally-listed threatened or endangered species or critical habitat present at the project site. However, there may be state-listed species and/or federal or state species of concern in or near the project area, including species that may be protected under the Migratory Bird Treaty Act of 1918 (see Migratory Birds, below). In addition, 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 is also possible that critical habitat could be proposed or designated for a species. Therefore, if there is a time lag between plan completion and execution, 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 action. 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.

As this project involves a Federal activity (i.e., permits), the Surface Transportation Board (STB), 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 STB or its designated agent. If the proposed project may adversely affect federally-listed threatened or endangered species or adversely modify designated critical habitat, the STB 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.

Migratory Birds

There may be species which occur in or near the project area that are protected under the Migratory Bird Treaty Act of 1918, as amended (MBTA). Under the MBTA, it is unlawful to pursue, hunt, take, capture, kill, possess, sell, or transport any migratory bird, part, nest, egg or product, unless permitted to do so. If the proposed abandonment involves reclaiming tracks or other items in the area and may involve use of heavy machinery or other ground disturbance,

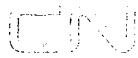
such actions should be evaluated for potential to disturb or displace nesting birds. If there is potential for disturbing nesting birds, we request that you contact this office and/or the Wisconsin Department of Natural Resources for further guidance on avoidance measures.

We appreciate the opportunity to respond. Questions pertaining to these comments can be directed to Ms. Leakhena Au at 920-866-1734.

Sincerely,

Janet M. Smith
Field Supervisor

cc: Wisconsin DNR, Northern Region, Spooner, WI, Attn: Ted Gostomski



www.cn.ca

U.S. Legal Affairs

Michael J. Barron
Counsel

17641 South Ashland Avenue
Homewood, Illinois 60430

T 708-332-3954
F 708-332-4361
michael.barron@cn.ca

March 3, 2005

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:

Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon a line of railroad known as the Ashland Ore Dock line segment, starting from a point of switch off WCL's main line through Ashland at MP 434.49 and extending 5,160 feet to the end of WCL's Ashland Ore Dock 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.

Exhibit K



WWW.CN.CA

U.S. Legal Affairs

Michael J. Barron
Counsel

17641 South Ashland Avenue
Homewood, Illinois 60430

T 708-332-3954
F 708-332-4361
michael.barron@cn.ca

March 3, 2005

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 a line of railroad known as the Ashland Ore Dock line segment, starting from a point of switch off WCL's main line through Ashland at MP 434.49 and extending 5,160 feet to the end of WCL's Ashland Ore Dock 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 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.

CONFIDENTIAL

WWW.CN.CS

U.S. Legal Affairs

Michael J. Barron
Counsel

17641 South Ashland Avenue
Homewood, Illinois 60430

T 708-332-3954
F 708-332-4361
michael.barron@cn.ca

March 3, 2005

Mr. John Spangberg
Water Management Specialist
Wisconsin Department of Natural Resources
2501 Golf Course Road
Ashland, WI 54806

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

Dear Mr. Spangberg:

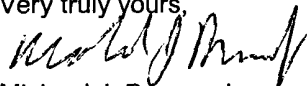
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Thank you for your assistance.

Very truly yours,



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

Encl.



www.wcl.ca

U.S. Legal Affairs

Michael J. Barron
Counsel

17641 South Ashland Avenue
Homewood, Illinois 60430

T 708-332-3954
F 708-332-4361
michael.barron@cn.ca

March 3, 2005

Mr. William L. Gantz
Environmental Review Coordinator - Northern Region
Wisconsin Department of Natural Resources
810 W. Maple Street
Spooner, WI 54801

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

Dear Mr. Gantz:

Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon a line of railroad known as the Ashland Ore Dock line segment, starting from a point of switch off WCL's main line through Ashland at MP 434.49 and extending 5,160 feet to the end of WCL's Ashland Ore Dock 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.



WWW.WCL.CC

U.S. Legal Affairs

Michael J. Barron
Counsel

17641 South Ashland Avenue
Homewood, Illinois 60430

T 708-332-3954
F 708-332-4361
michael.barron@cn.ca

March 3, 2005

Mr. Christopher A. Saari
Hydrogeologist
Wisconsin Department of Natural Resources
2501 Golf Course Road
Ashland, WI 54806

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

Dear Mr. Saari:

Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon a line of railroad known as the Ashland Ore Dock line segment, starting from a point of switch off WCL's main line through Ashland at MP 434.49 and extending 5,160 feet to the end of WCL's Ashland Ore Dock 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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7. National or state parks or forests;
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10. Agricultural land;
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12. The need for permits under Sections 402 or 404 of the Clean Water Act.

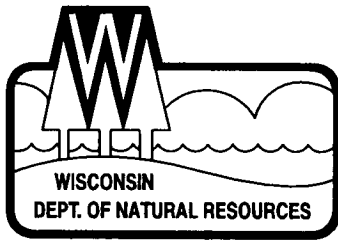
Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with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



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary
John Gozdziński, Regional Director

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

April 1, 2005

Michael Barron
Canadian National Railroad
17641 South Ashland Ave.
Homewood, IL 60430

SUBJECT: Wisconsin Central Ltd. Railroad – Proposed Abandonment in Ashland County, Wisconsin (Milepost 434.49 extending 5,160 feet to the end of the Ashland Ore Dock)

Dear Mr. Barron:

We have completed our review on your request to identify potential environmental effects for the above referenced project. We have also provided comments on permitting and salvage operations as these would potentially be required for the abandonment to proceed. Our comments are as follows:

Water quality - The rail property proposed for abandonment is adjacent to an area where soil and groundwater contamination have been found. The contamination area is listed as the Ashland/Northern States Power Lakefront EPA superfund site (listed on 9-5-2002). The soil and water adjacent to the ore dock and the trestles have the potential to be contaminated from spills during rail operations or from treatment of the pier structures.

Designated wetlands - An initial review of Wisconsin wetland inventory maps did not indicate that any wetlands are located within the abandonment proposal. 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 the zoning office would be your contact to gather more information. A mapped floodplain also exists out into Lake Superior. 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 Lisie Kitchel. She can be reached at 608-266-5248.

Critical Habitats - No critical habitat areas are known to exist in the immediate vicinity of the proposed abandonment. The area around the ore dock is used for sport fishing.

Wildlife Sanctuaries or Refuges - For information on federal facilities please contact the U. S. Fish and Wildlife Service. 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 National Park Service or U. S. Forest Service.



Coastal Zone Management - This project is in the Coastal Zone. For comments please contact the coastal zone staff at Coastal Zone Management, 101 E. Wilson, P.O. Box 8944, Madison, WI 53707-8944

Soil and Natural Resource Conservation - The Natural Resource Conservation Service would be the appropriate contact for this information. Contact the Ashland Service Center, 315 Sanborn Ave., Suite 100, Ashland WI 54806. Phone 715/682-9117.

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

Regional and local land use plans - The Northwest Regional Planning Commission and the City of Ashland should be contacted regarding land use. The City of Ashland does have a Waterfront Development Plan on file. The Northwest Regional Planning Commission's address is 1400 S. River Street, Spooner, Wisconsin 54801. Their telephone number is 715-635-2197.

Section 402 and 404 Clean Water Act permit needs - These are potential federal permits that may be needed. 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.

In addition to the resource information you requested we have included information regarding subsequent actions and permits that may apply and be pertinent to this abandonment proposal.

Salvage and cleanup of any contaminants found on railroad property - The abandonment cannot be finalized until cleanup of the entire property 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.

Permitting - Wisconsin state law requires the restoration of watercourses to their former state upon abandonment of railroad lines, including the removal of structures from the beds of those affected waterways. If a party or parties proposes to leave a structure on the bed of the waterway for another purpose after the railroad line has been abandoned, a permit is required under Section 30.12, Wisconsin Statutes for authorization and maintenance of the structure.

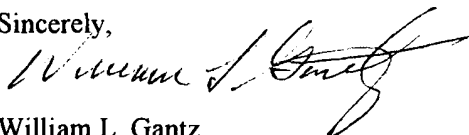
There are specific information requirements that need to be submitted as part of an application for a permit to authorize the structure for another purpose including:

- Documentation of riparian status by the permit applicant, as required in Section 30.12, Wisconsin Statutes. A copy of the property deed and legal description documenting this riparian status would be needed for this permit.
- A detailed description of which portions of the oredock are proposed to be left in place and which are proposed to be removed. We do have concerns about leaving the massive concrete and steel superstructure and ore chutes in place as there is evidence of concrete and steel deterioration and the situation will worsen with time, unless required maintenance and reconstructive work is performed. Environmental impacts as well as public safety are issues that would need to be addressed in addition to the cleanup of concrete or other debris that has fallen into the lake.
- Detailed plans showing the dimensions of the structure, type of materials, and all proposed maintenance and modification work that will be performed on the structure. Essentially we need to see "before" and "after" plan drawings along with the sequence of all proposed work.
- A detailed description of what the proposed uses of the structure will be after modifications are performed. Commercial facilities such as restaurants, housing units, or other uses or facilities that are inconsistent with the Wisconsin Public Trust Doctrine would not be permitted on the structure.
- Copies of any engineering reports which document the structural integrity of the oredock.

- The permit would require a bond to ensure long term maintenance and financial responsibility for removal if necessary.
- Details of erosion control and other proposed methods and safeguards to protect the water and adjacent property from deleterious materials or sedimentation during any demolition or construction work.

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
Mike Cain - LE/5
Duane Lahti - Superior
Chris Saari - Ashland
John Spangberg - Ashland
Steve Ashenbrucker - Park Falls
James Dunn - Spooner
John Gozdziński - Spooner
Terry Jordan - Spooner
John Robinson - Rhinelander
Lisie Kitchel - ER/4
Anna Davey - DOT - District 8
1701 N. 4th St.
Superior, WI 54880
Vicki Schaefer - DOT- Bureau of Rail and Harbor
4802 Sheboygan Ave, P.O. Box 7914
Madison, WI 53707-7914
James Langdon - WI Coastal Mgt. Program
101 E. Wilson, P.O.Box 8944
Madison, WI 53707-8944
Jason Berkner - USACOE
1554 Hwy 2, Suite 2
Two Harbors, MN 55616
Janet Smith - U. S. Fish and Wildlife Service
1015 Challenger Ct.
Green Bay, WI 54311
Surface Transportation Board,
Section of Environmental Analysis
1925 K St. NW
Washington D.C. 20423-0001
David Frasher, City Administrator
City Hall
Ashland, WI 54806
Scott Clark - City Attorney
Clark & Clark
214 W. Main Street
P.O. Box 389
Ashland, WI 54806



WWW.CN.CA

U.S. Legal Affairs

Michael J. Barron
Counsel

17641 South Ashland Avenue
Homewood, Illinois 60430

T 708-332-3954
F 708-332-4361
michael.barron@cn.ca

March 3, 2005

Mr. Robert Whiting
Chief Regulatory Branch
U.S. Army Corp 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 a line of railroad known as the Ashland Ore Dock line segment, starting from a point of switch off WCL's main line through Ashland at MP 434.49 and extending 5,160 feet to the end of WCL's Ashland Ore Dock 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.

Exhibit L



DEPARTMENT OF THE ARMY
St. Paul District Corps of Engineers
190 Fifth Street East
St. Paul, Minnesota 55101-1683

REPLY TO
ATTENTION OF
Operations
Regulatory (2005-1436-JRB)

Mr. Micheal J. Barron
Canadian National Railroad
17641 South Ashland Avenue
Homewood, Illinois 60430

Dear Mr. Barron:

We have reviewed information about the Wisconsin Central Ltd proposal to abandon a line of railroad known as the Ashland Ore Dock line segment. The dock is located on the bed of Lake Superior in Sec. 28 & 33, T. 48N., R. 4W., Ashland County, Wisconsin

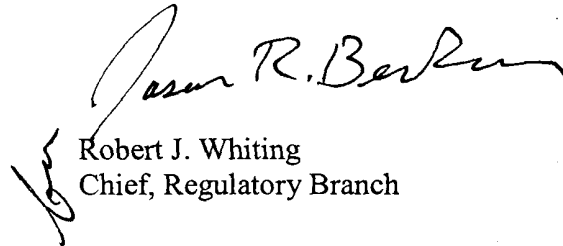
The cease in operation, or change in ownership, of the Ashland Ore Dock is not within the regulatory jurisdiction of the Corps of Engineers. No work will be done in a navigable water of the United States, and no dredged or fill material, including that associated with mechanical land clearing, will be discharged in any water of the United States, including wetlands. Therefore, a Department of the Army (DA) permit is not required for this proposal.

Under Section 10 of the Rivers and Harbors Act, a DA permit is required to do any work in, over or under Lake Superior, a Federally Navigable Water. Under Section 404 of the Clean Water Act, a DA permit is required for the discharge of dredged or fill material into any water of the U.S. If the proposed abandonment would include the completion of any work on the ore dock or lake bed, please contact the Corps of Engineers at the phone number below to discuss the need for a DA permit.

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

If you have any questions, contact Jason Berkner in our Two Harbors office at (218) 834-6630. In any correspondence or inquiries, please refer to the Regulatory number shown above.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert J. Whiting". The signature is written in a cursive style with a large, looping "R" and a trailing flourish.

Robert J. Whiting
Chief, Regulatory Branch

Copy furnished:
John Spangberg, WDNR



WISCONSIN
HISTORICAL
SOCIETY

Headquarters Building
816 State Street
Madison, WI 53706-1482
608-264-6400



October 11, 2001

Ms. Victoria Rutson, Chief
Section of Environmental Analysis
Surface Transportation Board
1925 K Street NW
Washington DC 20423

IN REPLY PLEASE REFER TO SHSW COMPLIANCE CASE # 00-1955/AS/PR
RE: Proposed Wisconsin Central Ltd. Abandonment Exemption in Ashland/Price Counties
ID: AB-303 (Sub. No. 26X)

Dear Ms. Rutson:

The Division of Historic Preservation is in receipt of the Determination of Eligibility your agency has had developed for the Ashland Ore Dock, Ashland, Wisconsin. The Wisconsin Central Ltd. is considering the abandonment of the rail line that includes the ore docks as well. Such an action by WCL would require a review by the Surface Transportation Board, a federal agency, which makes the abandonment subject to the provisions of Section 106 of the National Historic Preservation Act of 1966 (as amended).

The Division has reviewed the DOE and concurs with your agency's opinion that the property is eligible for listing in the National Register of Historic Places. Alicia Goehring, Deputy State Historic Preservation Officer, has signed the document. Enclosed please find a copy of the signature page for your files.

We look forward to consulting with you as this project review progresses. I can be reached by email at rabernstein@mail.shsw.wisc.edu or by phone at 608 264 6506, if you have any questions.

Sincerely,

Rick Bernstein
Division of Historic Preservation

Enclosure

Exhibit M

United States Department of Interior
National Park Service

Determination of Eligibility
SHSW # 00-1955/AS/PR

National Register of Historic Places
Registration Form

This form is for use in nominating or requesting determinations for individual properties and districts. See instructions in *How to Complete the National Register of Historic Places Registration Form* (National Register Bulletin 16A). Complete each item by marking "x" in the appropriate box or by entering the information requested. If an item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, architectural classification, materials, and areas of significance, enter only categories and subcategories from the instructions. Place additional entries and narrative items on continuation sheets (NPS Form 10-900A). Use a typewriter, word processor, or computer, to complete all items.

1. Name of Property

historic name Ashland Ore Dock

other names/site number Minneapolis, St. Paul and Sault Saint Marie Railway/Wisconsin Central Ore Dock

2. Location

street & number North end of Stunz Street, Chequamegon Bay (Lake Superior) N/A not for publication

city or town Ashland N/A vicinity

state Wisconsin code WI county Ashland code 003 zip code 54806

3. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this nomination ☒ request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60. In my opinion, the property ☒ meets does not meet the National Register criteria. I recommend that this property be considered significant nationally statewide locally. (See continuation sheet for additional comments.)

Signature of certifying official/Title

Date

State or Federal agency and bureau

In my opinion, the property ☒ meets does not meet the National Register criteria.
(See continuation sheet for additional comments.)

Signature of certifying official/Title

Date

State or Federal agency and bureau

4. National Park Service Certification

I hereby certify that the property is:

Signature of the Keeper

Date of Action

entered in the National Register.

See continuation sheet.

determined eligible for the National Register.

See continuation sheet.

determined not eligible for the National Register

See continuation sheet.

removed from the National Register.

other, (explain:)

United States Department of Interior
National Park Service

Determination of Eligibility
SHSW #

National Register of Historic Places
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Date

State or Federal agency and bureau

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(See continuation sheet for additional comments.)

Signature of certifying official/Title

Date

State of Federal agency and bureau

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Signature of the Keeper

Date of Action

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See continuation sheet.

determined eligible for the
National Register.

See continuation sheet.

determined not eligible for the
National Register

See continuation sheet.

removed from the National
Register.

other, (explain:)

Ashland Ore Dock
Name of Property

Ashland County, Wisconsin
County and State

5. Classification

Ownership of Property
(Check as many boxes as apply)

☒ private
☐ public-local
☐ public-state
☐ public-federal

Category of Property
(Check only one box)

☐ building(s)
☐ district
☐ site
☒ structure
☐ object

Number of Resources within Property
(Do not include previously listed resources in the count)

Contributing	Noncontributing	
<u>0</u>	<u>0</u>	buildings
<u>0</u>	<u>0</u>	sites
<u>1</u>	<u>0</u>	structure
<u>0</u>	<u>0</u>	objects
<u>1</u>	<u>0</u>	Total

Name of related multiple property listing
(Enter "N/A" if property is not part of a multiple property listing.)
N/A

Number of contributing resources previously listed
in the National Register
0

6. Function or Use

Historic Functions
(Enter categories from instructions)

TRANSPORTATION/rail related
TRANSPORTATION/water related

Current Functions
(Enter categories from instructions)

VACANT

7. Description

Architectural Classification
(Enter categories from instructions)

No style

Materials
(Enter categories from instructions)

foundation concrete
walls concrete
roof n/a
other wood, metal

Narrative Description

(Describe the historic and current condition of the property on one or more continuation sheets.)

See continuation sheet

Ashland Ore Dock
Name of Property

Ashland County, Wisconsin
County and State

8. Statement of Significance

Applicable National Register Criteria

(Mark "x" in one or more boxes for the criteria qualifying the property for the National Register)

☒ **A** Property is associated with events that have made a significant contribution to the broad patterns of our history.

☐ **B** Property is associated with the lives of persons significant in our past.

☒ **C** Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.

☐ **D** Property has yielded, or is likely to yield, information important in prehistory or history.

Criteria Considerations

(Mark "x" in all the boxes that apply.)

☐ **A** owned by a religious institution or used for religious purposes.

☐ **B** removed from its original location.

☐ **C** a birthplace or grave.

☐ **D** a cemetery.

☐ **E** a reconstructed building, object, or structure

☐ **F** a commemorative property.

☐ **G** less than 50 years of age achieved significance within the past 50 years.

Areas of Significance

(Enter categories from instructions)

Transportation

Period of Significance

1917 to 1951

Significant Dates

1917

Significant Person

(Complete if Criterion B is marked above)

N/A

Cultural Affiliation

N/A

Architect/Builder

Toltze Engineering Co., St. Paul, MN

Narrative Statement of Significance

(Explain the significance of the property on one or more continuation sheets.)

9. Major Bibliographic References

Bibliography

(Cite the books, articles, and other sources used in preparing this form on one or more continuation sheets.)

Ashland Ore Dock
Name of Property

Ashland County, Wisconsin
County and State

Previous Documentation on File (NPS):

- ☐ preliminary determination of individual listing (36 CFR 67) has been requested
☐ previously listed in the National Register
☐ previously determined eligible by the National Register
☐ designated a National Historic

Primary location of additional data:

- ☒ State Historic Preservation Office
☐ Other State Agency
☐ Federal Agency
☐ Local government
☐ University
☒ Other

Name of repository:

Wisconsin Central Railroad Engineering Archives,
Fond du Lac, Wisconsin,

Landmark

- ☐ recorded by Historic American Buildings Survey # _____
☐ recorded by Historic American Engineering Record # _____

10. Geographical Data

Acreage of Property less than one acre

UTM References (Place additional UTM references on a continuation sheet.)

1	1/5	0/6/0/2/5/4/2	5/1/6/2/5/3/7	3	0/0	0/0/0/0/0/0/0	0/0/0/0/0/0/0
Zone		Easting	Northing	Zone		Easting	Northing
2	1/5	0/6/6/2/1/7/6	5/1/6/3/1/2/5	4	0/0	0/0/0/0/0/0/0	0/0/0/0/0/0/0
Zone		Easting	Northing	Zone		Easting	Northing

☒ see continuation sheet

Verbal Boundary Description (Describe the boundaries of the property on a continuation sheet)

Boundary Justification (Explain why the boundaries were selected on a continuation sheet)

11. Form Prepared By

name/title Barbara Kooiman/Architectural Historian
organization Mississippi Valley Archaeology Center date August 2001
street & number 1725 State St. telephone (608) 785-6783
city or town La Crosse state Wisconsin zip code 54601

Additional Documentation

Submit the following items with the completed form:

Continuation Sheets

Maps: A USGS map (7.5 or 15 minute series) indicating the property's location.
A sketch map for historic districts and properties having large acreage or numerous resources.

Photographs: Representative black and white photographs of the property.

Additional Items: (Check with the SHPO or FPO for any additional items)

Ashland Ore Dock
Name of Property

Ashland County, Wisconsin
County and State

Property Owner

Complete this item at the request of SHPO or FPO.)

name Wisconsin Central Ltd., attn: Michael Barron
street & number P.O. Box 5062 telephone 847/384-5452
city or town Rosemont state Illinois zip code 60017-5062

Paperwork Reduction Act Statement: This information is being collected for applications to the National Register of Historic Places to nominate properties for listing or determine eligibility for listing, to list properties, and to amend existing listings. Response to this request is required to obtain a benefit in accordance with the National Historic Preservation Act, as amended (16 U.S.C. 470 et seq.).

Estimated Burden Statement: Public reporting burden for this form is estimated to average 18.1 hours per response including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding this burden estimate or any aspect of this form to the Chief, Administrative Services Division, National Park Service, P.O. Box 37127, Washington, DC 20013-7127; and the Office of Management and Budget, Paperwork Reductions Projects, (1024-0018), Washington, DC 20503.

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**National Register of Historic Places
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Section 7 Page 1 Ashland Ore Dock, Ashland County, Wisconsin

Description

The Ashland Ore Dock, designed for large iron ore ships to dock on either side of it in Chequamegon Bay at Ashland, Wisconsin, is constructed of reinforced concrete, steel and wood.

The approaches, which brought a single railroad track to the dock, came from the south, heading to White River, Agnew, Marengo, High Bridge and Mellon to the iron mines in the Gogebic Range. The approaches were constructed of timber trestles which spanned over the east/west bound streets in Ashland, the equivalent of about 30 feet above the street level, until close to the water, where cast concrete trestles were constructed to support the track, which split into four tracks to go onto the dock, itself. A long, narrow concrete platform was constructed on a timber frame which was set into the water. Upon the concrete platform concrete trestles were constructed, spaced approximately 100 feet apart, with metal and wood stairs leading to the railroad decks above. The deck needed to be strong enough to hold at least 125 pounds per square foot initially, with apparent reinforcements periodically for heavier loads.

The dock itself spans approximately 1,155 feet to the north from shore, out into Chequamegon Bay. There were 79 ore bins built on each side of the dock, each constructed with iron lining, with each bin having a capacity of 5,013 cubic feet. It took approximately 7 railroad cars of iron ore to fill one bin.

The bins were kept closed with chutes, which were large, flat, open funnels, which, when lowered manually (or more likely, hydraulically) by pulleys and iron cable, would lower to allow the ore to pour into the cargo holds of the docked iron ore ships. (see cross section drawing, attached).

The iron loading process was highly labor intensive, with as many as 20 to 30 workers on the dock at any time there was ore being unloaded from train cars into bins, or from bins into ore ships. During the height of the ore shipping industry in Ashland, in the 1920s, there were undoubtedly activities happening on the docks around the clock. Due to the freezing of the bay in the winter, the work was seasonal, with operations only when the bay was navigable.

Apparently at one time there was a nearby office and warming house associated with the dock. Both of these structures are no longer extant, having been, according to the Wisconsin Central's engineering office, blew down in part due to their disuse and deteriorated state.

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Section 7 Page 2 Ashland Ore Dock, Ashland County, Wisconsin

The concrete on the dock is in a highly deteriorated state. It is spalling off in large chunks and, according to the Wisconsin Central staff, employees are no longer at this time allowed to walk on top of the dock due to rotting wood and deteriorated, dangerous conditions.

The plans, all of which the original and revised versions are located at the Wisconsin Central, Ltd.'s engineering office in Fond du Lac, Wisconsin, indicate that the original designs were drawn up by the Minneapolis, St. Paul and Sault Ste. Marie Railway's engineers, as well as assistance from Toltz Engineers of St. Paul, Minnesota in 1916. Later drawings, indicating alterations and repairs, were done in 1918, 1924, and throughout the 1930s and 1950s.

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Section 8 Page 1 Ashland Ore Dock, Ashland County, Wisconsin

Statement of Significance

The Ashland Ore Dock, constructed of concrete, wood and steel, was constructed at the north end of Stunz Avenue in Ashland, Ashland County, Wisconsin in 1917, the last of four iron ore docks to have been built in Ashland, which was the main shipping port for iron ore mined from the Gogebic iron mines of northern Wisconsin. Built by the Minneapolis, St. Paul and Sault Ste. Marie Railway (Soo Line) who operated the Wisconsin Central Railway at that time, it was a vitally important iron ore dock from 1917, when it was built, until it was finally closed in 1965, due to the diversion of remaining ore shipments out of Marquette, Michigan. It is significant for its contribution to the iron ore history of northern Wisconsin and Ashland (Criterion A) and as the last remaining, and only concrete iron ore dock to have been constructed in Ashland (Criterion C). Its period of significance spans from 1917, when it was constructed, to 1951, the end of the fifty year date. It has historical integrity, in that it exhibits nearly all of its historical fabric, however, it is in a high state of deterioration, and due to the fact that it has not been actively used since 1965, and is no longer needed for its function as an iron ore dock, its need for existence has become obsolete in the eyes of its owners, the Wisconsin Central Ltd.

Historical Background

The Chequamegon Bay area, which for centuries was well known to the prehistoric native people, was first known to Euro-Americans as early as the 1600s, when the French missionary, Father Allouez first tried to convert natives at his rough mission on Madeline Island at the settlement he named LaPoint du Saint Esprit. His successor, Father Marquette, was forced to abandon the mission due to a war between the Sioux on one side and the Hurons and Ottawas on the other. Nonetheless, the settlement at LaPointe continued to be used as a trading post amidst the Indian wars. M. Cadotte erected fortified dwellings at the old fort site at LaPointe in 1800 and remained there until his death in 1837. The American Fur Company established its headquarters at LaPointe in 1835. In the fall of 1842, a great council and Indian treaty was held at LaPointe, where all chiefs of the Chippewa ceded their lands in Wisconsin and Minnesota to the U.S. Government, retaining only the reservations which were in actual possession of the Indians (Sennott, 1983:9).

From these early days of missionary activities and fur trade with the Indians, the first white

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Section 8 Page 2 Ashland Ore Dock, Ashland County, Wisconsin

settlers were drawn to the region, and eventually the location of present-day Ashland. With the deep harbor shipping potential of the area catching the attention of eastern businessmen and investors, Asaph Whittlesey surveyed the region in the mid 1850s, discovering iron ore on the Penokee Range about twenty miles south of Chequamegon Bay. Whittlesey himself, with George Kilbourn, left LaPointe by rowboat on 5 July 1854 to find a location for a new settlement, and at the present intersection of Front Street and 18th Avenue in Ashland, felled the first tree which would help construct the first log house in Ashland (Sennott, 1983: 9).

Though the few settlers of the new village petitioned to Washington, D.C. for the establishment of a new post office at this location to be named "Ashland", they were refused as there was already an "Ashland" located in Richland County, Wisconsin. Thus, for the first five years, the village was known as "Whittlesey" until the Richland County "Ashland" failed, and Whittlesey could change its name. Ashland County was formed in 1860, and the first time this Ashland, Wisconsin was placed on a map was on 30 June 1860 (Sennott, 1983: 9).

By the 1870s, Ashland became a bustling town, with close to 1,200 people and over 200 buildings erected, with many of the habitants there to help clear a track through the forest for the construction of a railroad. The survey for the Wisconsin Central Railway had been done in 1871, and by April 1872, the ground was broken at Ashland for the Ashland-Penokee stretch of the Wisconsin Central railroad. It was completed as far as White River the Wisconsin Central constructed their first commercial dock at Ashland in August 1872. By 1872, the railroad extended as far as Penokee Gap, approximately 30 miles south of Ashland, but financial problems of the railroad, as well as the panic of 1873 brought further railroad construction to a halt for the next four years. The Wisconsin Central finally linked Ashland with Milwaukee in 1877 (Sennott, 1983: 11).

With the establishment of the Wisconsin Central Railway in Ashland, other railroads followed, with the Northern Pacific and Omaha roads in 1884, the Milwaukee Lakeshore and Western 1885. Ashland was in good shape for the iron-ore boom which happened in the 1880s, leading to further rapid growth of Ashland, and its ultimate incorporation in 1887 (Sennott, 1983: 12).

Iron Ore Industry in and near Ashland

Probably the most significant industry in the development of Ashland is the iron ore industry. Though the Wisconsin Central Railroad initially linked Ashland to Milwaukee in 1877, other

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Section 8 Page 3 Ashland Ore Dock, Ashland County, Wisconsin

railroads followed in the 1880s, which assisted in the iron ore boom of the 1880s, which extended well in the 1920s and beyond (Sennott, 1983: 27).

Nat Moore is generally credited with discovering the iron ore deposits in 1885 which brought hundreds of investors, speculators and prospectors to the Ashland area. The mining district was located about forty miles south of Ashland, and Chequamegon Bay was immediately recognized for its potential as a harbor for iron ore ships. Huge quantities were shipped by rail from the ore mines to Ashland's ore docks for transfer to large ships which then transported the ore out of Lake Superior into Lake Michigan for processing in Chicago, Illinois and Gary, Indiana. Between 1885 and 1890, the amount of tonnage of iron ore shipped out of Ashland increased from 191,412 in the earlier year, to 2,174,556 by 1890. This trend of increasingly higher amounts continued for the next three decades (Sennott, 1983: 27).

At one time there were up to four large ore docks at Ashland, however all but one have been lost either due to fire or mere deterioration. The first ore dock was built in 1884-85. The last ore dock to be constructed at Ashland was the Soo Line dock in 1917, built of concrete and steel, and was used the latest, until 1965 when it was finally shut down (Sennott, 1983: 27).

Wisconsin Central Railway Iron Ore Dock

The organizers of the Wisconsin Central in the Fox River Valley saw in the 1870s an opportunity to build a railroad that would connect the Fox River Valley of Wisconsin to Lake Superior. Obtaining federal land grants through the northern timberlands was relatively easy, with the argument that the train would open up agricultural immigration to northern Wisconsin. The Wisconsin Central Railroad was incorporated on 4 February 1871. Construction began shortly thereafter, with the first track being built westward toward Stevens Point out of Neenah on 15 June 1871. The Stevens Point goal was reached by November of that year. By the summer of 1872, the tracks had reached Colby, with the crews working northward through Abbotsford, Medford and Prentice (Rosholt, 1985: 95).

In the meantime, a subsidiary construction firm began building tracks south from Ashland toward Elk River and Philips, trying to meet the crews who were building northward, toward Elk River. In 1874, construction stopped a few miles short of Elk River, due to the financial problems of the construction company. The track did not connect at Elk River until 1877, making through service between Ashland and Milwaukee possible by the end of that year.

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(Rosholt, 1985: 95).

The Wisconsin Central began concentrating on building short lines around the state, including lines to the west, toward Chippewa Falls, and eventually to St. Paul/Minneapolis. By 1906, The Wisconsin Central had laid all of the track that they were going to. Then, on 1 April 1909, a lease agreement between the Wisconsin Central and the Minneapolis, St. Paul and Sault Saint Marie Railway (better known as the Soo Line) was made to allow the two railroad lines to operate as one railroad. The Wisconsin Central was operated by the Soo but kept its own corporate identity, however, gradually all Wisconsin Central cars and locomotives were eventually marked with the "dollar" sign of the Soo Line (Rosholt, 1985: 97).

The Soo Line, in 1885, purchased the Milwaukee Road and its 3,100 miles of track through a bankruptcy buy-out. Approximately 821 Milwaukee Road miles were located in Wisconsin at the time (Rosholt, 1985: 97).

Chequamegon Bay at Ashland became an important shipping port due to the protected nature of the bay. The bay itself was at least a mile and a half wide, with a channel of one hundred feet deep, with up to eight lighthouses on the Apostle Islands and into the harbor. Ashland itself has five miles of harbor frontage. In 1929, there were three ore docks belonging to the Chicago & Northwestern Railway Company, as well as one belonging to the Soo line. Though the first commercial dock was constructed in Ashland as early 1855, the first ore dock was constructed in 1885 by the Milwaukee, Lake Shore and Western, connecting its rail line with Hurley, Wisconsin. The Northwestern, who soon acquired this railroad, became the dominant rail line on the Iron Range. Iron ore became the most important product to ship from Ashland (Smith, 1987: 39-40).

The Wisconsin Central's first ore dock burned in November 1902, and one of the Northwestern's ore docks burned in 1924.

The Wisconsin Central/Soo Line's ore dock which was constructed in Chequamegon Bay in Ashland in 1917 was the last iron ore dock to be built in this bay. This ore dock, heavily used throughout the WWI and WWII eras, became less important as the iron ore was depleted and more ore was shipped through the Marquette, Michigan harbor. By 1965, the Soo Line had decided to abandon the iron ore dock at Ashland completely.

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Section 9 Page 1 Ashland Ore Dock, Ashland County, Wisconsin

Bibliography

Benton, Marjorie F., ed. *The Golden Days of La Pointe, Bayfield, Ashland, Washburn: Historical Study of Chequamegon Bay Area*. Ashland, WI: American Association of University Women, Chequamegon Branch, 1972.

Burnham, Guy M. *The Lake Superior Country in History and in Story*. Ashland, WI: Paradigm Press, 1996, original publication 1929.

Durrwachter, William R., ed. *The Wisconsin Central, A Centennial View*. Menasha, WI: George Banta Company, Inc. 1971.

Rosholt, Malcolm. *Trains of Wisconsin*. Rosholt, WI: Rosholt House Publishing, 1985.

Smith, Jane S. and Michael J. Goc. *Looking Backward, Moving Forward, Ashland: The Garland City of the Inland Seas*. Friendship, WI: New Past Press, Inc., 1987.

Drawings, kept at the Wisconsin Central Ltd. Engineering Office, Fond du Lac, Wisconsin:
(The below-mentioned drawings are a fraction of the total number of original and revised drawings that are stored at the Fond du Lac office.)

Drawing #12429, Milwaukee, St. Paul & Sault Ste. Marie Railway, Ashland Ore Dock, July 1, 1916.

Drawing 9229, Toltz Engineering Co., St. Paul, MN for the Milwaukee, St. Paul & Sault Ste. Marie Railway, Ashland Ore Dock, Typical Cross Section, 1916.

Plan #9246, Approach Trestle Stairs and Warming House, 1916.

Plan #9226, File M-1-b-19, General Cross Section., 1916.

Plan #27914, File #T-11-59, Ore Dock Approach, 1954.

Plan #16877, File #M-6-C-40, Ore Dock Office, 1916.

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Section 10 Page 1 Ashland Ore Dock, Ashland County, Wisconsin

Geographic Data

Verbal Boundary Description

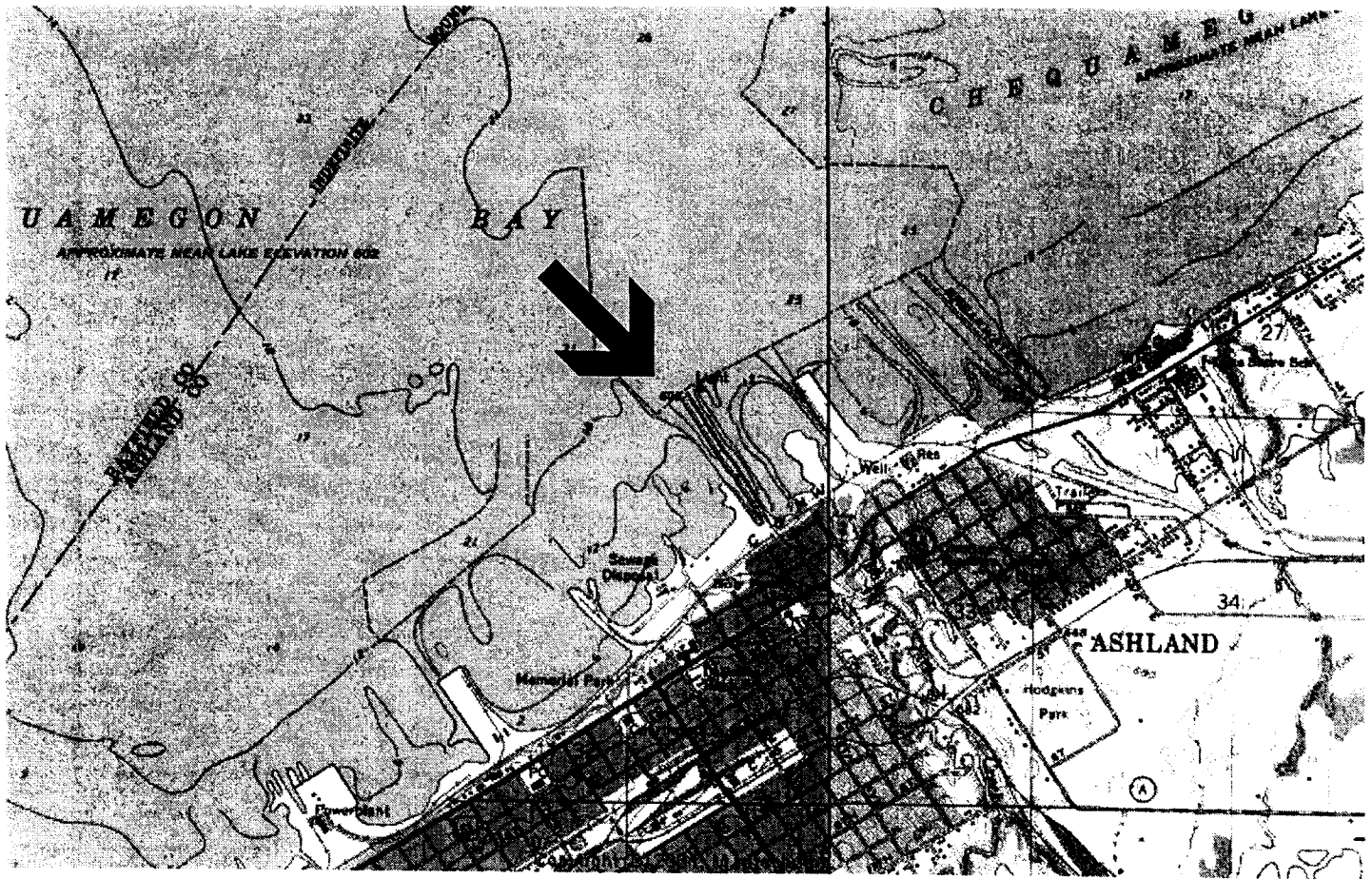
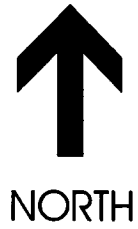
The Ashland Ore Dock is located at the north end of Stunz Avenue in Ashland, Ashland County, Wisconsin, extending approximately 1,550 feet into Chequamegon Bay (Lake Superior) to the north.

Boundary Justification

The eligible property include the entire portion of land and water that has been historically associated with the ore dock.

Ashland Ore Dock
Ashland, Ashland County, WI

USGS 7.5' quad Ashland West



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Photographs

Ashland Ore Dock
North End of Stunz Street, Chequamegon Bay
Ashland, Ashland County, Wisconsin
Photos taken by Barbara Kooiman, Mississippi Valley Archaeology Center, LaCrosse, WI
20 June 2001



Ashland Ore Dock, east side, from shore, facing north

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Section Photos Page 2 Ashland Ore Dock, Ashland County, Wisconsin



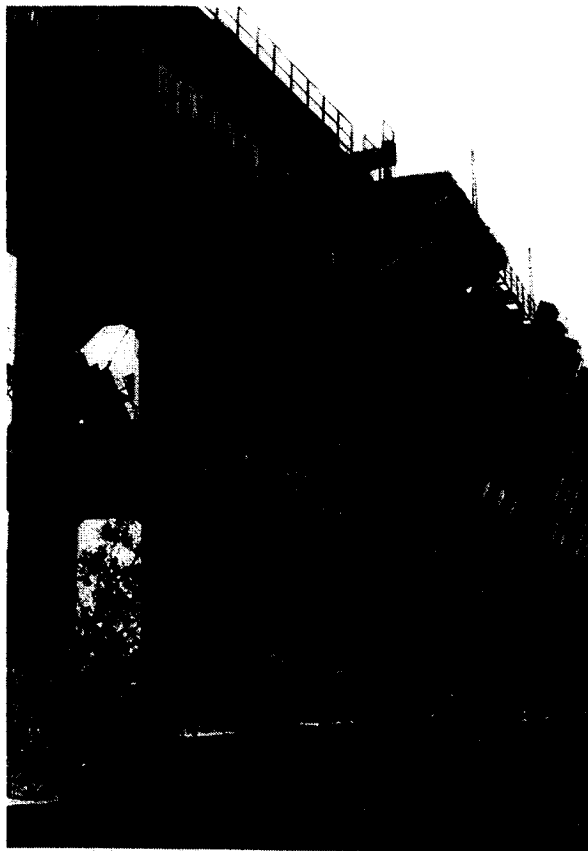
Ashland Ore Dock, approach trestle, east side, facing southwest.

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Ashland Ore Dock, east side, taken from shore, facing northwest

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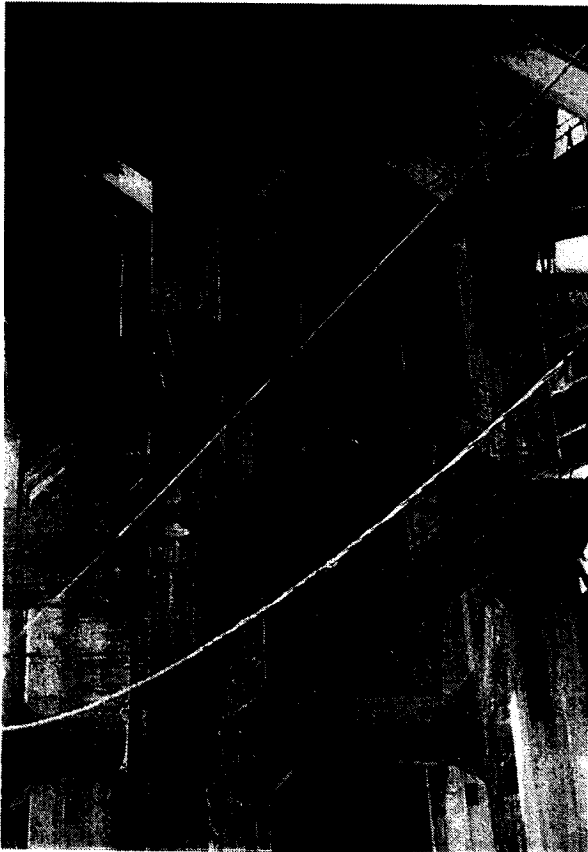
Ashland Ore Dock, concrete trestle, detail

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Ashland Ore Dock, concrete trestle and stairs to upper levels, detail

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Ashland Ore Dock, Concrete trestles, from shore to north, detail.

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Ashland Ore Dock, concrete trestle detail

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Ashland Ore Dock, west side, facing north, from shore.

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Ashland Ore Dock, concrete trestle, detail

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Ashland Ore Dock, concrete trestle, detail showing deterioration

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Section Photos Page 11 Ashland Ore Dock, Ashland County, Wisconsin



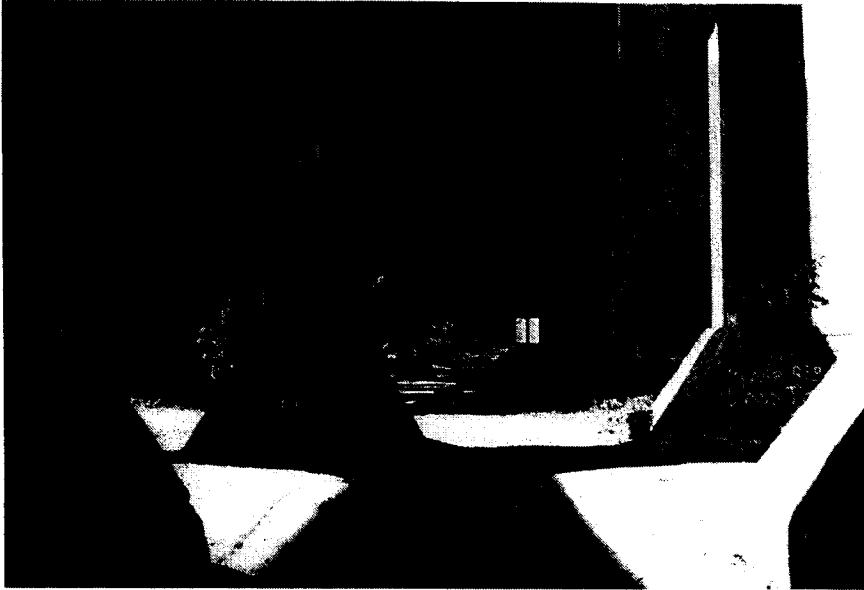
Ashland Ore Dock, concrete trestle detail, west side

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Ashland Ore Dock, concrete trestle, base on shore, facing north



Ashland Ore Dock, concrete trestle, west side, facing east

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Ashland Ore Dock, trestle approach, west side, facing southeast



Ashland Ore Dock, west side, facing northeast

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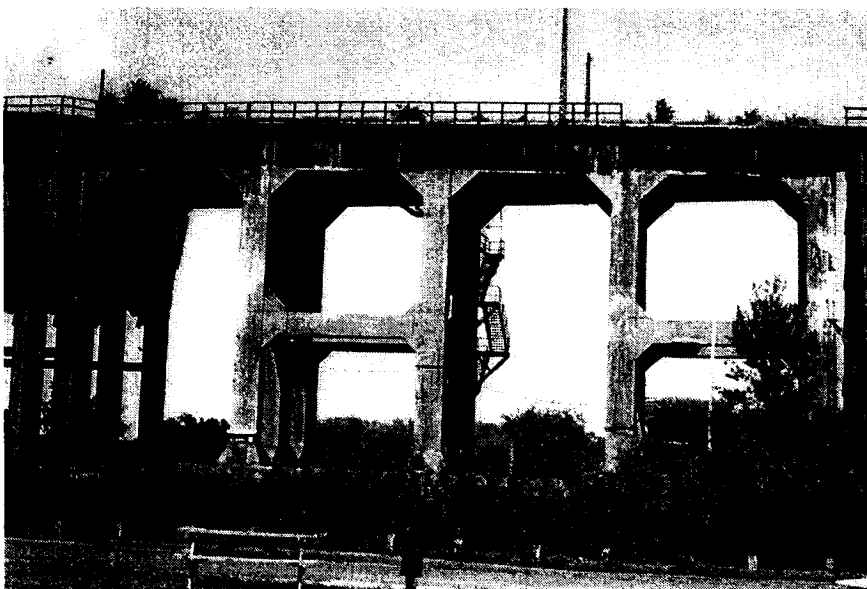
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Section Photos Page 14 Ashland Ore Dock, Ashland County, Wisconsin



Ashland Ore Dock, west side, facing northeast



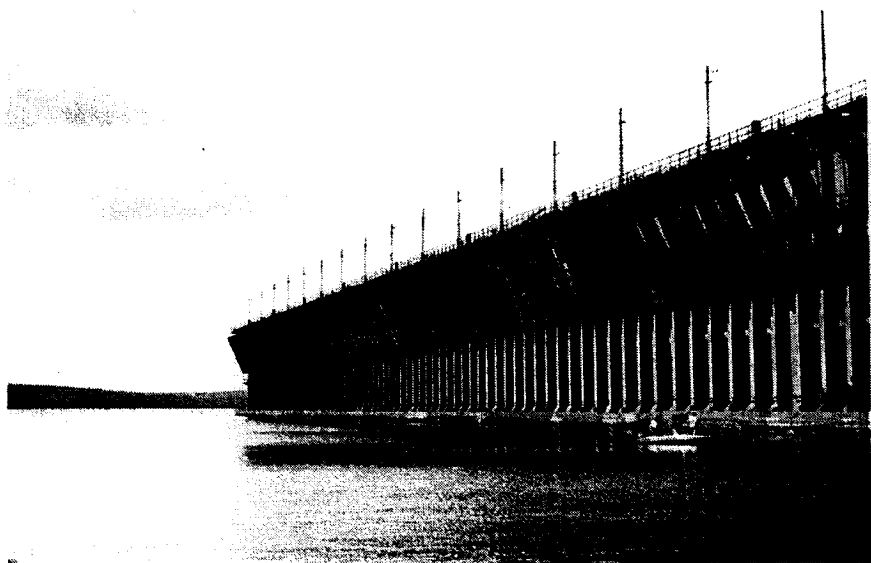
Ashland Ore Dock, west side, concrete trestle detail

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Ashland Ore Dock, west side, facing northeast



Ashland Ore Dock, west side, facing northeast

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Section Photos Page 16 Ashland Ore Dock, Ashland County, Wisconsin



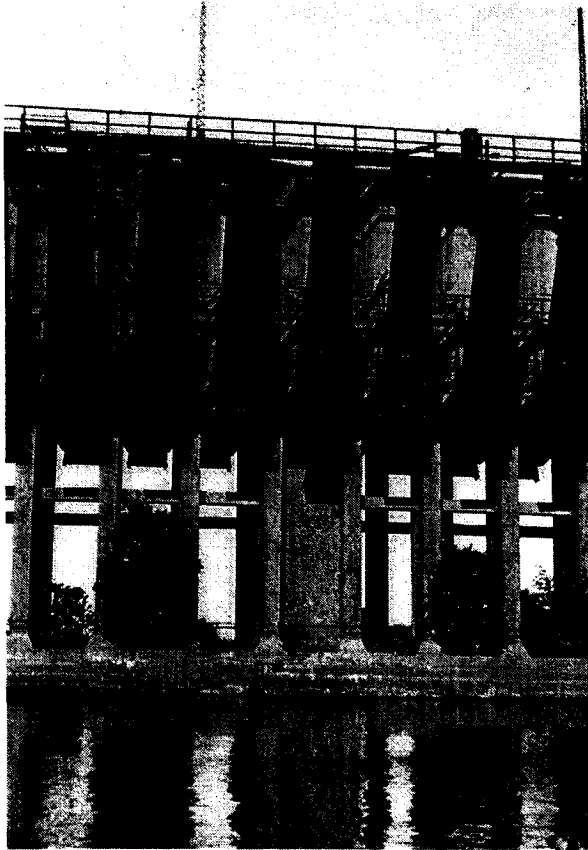
Ashland Ore Dock, west side, detail of ore chutes.

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Ashland Ore Dock, west side detail

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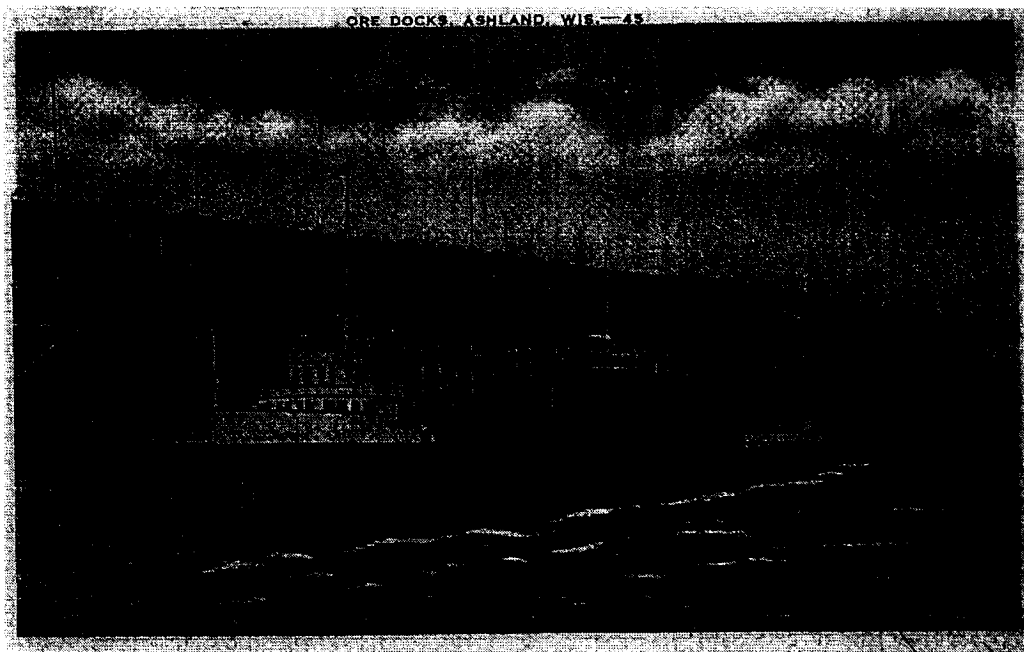
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Section Photos Page 18 Ashland Ore Dock, Ashland County, Wisconsin



Ashland Ore Dock west side concrete trestles, detail



Old postcard, date unknown (circa 1940s?), showing Ashland Ore Dock and ore ship in bay



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U.S. Legal Affairs

Michael J. Barron
Counsel

RECEIVED

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MAR 07 2005

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March 3, 2005

M. 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. Bernsein:

Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon a line of railroad known as the Ashland Ore Dock line segment, starting from a point of switch off WCL's main line through Ashland at MP 434.49 and extending 5,160 feet to the end of WCL's Ashland Ore Dock in Ashland, Ashland County, Wisconsin. WCL is advising you of the proposed action so you may assist us in moving forward in the historical review process. Beck in the fall of 2001, your office wrote the STB, upon review of a DOE, that the property is eligible for listing in the National Register. We are interested in your letting us know what else your office may need to move this proposal forward.

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

Very truly yours,

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

Exhibit N