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Office of Proceedings
November 5, 2019
Part of
Public Record

VIA E-FILE

The Honorable Cynthia T. Brown
Chief, Section of Administration
Surface Transportation Board
395 E. Street, S.W., Room #100
Washington, DC 20423-0001

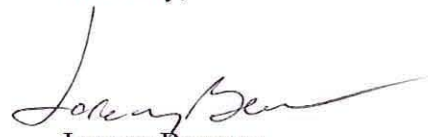
RE: Proposed Abandonment from Milepost 148.2 to Milepost 149.5 in Sheboygan County,
Wisconsin
STB Docket No. AB-33 (Sub-No. 321X)

Dear Ms. Brown:

I am hereby e-filing the Verified Notice of Exemption of Union Pacific to abandon the above-referenced rail line.

Please file the Notice of Exemption in Docket No. AB-33 (Sub-No. 321X). The filing fee of \$4,400.00 was paid using Pay.gov.

Sincerely,



Jeremy Berman

FILED
November 5, 2019
SURFACE
TRANSPORTATION BOARD

FEE RECEIVED
November 5, 2019
SURFACE
TRANSPORTATION BOARD

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-33 (Sub-No. 321X)

**UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN SHEBOYGAN COUNTY, WISCONSIN**

Verified Notice of Exemption

UNION PACIFIC RAILROAD COMPANY
Jeremy M. Berman
General Attorney
1400 Douglas St, #1580
Omaha, NE 68179
402-544-4735 (Tel.)
402-501-0129 (FAX)
jmberman@up.com

Dated: November 5, 2019

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-33 (Sub-No. 321X)

**UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN SHEBOYGAN COUNTY, WISCONSIN**

Notice of Exemption

Union Pacific Railroad Company ("UP") submits this verified Notice of Exemption pursuant to 49 § C.F.R. 1152, Subpart F -- Exempt Abandonments and Discontinuances of Service and Trackage Rights for an exempt abandonment of service on a portion of the Sheboygan Old Main Line from Milepost 148.2 to Milepost 149.5, a total distance of 1.3 miles in the City of Sheboygan, Sheboygan County, Wisconsin (the "Line").

Proposed Consummation Date: 49 C.F.R. § 1152.50(d)(2)

The abandonment will not be consummated until at least 50 days after filing this Notice of Exemption.

Certification: 49 C.F.R. 1152.50(b)

UP certifies that no local or overhead traffic has moved over the Line for at least two years. Therefore, there is no need to reroute any traffic. UP further certifies that no formal complaint filed by a user of rail service on the Line (or filed by a state or local governmental entity acting on behalf of such user) regarding cessation of service over the Line is pending either with the Board or any U.S. District Court, or has been decided in favor of the complainant within the two-year period.

Additional Information Required: 49 C.F.R. 1152.22(a)(1)-(4), (7)-(8) and (e)(4)

(a) General.

(a)(1) The railroad's exact name is Union Pacific Railroad Company.

(a)(2) UP is a common carrier by railroad subject to 49 U.S.C. Subtitle IV, Chapter 105.

(a)(3) UP intends to abandon the portion of the Sheboygan Old Main Line from Milepost 148.2 to Milepost 149.5, a total distance of 1.3 miles in the City of Sheboygan, Sheboygan County, Wisconsin.

(a)(4) A map showing the location of the Line in relation to other rail lines, highways, and major roads in the area is attached as **Exhibit 1**.

(a)(7) The representative to whom correspondence regarding this abandonment and discontinuance should be sent is:

Jeremy M. Berman
General Attorney
1400 Douglas St, #1580
Omaha, NE 68179
402-544-4735 (Tel.)
402-501-0129 (FAX)
jmberman@up.com

(a)(8) ZIP Codes. The Line traverses U.S. Postal Service Zip Code 53081.

(e)(4) Rural and Community Impact.

It is UP's intention to salvage the track material on the Line. The salvage process will include the unbolting of the trackage and removal of all rails, ties and other track material from the Line as follows: With the use of specialized machinery placed on the railroad right-of-way, the rails and related steel (angle bars, tie plates, spikes, switches and any other metal parts will be removed. Next the wooden ties will be raised from

among the ballast with a tool designed for minimum disruption of the ground material. The ties will then be separated into three groups as follows: (1) good quality ties that would be re-used in rail service, (2) landscape-quality ties that would be re-sold to lumber dealers for landscaping and (3) scrap ties. Scrap ties will be loaded into truck trailers or containers and shipped by UP's salvage contractor to an EPA approved disposal site or to a cogeneration facility.

Culverts and right-of-way grading will remain intact as so as not to alter the prevailing drainage and water flows along the Line. Ballast will typically be left in place, but may be removed if it is of exceptional quality for use elsewhere. Finally, all railroad at grade crossings will be removed, remediated and resurfaced with gravel, asphalt or concrete, to match existing roadway surface conditions in accordance with governing road authority requirements. All grade crossing warning devices will also be dismantled and removed.

UP's salvage work for abandonments is performed by experienced rail material salvagers. Each salvage contract includes detailed information on any environmental or historical conditions imposed by the Board. Completed work is independently inspected by a UP roadmaster or other maintenance official to ensure compliance with UP standards of quality and all contractual obligations, including Board imposed conditions, if applicable.

Based upon information in UP's possession, the Line does not contain federally granted right-of-way. Any documentation in UP's possession with regard to ownership of the Line will be made available to those requesting it.

After the proposed abandonment, the area will continue to receive rail service from Union Pacific via the UP Haven Industrial Lead, located west of the Line. The area

reached by the Line is well served by highways and local roads, being paralleled by Wisconsin Highway 28 and crossed by several local roads.

No local traffic has moved over the Line during the past two years, and there is no overhead traffic or passenger service on the Line. UP has received no request for rail service on the Line in over two years. No complaint regarding cessation of service has been filed, is pending, or has been ruled upon in favor of a complainant during the prior two years.

A map of the Line is attached hereto as **Exhibit 1**.

Labor Protection

The interests of railroad employees will be protected by the conditions discussed in Oregon Short Line Railroad Co. – Abandonment – Goshen, 360 I.C.C. 91 (1979).

Certifications

Attached as **Exhibit 2** is a Certificate of Service and Publication, pursuant to the notice requirements of 49 C.F.R §§ 1152.50(d)(1), 1105.11 and 1105.12.

Environmental and Historic Report

A copy of the cover letter which accompanied UP's Combined Environmental and Historic Report ("CEHR"), containing the information required by 49 C.F.R. §§ 1105.7(e) and 1105.8, and delivered in accordance with 49 C.F.R. 1105.11, is attached as **Exhibit 3**. The CEHR was electronically filed with the Board on July 12, 2019. Since filing the CEHR, UP received additional comments from: National Geodetic Survey (attached as **Exhibit 4**); Wisconsin State Historic Preservation Office (attached as **Exhibit 5**); and United States Army Corps of Engineers (attached as **Exhibit 6**).

Dated this 5th day of November, 2019.

Respectfully submitted,

UNION PACIFIC RAILROAD COMPANY

A handwritten signature in cursive script, appearing to read "Jeremy Berman", is written over a horizontal line.

Jeremy M. Berman
General Attorney
1400 Douglas St, #1580
Omaha, NE 68179
402-544-4735 (Tel.)
402-501-0129 (FAX)
jmberman@up.com



Docket No. AB-33 (Sub-No. 321X)

UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN SHEBOYGAN COUNTY, WISCONSIN

CERTIFICATE OF SERVICE AND PUBLICATION

49 C.F.R. § 1152.50(d)(1) – Notice

The undersigned certifies that on October 7, 2019 (at least 10 days before a Notice of Exemption is filed), written notice was given by Union Pacific stating Union Pacific's intent to use the Notice of Exemption procedure to abandon a portion of the Sheboygan Old Main Line in Sheboygan County, Wisconsin in Docket No. AB-33 (Sub-No. 321X). Said written notice (a copy of which is attached hereto as **Attachment 1**) was served on the following:

Wisconsin Department of Transportation
Hill Farms State Transportation Bldg.
4802 Sheboygan Avenue
P.O. Box 7910
Madison, WI 53707-7910

Chief of the Forest Service
U.S. Department of Agriculture
1400 Independence Avenue, S.W.
Washington, DC 20250-1111

National Park Service
Recreation Resources Assistance Division
P.O. Box 37127
Washington, D.C. 20013-7127

Headquarters – Military Surface Deployment &
Distribution Command
ATTN: Transportation Engineering Agency
(SDTE-SA)
Railroads for National Defense Program
1 Soldier Way
Scott AFB, IL 62225

49 C.F.R. § 1105.11 – Transmittal Letter for Applicant's Report

The undersigned certifies that on July 12, 2019 (at least 20 days before a Notice of Exemption is filed), a Combined Environmental and Historic Report pursuant to 49 C.F.R. § 1105.7 and 1105.8 was served in Docket No. AB-33 (Sub-No. 321X) for abandonment of a portion of the Sheboygan Old Main Line in Sheboygan County, Wisconsin on the following:

- (1) State Clearinghouse (or alternate)
- (2) State Environmental Protection Agency
- (3) Head of each County
- (4) U.S. Environmental Protection Agency, Regional Office
- (5) U.S. Fish and Wildlife Service
- (6) U.S. Army Corps of Engineers
- (7) National Park Service
- (8) U.S. Natural Resources Conservation Service
- (9) The National Geodetic Survey
- (10) Other Agencies Consulted (As Listed)
- (11) State Historic Preservation Office

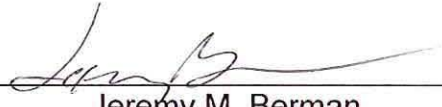
(This Certificate of Service attached to Combined Environmental Historic Reports lists the names and addresses of the federal, state and local agencies.)

49 C.F.R. § 1105.12 – Newspaper Notice

The undersigned further certifies that a "Notice of Intent to Abandon and Discontinue Service" was published in the form prescribed by the Board for a Notice of Exemption (Copy Attached as **Attachment 2**). The Notice was published one time in a major newspaper in the county in which the Line is located as follows:

<u>County</u>	<u>Newspaper</u>	<u>Date</u>
Sheboygan	The Sheboygan Press	October 22, 2019

Dated this 5th day of November, 2019



Jeremy M. Berman



BUILDING AMERICA®

October 7, 2019

Wisconsin Department of Transportation
Hill Farms State Transportation Bldg.
4802 Sheboygan Avenue
P.O. Box 7910
Madison, WI 53707-7910

National Park Service
Recreation Resources Assistance Division
P.O. Box 37127
Washington, D.C. 20013-7127

Chief of the Forest Service
U.S. Department of Agriculture
1400 Independence Avenue, S.W.
Washington, DC 20250-1111

Headquarters – Military Surface Deployment & Distribution
Command
ATTN: Transportation Engineering Agency (SDTE-SA)
Railroads for National Defense Program
1 Soldier Way
Scott AFB, IL 62225

**Re: Proposed Abandonment from Milepost 148.2 to Milepost 149.5 in Sheboygan County,
Wisconsin
STB Docket No. AB-33 (Sub-No. 321X)**

Dear Sir or Madam:

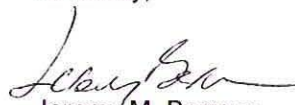
Please be advised that Union Pacific Railroad Company ("UP") expects to file with the United States Surface Transportation Board ("STB"), on or after October 18, 2019, a Notice of Exemption seeking authority to abandon a portion of the Sheboygan Old Main Line from Milepost 148.2 to Milepost 149.5, a distance of 1.3 miles in the City of Sheboygan, Sheboygan County, Wisconsin (the "Line"). The Line traverses U.S. Postal Service Zip Code 53081.

The "no business" exemption procedure will be used to abandon the Line, pursuant to the STB's abandonment regulations at 49 C.F.R. §1152.50. No local traffic has moved over the Line for at least two years and there is no overhead traffic on the Line. A Notice of Exemption to abandon and discontinue service on the Line pursuant to 49 C.F.R. § 1152.50 (no local traffic for at least two years) will be filed with the STB on or after October 18, 2019.

Based on information in UP's possession, the Line does not contain federally granted right-of-way. Any documentation in UP's possession will be made available promptly to those requesting it.

A map showing the segment of Line to be abandoned is attached for your information.

Sincerely,


Jeremy M. Berman
General Attorney

Attachment



CLASSIFIEDS

Place an ad **online** 24/7 at
sheboyganpress.com
Or call **1-888-774-7744**

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Find a new job
or career

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&
Rentals**
Discover your
new home

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and stuff

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vehicle is here

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your service

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Stuff**
all kinds of things...

Antique Collectibles

★ ★ COIN SHOW ★ ★
SUNDAY, OCT. 27, 9am-3pm
STADIUM VIEW - 1 block E. of
PACKER STADIUM
1963 Holmgren Way Green Bay

Cheap Stuff

Look
Cheap Stuff Instructions Below
Did you know that most
cheap stuff ads are free?
Place your ad today at:
sheboyganpress.com/freead
FREE FREE

Sporting Goods

Gun Show - October 25th, 26th, 27th
West Bend/Washington County
Fairgrounds, HWY 45 & CTY PV
Fri 3p-8p, Sat 9a-5p, Sun 9a-3p
Buy, Sell or Trade
All proceeds go to Toke A Kid
Hunting Foundation, Camp Neal

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WANTED FREON: We pay CASH.
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Public Notices

NOTICE OF PUBLIC MEETING
TOWN OF SHEBOYGAN PLAN
COMMISSION
TUESDAY NOVEMBER 5TH, 2019 AT
5:15 pm
TOWN HALL 1512 N. 40TH STREET
SHEBOYGAN, WI 53081
TUESDAY, November 5TH, 2019 @
5:15 pm
Town of Sheboygan
1512 N. 40th Street
Sheboygan, WI 53081
PUBLIC HEARING - Rezoning Application
Pettitioner: American Dream Builders of
Sheboygan County LLC
Property Owner: American Dream
Builders of Sheboygan County LLC c/o
Michael Werner
Property Address: 1715 Willow View Ct.
Sheboygan, WI 53083
Property Zoning: R-2
Proposed Zoning: R-1
Parcel Size: Approx. 3.77 Acres
Parcel Number: 59024344331
Interested persons may contact the Clerk
to obtain a map of the area referenced
above or to file written concerns. All in-
terested persons will be given an oppor-
tunity to be heard at the Public Hearing.
Immediately after the hearing the Plan
Commission will conduct a meeting to
review and consider the information in
order to make a recommendation to the
Town Board.
Daniel W. Hein, Planning Commission
Chairman
Peggy Fischer, Office Staff
Run: Oct. 22, 29, 2019 WNAIXLP

Public Notices

STATE OF WISCONSIN
CIRCUIT COURT
SHEBOYGAN COUNTY
IN THE MATTER OF THE ESTATE OF
ROBERT H. ENGELS
NOTICE TO CREDITORS
(Informal Administration)
Case No. 2019IN000110
PLEASE TAKE NOTICE:
1. An application for informal administra-
tion was filed.
2. The decedent, with a date of birth Oc-
tober 14, 1944 and date of death Sep-
tember 12, 2019, was domiciled in
Sheboygan County, State of Wisconsin,
with a mailing address of 325 W.
Riverbend Street, Plymouth, WI 53073.
3. All interested persons waived notice.
4. The deadline for filing a claim against
the decedent's estate is January 24,
2020.
5. A claim may be filed at the Sheboygan
County Courthouse, Sheboygan,
Wisconsin, Room 400.
BY THE COURT:
DATE SIGNED: October 17, 2019
Electronically signed by Paul J. Callan,
Probate Registrar
Eric S. Zuffelt, Esq.
630 Riverfront Drive, Suite 230
Sheboygan, WI 53081
920-457-8609
Bar Number: 1052571
Run: Oct. 22, 29, Nov. 5, 2019 WNAIXLP

**Name Change/
Adoption**

STATE OF WISCONSIN
CIRCUIT COURT
SHEBOYGAN COUNTY
In the matter of the name change of:
MA GLORIA CORONAO CABRERA
Notice and Order for Name Change
Hearing
Case No. 2019CV000534
NOTICE IS GIVEN:
A petition was filed asking to change the
name of the person listed above:
From: Ma Gloria Coronao Cabrera
To: Ma Gloria Coronado Cabrera
Birth Certificate: Ma Gloria Coronao
Cabrera
IT IS ORDERED:
This petition will be heard in the Circuit
Court of Sheboygan County, State of
Wisconsin:
Judge's Name: Angela Sutkiewicz
Place: Branch 3 notice for three
615 N. Sixth Street, Sheboygan, WI
53081
Date: December 23, 2019
Time: 11:00 a.m.
IT IS FURTHER ORDERED:
Notice of this hearing shall be given by
publication as a Class 3 notice for three
(3) weeks in a row prior to the date of the
hearing in the Sheboygan Press, a
newspaper published in Sheboygan
County, State of Wisconsin.
BY THE COURT:
DATE SIGNED BY: October 14, 2019
Electronically signed by Angela W
Sutkiewicz, Circuit Court Judge
Run: Oct. 15, 22, 29, 2019 WNAIXLP

STATE OF WISCONSIN
CIRCUIT COURT
SHEBOYGAN COUNTY
In the matter of the name change of:
Zachary Travis Whitescarver
BY Zachary Travis Whitescarver
Notice and Order for
Name Change Hearing
Case No. 19CV0520

NOTICE IS GIVEN:
A petition was filed asking to change the
name of the person listed above:
From: Zachary Travis Whitescarver
To: Kristine Kristy Whitescarver
Birth Certificate:

**Name Change/
Adoption**

Zachary Travis Whitescarver
IT IS ORDERED:
This petition will be heard in the Circuit
Court of Sheboygan County, State of
Wisconsin:
Judge's Name:
Hon. ANGELA W. SUTKIEWICZ
Place: Circuit Court Branch 5
615 North Sixth Street
Sheboygan WI 53081
Date: 12-23-19
Time: 10:30 am
BY THE COURT:
DATE SIGNED BY: 10/10/19
/s/ Angela W. Sutkiewicz
Circuit Court Judge
Run: Oct. 15, 22, 29, 2019 WNAIXLP

Notice of Meetings

STATE OF WISCONSIN
CIRCUIT COURT
SHEBOYGAN COUNTY
U.S. Bank National Association,
Plaintiff,
vs.
Thomas M. Nisporic; Wisconsin Bank &
Trust,
Defendants.
Case No. 2019CV000075
NOTICE OF SHERIFF'S SALE
By virtue of a judgment of foreclosure
made in the above-entitled action on
April 23, 2019, in the amount of
\$84,252.50, I will sell at public auction in
the lobby of the Sheboygan County Ad-
ministration Building, located at, 508
New York Avenue, Sheboygan, WI
53081, on November 5, 2019, at 10:00
AM, all of the following described pre-
mises, to wit:
Lot 3, Block 2, Pleasant View Subdi-
vision to the City of Sheboygan,
Sheboygan County, Wisconsin, accord-
ing to the recorded plat thereof. ALSO:
Commencing at the Southwest corner of
Lot 2 in Block 2 of Pleasant View Subdi-
vision to the City of Sheboygan, accord-
ing to the recorded plat thereof, thence
North along the West line of Lots 1 and
2, in said Block 2, 100 feet to the North-
west corner of Lot 1 in said Block 2,
thence East 3 feet along the North line of
said Lot 1 and thence Southerly to the
South line of Lot 2 in said Block 2 to a
point 1.5 feet East of the point of begin-
ning, and thence West 1.5 feet to the
point of beginning, being a part of Lots 1
and 2 in Block 2 of said Pleasant View
Subdivision
Tax Key No. 59281012660
Address: 716 Highland Terrace,
Sheboygan, WI 53083
THE PROPERTY WILL BE SOLD SUB-
JECT TO ALL LEGAL ENCUMBRAN-
CES.
TERMS OF SALE:
1. At the time of sale: a downpayment
(CASH or CASHIER'S CHECK only) in
an amount not less than 10% of the suc-
cessful bid; and
2. No later than ten (10) days after the
Court confirms the sale:
a. The balance due on the sale;
b. The amount of the transfer fee due
under Section 77.22, Wis. Stats., if any;
and
c. The amount of the fee due under Sec-
tion 59.43(2), Wis. Stats., to record the
deed and any other document required
for such recordation.
DATED at Sheboygan, Wisconsin on,
October 4, 2019.
Bass & Mogulowsky, S.C.
Attorneys for Plaintiff
/s/ Cory Roessler
Sheriff of Sheboygan, Wisconsin
Run: Oct. 15, 22, 29, 2019 WNAIXLP

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Call for prices. ★ Joe: 920-901-2044 ★

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& Motor Route**

Potential monthly compensation is
up to \$800 - \$1000 Monthly

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woodsampler.com

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CLASSIFIEDS

Place an ad **online** 24/7*
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*Stuff Categories and Non-Business Advertising only.

DEADLINES:

3:00 p.m. one day prior to
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5:00 p.m. on Fri. for Sun. and Mon.

PHONE HOURS:

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For great advertising packages call
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3 business days prior to publication

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Advertising Department. All ads are subject to
approval before publication. Wisconsin Media
reserves the right to edit, refuse, reject, classify or
cancel any ad at any time. Errors must be reported
in the first day of publication. Wisconsin Media
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from an error in or omission of an advertisement.

No refunds for early cancellation of order.

Business Advertising -

Any and all advertising either directly or indirectly
advertising a business shall include by firm name or
some other suitable term such as "broker" or agent,
that the advertisement has been placed by a firm
or individual engaged in commercial enterprise.
Find all advertising options, terms and conditions at
usatodaywisconsin.com



**BUILDING AMERICA®**

July 12, 2019

VIA US Mail**TO: See Attached Service List****RE: Proposed Abandonment from Milepost 148.2 to Milepost 149.5 in Sheboygan County,
Wisconsin
STB Docket No. AB-33 (Sub-No. 321X)**

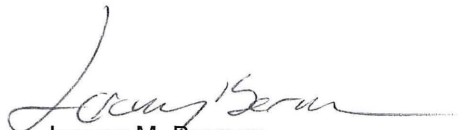
To whom it may concern:

On or after August 1, 2019, Union Pacific Railroad Company ("UP") expects to file with the Surface Transportation Board ("STB" or "Board") a Notice of Exemption seeking authority to abandon a portion of the Sheboygan Old Main Line from Milepost 148.2 to Milepost 149.5, a distance of 1.36 miles in the City of Sheboygan, Sheboygan County, Wisconsin (the "Line"). Attached is a Combined Environmental and Historic Report describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

Union Pacific is providing this report so that you may review the information that will form the basis for the STB's independent environmental 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 Board's environmental review process, please contact the Office of Environmental Analysis (OEA), Surface Transportation Board, Washington, DC, Telephone (202) 245-0291 and refer to the above Docket No. AB-33 (Sub-No. 321X). Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to OEA (with a copy to our representative) would be appreciated within 3 weeks.

Your comments will be considered by the Board in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact our representative directly. Our representative in this matter is Jeremy M. Berman who may be contacted by telephone at 402-544-4735 or by mail at 1400 Douglas St., Stop 1580, Omaha, NE 68179.

Sincerely,


Jeremy M. Berman

Attachment

Docket No. AB-33 (Sub-No. 321X)

Service List

State Clearinghouse (or Alternate):

Wisconsin Department of Transportation
4802 Sheboygan Avenue 115B
Madison, Wisconsin 53705

State Environmental Protection Agency:

Environmental Protection Unit
Wisconsin Department of Justice
17 W. Main Street
Madison, Wisconsin 53707

Environmental Protection Agency (Regional Office):

U.S. Environmental Protection Agency - Region 5
77 W. Jackson Road
Chicago, Illinois 60604

State of Wisconsin Historic Preservation Office:

Wisconsin Historical Society
816 State Street
Madison Wisconsin 53706

U.S. Fish and Wildlife Service:

U.S. Fish and Wildlife Service
Midwest Office
5600 American Boulevard West, Suite 990
Bloomington, Minnesota 55437

U.S. Army Corps of Engineers:

U.S. Army Corps of Engineers
Detroit District
477 Michigan Avenue
Detroit, Michigan 48226

National Park Service (Regional Office):

National Park Service – Midwest Region
626 E. Wisconsin Avenue, Suite 100
Milwaukee, Wisconsin 53202

U.S. Natural Resources Conservation Service:

U.S. Natural Resources Conservation Service
Sheboygan Falls Service Center
650 Forest Avenue
Sheboygan Falls, Wisconsin 53085

National Geodetic Survey:

Geodetic Services Division
SMCC-3 #9209
NOAA N/NGS2
1315 E-W Highway
Silver Spring, Maryland 20910

Head of Sheboygan County:

Sheboygan County Clerk
Administration Building, Room 129
508 New York Avenue
Sheboygan, Wisconsin 53081



[JIRA] (IMOV-5981) Re: STB Docket No. AB-33 (Sub-No.321X)

deborah.brooks to: jmberman

08/13/2019 04:54 PM

***** STOP. EXTERNAL EMAIL. USE CAUTION *****

A comment is added on your issue:

Re: Re: STB Docket No. AB-33 (Sub-No.321X)

Thank you for informing the National Geodetic Survey (NGS) of the Union Pacific Railroad Company's (UP) decision to abandon a 1.36 mile rail line segment between Milepost 148.2 and Milepost 149.5 in the city of Sheboygan, Sheboygan County, Wisconsin.

There could be geodetic survey marks located in the area described, and any marks still present could be disturbed by the abandonment. Geodetic survey markers can often be preserved or reset with advanced planning, and disturbances to marks should be reported to NGS. Online tools are available to locate survey marks and submit recovery notes, and NGS continually updates this database. See the NGS Data Explorer: <https://geodesy.noaa.gov/NGSDataExplorer/>.

If a mark will be disturbed by the abandonment, Union Pacific should consult with NGS at least 90 days prior to beginning salvage activities that will disturb, or destroy any geodetic markers identified nearby. Additional advice is provided at <https://www.ngs.noaa.gov/marks/railroads/>.

This notice is also being shared with John Ellingson (john.ellingson@noaa.gov, 202 - 306-6904) the Regional Geodetic Advisor, so he may work with interested local agencies or stakeholders.

If you have additional questions, please email NGS.infocenter@noaa.gov.

Sincerely,

Deborah M. Brooks

Geodesist

deborah.brooks@noaa.gov

National Geodetic Survey



[JIRA] (IMOV-5981) Re: STB Docket No. AB-33 (Sub-No.321X)

john.ellingson to: jmberman

10/03/2019 05:27 PM

***** STOP. EXTERNAL EMAIL. USE CAUTION *****

A comment is added on your issue:

Re: Re: STB Docket No. AB-33 (Sub-No.321X)

I checked the NGS IDB and found that there were no marks in the area of this abandonment proposal. I emailed Mr. Berman with the following information:

Mr. Berman,

I have researched the NGS database and learned that there are no geodetic marks located in the section of rail that you are proposing to abandon.

Thank you for contacting us about this matter. It is in the public's interest to always attempt to save any existing geodetic marks. I am glad that there are none in your project area. By this email, I am confirming that you have done your duty to notify us of possible threats to marks in that area, and informing you that you can consider this matter involving NGS closed.

John Ellingson

Great Lakes Regional Geodetic Advisor

National Geodetic Survey

National Geodetic Survey



Fwd: STB Docket No. AB-33 (Sub-No. 321X) - No Conflict
John Ellingson - NOAA Federal to: jmberman

10/07/2019 08:18 AM

History:

This message has been replied to.

***** STOP. EXTERNAL EMAIL. USE CAUTION *****

Mr. Berman,

This morning when checking my email I noticed a message telling me that my email server was having trouble delivering the following email to you. I looked back and determined that I had erroneously added an extra letter in the address that I had used for your email account. I am sending this again with the email address that was provided in our contact system. If you receive this, would you reply to me that you have received it? Please forgive me for the additional delay in getting a response to you.

John

John T. Ellingson PE PLS

NOAA's National Geodetic Survey (NGS) | Regional Geodetic Advisor -Great Lakes Region (MI-IN-IL-WI)

Cell 202-306-6904 | email: john.ellingson@noaa.gov | (My office is located in the Central Time Zone)

Views expressed are those of the author and not necessarily those of NGS

----- Forwarded message -----

From: **John Ellingson - NOAA Federal** <john.ellingson@noaa.gov>

Date: Thu, Oct 3, 2019 at 5:25 PM

Subject: STB Docket No. AB-33 (Sub-No. 321X) - No Conflict

To: <jmberman@kup.com>

Mr. Berman,

I have researched the NGS database and learned that there are no geodetic marks located in the section of rail that you are proposing to abandon.

Thank you for contacting us about this matter. It is in the public's interest to always attempt to save any existing geodetic marks. I am glad that there are none in your project area. By this email, I am confirming that you have done your duty to notify us of possible threats to marks in that area, and informing you that you can consider this matter involving NGS closed.

John Ellingson

Great Lakes Regional Geodetic Advisor

National Geodetic Survey

John T. Ellingson PE PLS

John T. Ellingson PE PLS

NOAA's National Geodetic Survey (NGS) | Regional Geodetic Advisor -Great Lakes Region (MI-IN-IL-WI)

Cell 202-306-6904 | email: john.ellingson@noaa.gov | (My office is located in the Central Time Zone)

Views expressed are those of the author and not necessarily those of NGS



STB Docket No. AB-33 (Sub-No. 321x) / WHS 16-0372 SB Proposed
Abandonment from MP 148.2 to MP 149.5 in Sheboygan County, WI

KIMBERLY A COOK to: jmberman@up.com

07/30/2019 11:12 AM

***** STOP. EXTERNAL EMAIL. USE CAUTION *****

We have reviewed the Combined Environmental and Historic Report for the above project and have one comment. There is one railroad structure located within the Area of Potential Effect as discussed in the document previously provided to SHPO for comment and included in the current report as Attachment 3. While we concur that the project as currently defined will not adversely effect this eligible depot, it should be clear that any alterations to the project plans in front of this historic property will require additional SHPO review.

Thank you,

Kimberly Cook

State Historic Preservation Office

Wisconsin Historical Society

816 State Street, Madison, WI 53706

608-264-6493(O)

Kimberly.cook@wisconsinhistory.org

Wisconsin Historical Society

[Collecting, Preserving, and Sharing Stories Since 1846](#)



DEPARTMENT OF THE ARMY
DETROIT DISTRICT, CORPS OF ENGINEERS
477 MICHIGAN AVE.
DETROIT, MICHIGAN 48226-2550

JUL 25 2019

Mr. Jeremy M. Berman, General Attorney
Union Pacific Railroad Co.
1400 Douglas Street, MS 1580
Omaha, NE 68179

RE: Proposed Rail Line Abandonment from Milepost 148.2 to Milepost 149.5 in
Sheboygan County, Wisconsin. STB Docket No. AB-33 (Sub-No. 321X).

In response to your correspondence of July 12, 2019, regarding the abandonment of 1.36 miles of rail line in the City of Sheboygan, Wisconsin, the following comments are provided in accordance with our responsibilities under our Regulatory and Civil Works Programs.

Our St. Paul District Regulatory Office reviewed your July 12, 2019, correspondence and note that from the plan figure provided the work appears to be confined to existing rail alignment and grade and would not impact any waterways or wetlands. The plan figure did not indicate whether there would be any access roads or staging areas for equipment that might impact waterways or wetlands. If there is no discharge of fill material into a Water of the United States or adjacent wetlands, then no Clean Water Act Section 404 authorization would be required. If you wish to coordinate further on the Section 404 aspect of the project planning, please contact Joey Shoemaker, Lead Project Manager, at our St. Paul District, Green Bay Field Office. Joey can be reached at 651-290-5378.

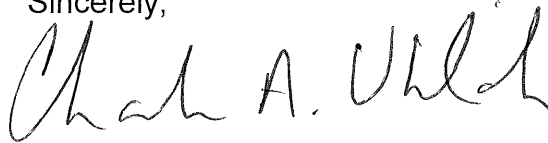
Our Civil Works Program includes a Federal Navigation Project at Sheboygan Harbor. The rail line abandonment would not affect the Federal Project. We have no other project or studies for water resources in vicinity of the rail abandonment project.

According to the applicable National Flood Insurance Program (NFIP) Flood Insurance Rate Maps (FIRM), there are no Federally mapped floodplains in the rail line abandonment project area of potential effects (Enclosure). The FIRMs are used for administering the NFIP and therefore do not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. We recommend that you coordinate with local officials and with the State of Wisconsin regarding the applicability of a floodplain permit prior to the abandonment/deconstruction. This coordination would help ensure compliance with local and state floodplain management regulations and acts. If you obtain information that any part of your

project would impact the floodplain, you should consider other alternatives that, to the extent possible, avoid or minimize adverse impacts associated with use of the floodplain.

We appreciate the opportunity to comment on the Union Pacific Railroad Company's proposed abandonment of rail line from Milepost 148.2 to Milepost 149.5 in Sheboygan County, Wisconsin. Any questions may be directed to Mr. Paul Allerding at 313-226-7590 or me at 313-226-2476.

Sincerely,

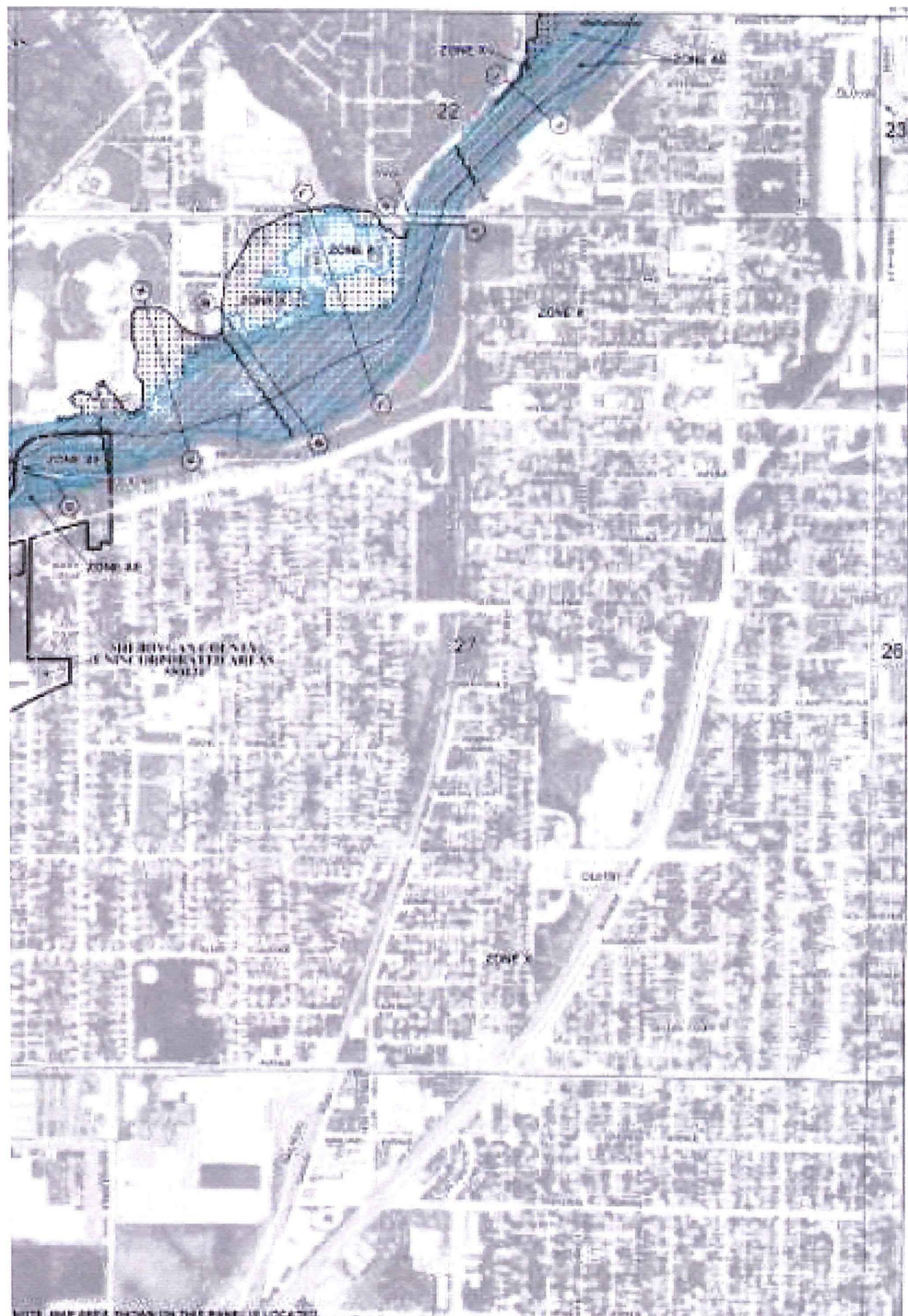
A handwritten signature in black ink, appearing to read "Charles A. Uhlarik". The signature is fluid and cursive, with the first name "Charles" being the most prominent.

Charles A. Uhlarik, Chief
Environmental Analysis Branch

Enclosure

Copies furnished:

Joey Shoemaker, Corps of Engineers, Regulatory Office, St. Paul District
Mary Weidel, Corps of Engineers, Floodplain Management Services, Detroit District



NOTE: MAP AREA SHOWN ON THIS PANEL IS LOCATED

NFIP

PANEL 0351F

NATIONAL FLOOD INSURANCE PROGRAM

FIRM **FLOOD INSURANCE RATE MAP** **SHEBOYGAN COUNTY,** **WISCONSIN** **AND INCORPORATED AREAS**

PANEL 351 OF 495

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

<u>COMMUNITY</u>	<u>NUMBER</u>	<u>PANEL</u>	<u>SUFFIX</u>
SHEBOYGAN COUNTY	55404	0351	F
POHREIL VILLAGE OF	55405	0351	F
SHEBOYGAN CITY OF	55406	0351	F

Notice to User: The Map Number shown below should be used when placing map orders. The Community Number shown above should be used on insurance applications for the subject community.



MAP NUMBER
55117C0351F

EFFECTIVE DATE
APRIL 2, 2009

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
DETROIT DISTRICT
477 MICHIGAN AVENUE
DETROIT MI 48226-2550

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Mr. Jeremy M. Berman, General Attorney
Union Pacific Railroad Co.
1400 Douglas Street, MS 1580
Omaha, NE 68179

68179-

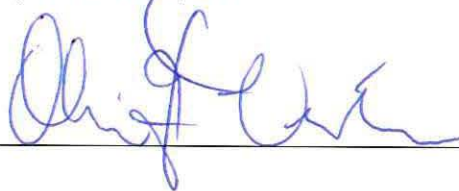


VERIFICATION

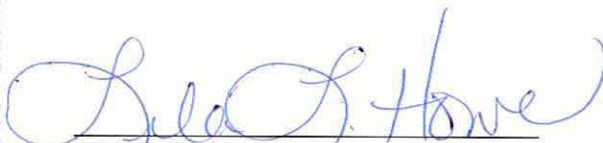
State of Nebraska)
) ss:
County of Douglas)

I, Olin H. Dirks, Manager I – Commercial and Interline Strategy, for Union Pacific Railroad Company declare under penalty of perjury, under the laws of the United States of America, that I have read the forgoing document and that its assertions are true and correct to the best of my knowledge, information and belief. I further declare that I am qualified and authorized to submit this verification on behalf of Union Pacific Railroad Company.

Dated at Omaha, Nebraska, this 25th day of October, 2019.



SUBSCRIBED AND SWORN TO
before me this 25 day of
October, 2019.



Notary Public

