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| <br><b>GRANTED</b><br>Office of<br>Proceedings | DECISION ID NO.: <u>44029</u>      |
|                                                                                                                                | DECIDED DATE: <u>9/16/14</u>       |
|                                                                                                                                | SERVICE DATE: <u>9/17/14</u>       |
|                                                                                                                                | APPROVED: <u>Rachel D Campbell</u> |

BEFORE THE  
SURFACE TRANSPORTATION BOARD

☒ extended to 3/14/15

AB-57 (SUB-NO. 61X)

SOO LINE RAILROAD –  
ABANDONMENT EXEMPTION  
IN RACINE COUNTY, WISCONSIN

236673  
ENTERED  
Office of Proceedings  
September 16, 2014  
Part of  
Public Record

**WISCONSIN DEPARTMENT OF NATURAL RESOURCES (WisDNR)  
PETITION FOR NOTICE OF INTERIM TRAIL USE  
NEGOTIATION PERIOD EXTENSION**

**BACKGROUND**

Soo Line Railroad Company, d/b/a Canadian Pacific (Soo Line) filed with the Surface Transportation Board (Board) a Notice of Exemption under 49 C.F.R. § 1152 Subpart F – Exempt Abandonments to abandon a 10.63-mile line of railroad, extending from milepost 7.8 and ending at milepost 18.43, in Racine County, WI. The line traverses through United States Postal Service Zip Codes 53139, 53182, and 53177.

On February 24, 2014, the Wisconsin Department of Natural Resources (WisDNR) executed a Statement of Willingness to Accept Financial Responsibility pursuant to 49 C.F.R. § 1152.29. This statement is for the 10.63-mile segment of Soo Line railroad, from milepost 7.8 to milepost 18.43, in Racine County, WI.

On February 27, 2014, the Wisconsin Department of Transportation (WisDOT) filed a Petition for Interim Trail Use pursuant to 49 C.F.R. § 1152.29(a) and 49 C.F.R. § 1152.29(b)(3) to obtain a notice of interim trail use for interim highway, bicycle, pedestrian and other trail purposes and rail banking pursuant to 16 U.S.C. § 1247(d) and 49 C.F.R. § 1152.29 for WisDNR for the full right of way involved in this proceeding. WisDOT and WisDNR therein agreed to use

**FILING FEE WAIVED**

or preserve the land corridor and related real property for interim public transportation and recreational purposes (including highway, pedestrian and other trail), subject to restoration for railroad purposes.

On March 13, 2014, Soo Line filed a letter with the Board stating its intent to negotiate with WisDNR for a possible interim trail use/rail banking agreement.

On service date March 18, 2014, the Board issued an NITU under 49 C.F.R. § 1152.29, allowing WisDNR 180 days until September 15, 2014, to negotiate a rail banking agreement with Soo Line. Since then, WisDNR has been working through approvals and in discussions with WisDOT on highway use for the right-of-way involved in this proceeding. An appraisal report for the corridor will be completed in October 2014 at which time formal acquisition negotiations with Soo Line can proceed.

#### **MOTION**

Therefore, WisDNR moves that the period prescribed to negotiate an interim trail use/rail banking agreement be extended for 180 more days for the 10.63-mile segment of Soo Line railroad, from milepost 7.8 to milepost 18.43, in Racine County, Wisconsin.

Respectfully Submitted,



Brigit Brown

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09/15/14