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235195

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December 13, 2013

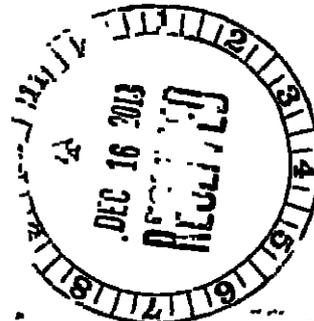
VIA FEDERAL EXPRESS

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S W, Room 1034
Washington, DC 20024

FILED

DEC 16 2013

**SURFACE
TRANSPORTATION BOARD**



**ENTERED
Office of Proceedings**

DEC 16 2013

**Part of
Public Record**

Re: **Docket No. AB-303 (Sub-No. 43X)
Wisconsin Central Ltd. -- Abandonment
Exemption -- In Barron County, Wisconsin**

Dear Secretary Williams:

Enclosed for filing in the above-captioned proceeding are an original and ten copies of the **Petition for Exemption of Wisconsin Central Ltd.**, dated December 16, 2013. A check in the amount of \$6,700, representing the appropriate fee for this filing, is attached.

In accordance with 49 C.F.R. § 1152.60(c), a computer disk containing the text of the draft *Federal Register* notice of this petition for exemption (Exhibit B to the Petition) in MS Word 2010 format also is enclosed. For convenience, this disk also contains the text of the Petition for Exemption.

The original copy of the Environmental/Historic Report (Exhibit F to the Petition) has been provided directly to the Board's Office of Environmental Analysis.

If you have any questions regarding this filing, please feel free to contact me. Thank you for your assistance on this matter. Kind regards

FEE RECEIVED
DEC 16 2013
**SURFACE
TRANSPORTATION BOARD**

Respectfully submitted,
Audrey Brodrick
Audrey L. Brodrick
Attorney for Wisconsin Central Ltd.

ALB:dg
Enclosures
cc: Ms. Victoria J Rutson, Room 1106

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BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-303 (SUB-NO. 43X)

WISCONSIN CENTRAL LTD.
-- ABANDONMENT EXEMPTION --
IN BARRON COUNTY, WISCONSIN

**PETITION FOR EXEMPTION OF
WISCONSIN CENTRAL LTD.**

Audrey L. Brodrick
Fletcher & Sippel LLC
29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832
(312) 252-1500

**ATTORNEY FOR
WISCONSIN CENTRAL LTD.**

Dated: December 16, 2013

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-303 (SUB-NO. 43X)

WISCONSIN CENTRAL LTD.
-- ABANDONMENT EXEMPTION --
IN BARRON COUNTY, WISCONSIN

**PETITION FOR EXEMPTION OF
WISCONSIN CENTRAL LTD.**

Pursuant to 49 U.S.C. § 10502 and the regulations of the Surface Transportation Board (the "Board") at 49 C.F.R. §§ 1121 and 1152.60, Wisconsin Central Ltd ("WCL") hereby petitions the Board for an exemption from the prior approval requirements of 49 U.S.C. § 10903 for WCL to abandon a line of railroad, referred to herein as "the Line," extending from milepost 55.2 and ending at milepost 56.0 in Rice Lake, Barron County, Wisconsin, a distance of approximately 0.80 miles. The line of trackage north of milepost 56.0 was authorized for abandonment in AB -303 (Sub. No. 12 X). The line that was abandoned in that proceeding is now a trail, except for a small portion of trackage immediately north of milepost 56.0, on which abandonment was consummated but the track remained in place to allow for headroom for switching purposes. A map showing the location of the line to be abandoned is attached to this Petition as Exhibit A. A draft *Federal Register* notice of this Petition in the form prescribed by 49 C.F.R. § 1152.60(c) is attached hereto as Exhibit B.

After abandonment, the railbed and subgrade of the Line will remain in place and not be disturbed but the tracks, ties, and other track material will be salvaged. Wisconsin Department of Natural Resources has expressed interest in using the abandoned corridor for trail purposes and WCL is working with the agency to develop that possibility.

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and Wisconsin. WCL is a wholly-owned indirect subsidiary of Canadian National Railway Company. See Canadian National Ry. Co. -- Control -- Wisconsin Central Transp Corp., 5 S.T.B. 890 (2001)

The complete name and address of WCL is.

Wisconsin Central Ltd.
17641 South Ashland Avenue
Homewood, Illinois 60430
(708) 332-4381

II. DESCRIPTION OF LINE TO BE ABANDONED

The Line WCL seeks to abandon is a single-track, stub-ended line that begins at a connection with WCL's mainline at milepost 55.2 and ending at milepost 56.0 in Rice Lake, Wisconsin. The track north of milepost 56.0 was an unregulated line that is no longer in use, and the track on the unregulated line has been removed. The Line is situated in Barron County, Wisconsin and extends a total distance of approximately 0.80 miles.

Wisconsin Department of Natural Resources has expressed an interest in using the abandoned corridor for trail purposes. Subsequent to receiving the authority to abandon, WCL will work with the agency to develop that possibility.

The right-of-way of the Line is largely 100 feet wide with some areas being 50 feet and others areas approximately 177 feet wide. Pursuant to 49 C.F.R. § 1152.60(d), WCL states that, based on information in its possession, the Line does not contain federally granted rights-of-way. According to WCL's records, two of the parcels on which the Line sits were patents received from the State of Wisconsin. WCL does not know the source of those patents. Any relevant documentation on this subject in WCL's possession will be made available promptly to those requesting it. The Line traverses United States Postal Service Zip Code 54868.

III. JURISDICTION AND STATUTORY STANDARDS

The Board has jurisdiction over the proposed abandonment of WCL's Line pursuant to 49 U.S.C. § 10903. Generally, a common carrier by rail must obtain authority from the Board under Section 10903 before abandoning a line of railroad. However, 49 U.S.C. § 10502 requires the Board to exempt a person, transaction or service from the statutory and regulatory requirements otherwise applicable to a rail carrier when the Board determines that: (1) application of those requirements is not necessary to carry out the rail transportation policy of 49 U.S.C. § 10101; and (2) either (a) the transaction is of limited scope or (b) regulation is not needed to protect shippers from an abuse of market power

IV. CRITERIA OF 49 U.S.C. § 10502

A. Detailed Scrutiny Under 49 U.S.C. § 10903 Is Not Necessary To Carry Out The Rail Transportation Policy Of 49 U.S.C. § 10101

Granting WCL an exemption to abandon the Line is consistent with the goals articulated in the National Rail Transportation Policy, 49 U.S.C. § 10101. The rail transportation policy provides that the Board should minimize the need for federal regulatory control over the rail transportation system, expedite regulatory decision, and reduce barriers to exit. 49 U.S.C. §§ 10101 (2) and (7). Additionally, the rail transportation policy is meant to encourage honest and efficient management of railroads and to expeditiously handle and resolve all proceedings required or permitted to be brought under the statutory scheme 49 U.S.C. §§ 10101 (9) and (15). The statutory exemption procedure of Section 10502 obviates the need for the expensive and time-consuming processes attendant to a proceeding under Section 10903, including the costs of preparing an application. Reliance on the adequate and expeditious exemption

proceedure herein would minimize Board regulation of this transaction and reduce the regulatory burden on WCL.

Additionally, by granting WCL's petition, none of the other rail transportation policy criteria will be adversely affected. There has been no service over the Line in two years, no shippers are located on the Line, and there is no trackage beyond the northern limit of the Line WCL seeks to abandon.

B. The Transaction Is Of Limited Scope

The transaction for which exemption is sought consists solely of the abandonment of a stub-ended spur track totaling approximately 0.80 miles and which no shippers are located. Further, there has been no service over the Line for two years. Additionally, there is no reasonable prospect of future rail traffic, as there is no further trackage beyond milepost 56.0, the northern limit of the Line WCL seeks to abandon. The proposed abandonment clearly is of limited scope.

C. Regulation Is Not Necessary To Protect Shippers From An Abuse Of Market Power

Since this transaction is of limited scope, WCL does not need to demonstrate that regulation is unnecessary to protect shippers from abuse of market power. 49 U.S.C § 10502(a)(2). Even so, it is clear that this transaction will not and cannot subject shippers to any market power abuse. As stated above, there are no shippers located on the Line and there is no further trackage beyond the northern most point of the Line WCL seeks to abandon. Accordingly, regulation by the Board of this abandonment is not and cannot be necessary to protect any shipper from an abuse of power.

V. LEVEL OF LABOR PROTECTION TO BE IMPOSED

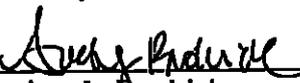
WCL does not anticipate any adverse impact on employment levels as a result of the proposed abandonment as there has been no traffic over the Line in two years. WCI agrees that the appropriate level of employee protection to be imposed on this abandonment is that established in Oregon Short Line R. Co -- Abandonment -- Goshen, 360 I.C.C. 91 (1979).

VI. ENVIRONMENTAL REPORT

In accordance with the requirements of 49 C.F.R. §§ 1105.7(a), 1105.8(a) and 1121.3(b), an Environmental/Historic Report is attached as Exhibit F to this Petition.

WHEREFORE, WCI respectfully requests that the Board exempt from the prior approval requirements of 49 U.S.C. § 10903 the abandonment by WCI of its line extending from milepost 55.2 and ending at milepost 56.0 in Rice Lake, Barron County, Wisconsin

Respectfully submitted,

By: 
Audrey L. Brodrick
Fletcher & Sippel LLC
29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832
(312) 252-1500

**ATTORNEYS FOR
WISCONSIN CENTRAL LTD.**

Dated: December 16, 2013

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CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of December, 2013, a copy of the foregoing **Petition for Exemption of Wisconsin Central Ltd.** was served by first class mail, postage prepaid, upon the agencies specified in 49 C.F.R. § 1152.50(d)(1) and all known customers on the line to be abandoned, as follows:

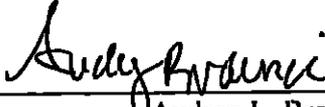
Ms. Leanna Wall
Director, Bureau of Railroads and Highways
Wisconsin Department of Transportation
P.O. Box 7914
Madison, WI 53707-7914

Wisconsin Department of IGA Relations
P.O. Box 7868
101 East Wilson Street, 6th Floor
Madison, WI 53707-7868

Mr. Tom Tidwell
Chief of the Forest Service
U.S. Department of Agriculture
1400 Independence Avenue, S.W.
Washington, DC 20250-0003

National Park Service
Attn: Charlie Stockman
Org: 2220
1201 I (Eye) Street NW
Washington D.C. 20005

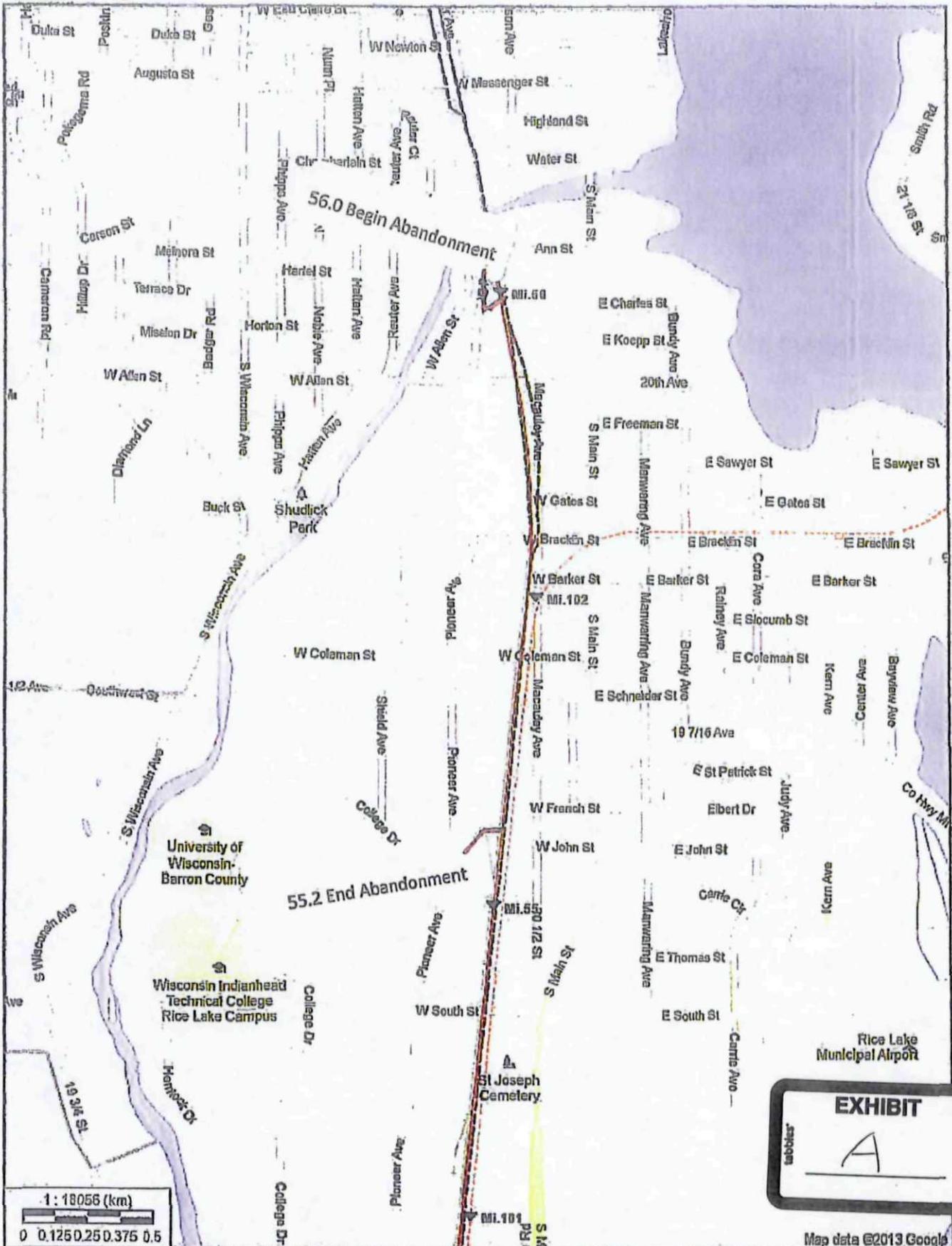
Railroads For National Defense Program
Military Surface Deployment & Distribution Command
Transportation Engineering Agency
1 Soldier Way, Bldg. 1900W
Scott AFB, IL 62225-5006



Audrey L. Brodrick



235195 EXHIBIT A



EXHIBIT

A

Map data ©2013 Google

The map image is not up to scale

Federal Register Notice

Docket No. AB-303 (Sub No. 43X)

Notice of Petition for Exemption to Abandon

On December 16, 2013, Wisconsin Central Ltd. ("WCL") filed with the Surface Transportation Board, Washington, DC 20423, a petition for exemption for WCL to abandon a line of railroad extending from milepost 52.2 to milepost 56.0 in Rice Lake, Barron County, Wisconsin, a distance of approximately 0.80 miles the ("Line"). The line for which the abandonment exemption request was filed traverses United States Postal Service ZIP Code 54868.

Based on available information, the Line does not contain federally granted rights-of-way. According to WCL's records, two of the parcels on which the Line sits were patents received from the State of Wisconsin. WCL does not know the source of those patents. Any documentation in the railroad's possession will be made available promptly to those requesting it.

The interest of railroad employees will be protected by the conditions specified in Oregon Short Line R. Co. -- Abandonment -- Goshen, 360 I.C.C. 91 (1979)

Any offer of financial assistance will be due no later than 10 days after service of a decision granting the petition for exemption.

All interested parties should be aware that following abandonment of rail service and salvage of the line, the line may be suitable for other public use, including interim trail use.

Any request for a public use condition and any request for trail use/rail banking will be due no later than 20 days after notice of the filing of the petition for exemption is published in the *Federal Register*.

Persons seeking further information concerning abandonment procedures may contact the Surface Transportation Board or refer to the full abandonment regulations at 49 CFR part 1152. Questions concerning environmental issues may be directed to the Board's Office of Environmental Analysis.

Any environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by the Office of Environmental Analysis will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Any other persons who would like to obtain a copy of the EA (or EIS) may contact the Section of Environmental Analysis. EAs in these abandonment proceedings normally will be made available within 60 days of the filing of the petition. The deadline for submission of comments on the EA will generally be within 30 days of its service.

STATE OF MN)
)
COUNTY OF DAKOTA) SS

AFFIDAVIT OF Jon Van GEMERT

I, Jon Van GEMERT do hereby certify, swear, and declare that I am competent to testify and give this affidavit based upon my personal knowledge, and that the following facts are true to the best of my knowledge, information and belief:

1. I am the CEO of Progressive Rail Inc. ("Progressive") a common carrier by rail that owns and operates rail line in Minnesota, Wisconsin, Missouri, Illinois, and Iowa.

2. I have served as the CEO since 2008.

3. As CEO, I have knowledge of Progressive's operations, including the tracks we operate over and the shipments that traverse those lines

4. From October 2004 to December 2012, Progressive leased a portion of track from the Wisconsin Central Ltd. ("WCL") on WCL's Barron subdivision located in Barron, County, Wisconsin. The portion of track Progressive leased from WCL included track located between mileposts 55.2 and 56.0.

5. To the best of my knowledge, from November 20, 2011 through December 1, 2012, when Progressive's lease of WCL's Barron subdivision ended, there was no traffic or shipments over the portion of the Barron subdivision between mileposts 55.2 and 56.0 in Rice Lake, Barron County, Wisconsin

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Further Affiant Sayeth Not



A handwritten signature in black ink, appearing to be 'Lorie Lynn Jenkins', written over a horizontal line.

SUBSCRIBED and SWORN to
before me this 23rd day of October, 2013

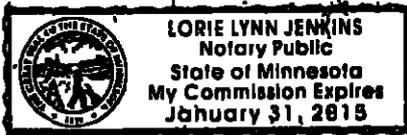


A handwritten signature in black ink, appearing to be 'Lorie Lynn Jenkins', written over a horizontal line.

Notary Public

My Commission Expires.

1-31-15



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Further Affiant Sayeth Not.

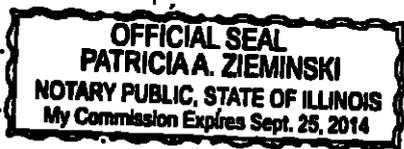
Brian Buchanan

SUBSCRIBED and SWORN to
before me this 9th day of December, 2013.

Patricia A. Zieminski
Notary Public

My Commission Expires:

9/25/14



VERIFICATION

State of Illinois)
)
County of Cook)

SS.

Brian Buchanan, being duly sworn, deposes and says that he is the Manager-
Network
Strategies for Wisconsin
Central Ltd, that he has read the foregoing Petition for Exemption and knows the facts asserted
therein, and that the same are true as stated.

Brian Buchanan

SUBSCRIBED AND SWORN TO
before me this 10th day
of December, 2013

Rebecca S. Bott
Notary Public
My Commission expires:



**BEFORE THE
SURFACE TRANSPORTATION BOARD**

DOCKET NO. AB-303 (SUB-NO. 43X)

**WISCONSIN CENTRAL LTD.
-- ABANDONMENT EXEMPTION --
IN BARRON COUNTY, WI**

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 a line of railroad, referred to herein as the "Line," extending from milepost 56.0 and ending at milepost 55.2 in Rice Lake, Barron County, Wisconsin, a distance of approximately 80 miles. A map showing the location of the Line is attached hereto as Exhibit A. The track north of milepost 56.0 was an unregulated line that is no longer in use, and the track on the unregulated line has been removed.

WCL believes that there have been no rail shipments of any kind on the Line in the last two years, and no reasonable possibility for the development of new rail traffic exists.¹

¹ From October, 2004 to December 2012, WCL leased to Progressive Rail a portion of WCL's Barron Subdivision that included the line of railroad track between mileposts 55.2 and 56.0 that WCL now seeks to abandon. WCL does not believe that Progressive Rail provided rail

The railbed and subgrade of the Line will remain in place and not be disturbed but the tracks, ties, and other track material will be salvaged. Subsequent to abandonment, several grade crossings located on the Line will be fully removed from the interstate network. There are no bridges located along the Line and the State Historic Preservation Office within the Wisconsin Historical Society ("SHPO") has indicated that no historic structures will be affected by abandonment of the Line.

Wisconsin Department of Natural Resources has expressed interest in using the abandoned corridor for trail purposes and WCL is working with the agency to develop that possibility.

WCL has contacted and requested comments from the Barron County Board of Supervisors as well as the Rice Lake Mayor. See correspondence attached herein as Appendix B. WCL has received no comments to date.

2. Transportation System. WCL does not anticipate that existing regional or local transportation systems or patterns will be affected by the proposed abandonment. No rail service is currently provided on the Line. Thus, no traffic will be diverted to other transportation systems or modes as a result of the proposed abandonment. There is no overhead traffic on the Line, and no passenger trains are operated over the Line. WCL does not anticipate that existing regional or local transportation systems or patterns will be adversely affected by the proposed abandonment since WCL believes that there has been no service over the Line for at least the last two years. *See* Footnote 1.

WCL has contacted and requested comments from the Wisconsin Department of Transportation. Wisconsin Department of Transportation has responded to WCL's letter. *See* service over the Line during the time that Progressive Rail leased that portion of railroad track from WCL.

correspondence attached hereto as Appendix C WCL will comply with all applicable rules and regulations when performing the abandonment and related activities and will employ good engineering practices WCL will work with the Wisconsin Department of Natural Resources for the possibility of developing the abandoned corridor for trail purposes.

3. Land Use.

(i) WCL does not foresee any inconsistency with regional and/or local land use plans, but has contacted and requested comments from the NOAA/National Geodetic Survey. The National Geodetic Survey has commented that no geodetic survey marks are located on the Line. See correspondence attached herein as Appendix D.

(ii) WCL believes that the proposed abandonment of the Line will not affect any prime or unique agricultural land. WCL has contacted and requested comments from the Natural Resources Conservation Service of the United States Department of Agriculture. See correspondence attached herein as Appendix E. WCL has received no comments to date.

(iii) This track does not appear to be within a designated Coastal Zone Management Area and, accordingly, the proposed abandonment will not affect any land or water uses in such an area or result in any coastal impacts. WCL has contacted the Office of Water at the U.S. Environmental Protection Agency to determine whether the proposed abandonment is consistent with applicable federal, state and local water quality standards. The U.S. Environmental Protection Agency responded and referred the matter to its Region 5 office in Chicago, Illinois. See correspondence attached hereto as Appendix F. WCL also separately contacted the U.S. Environmental Protection Agency's Region 5 Office. See Appendix F. WCL has received no comments to date from the U.S. Environmental Protection Agency's Region 5 Office. The rail and other salvageable materials will be removed from the Line subsequent to

abandonment. WCL will follow all rules and regulations for the removal of such materials. The railbed will remain in place, and no re-grading will be done

(iv) The right-of-way of the Line is suitable for an alternative public use under 49 U.S.C. § 10905 as a trail. The Wisconsin Department of Natural Resources has expressed interest in using the abandoned corridor for use as a trail and WCL is exploring that as a possibility

4. Energy.

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

(ii) The movement and/or recovery of recyclable commodities will not be adversely affected by this abandonment. No recyclable commodities move over the Line, and WCL foresees little 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 freight traffic on the Line, and thus, there will be no changes in existing transportation patterns or energy usage as a result of the proposed abandonment.

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

5. Air.

(i) *Not applicable.* Abandonment will not result in (A) a minimum increase in rail traffic of 100% or eight trains per day on any segment of rail line, (B) an increase

in rail yard activity of at least 100%, or (C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles per day on any road segment.

(ii) Not applicable. Barron County is not a class I or nonattainment area under the Clean Air Act. In any event, abandonment of the Line will not result in traffic increases which exceed the thresholds specified in 49 C.F.R. § 1105.7(c)(5)(ii)(A), (B) or (C).

(iii) Not applicable. No ozone depleting materials are transported over the Line, and no such shipments would be diverted as a result of this abandonment

WCL has contacted and requested comments from the Wisconsin Department of Natural Resources and the U.S. Environmental Protection Agency. See correspondence attached hereto as Appendices G and F. Wisconsin Department of Natural Resources responded. See Appendix G. WCL will contact all appropriate agencies as necessary and comply with all applicable regulations in its abandonment of the Line. WCL has received no responses from the U.S. Environmental Protection Agency offices.

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

7 Safety

(i) The proposed action will have no adverse effect upon public health or safety. All salvage activities will comply with all applicable rules and regulations.

(ii) Not applicable. No hazardous materials are transported on the Line, and in any event no such shipments would be diverted as a result of abandonment. Accordingly, the proposed abandonment will have no effect on the transportation of hazardous materials.

(iii) There are no known hazardous waste sites or sites where there have been known hazardous material spills on the right-of-way of the Line.

8. Biological Resources

(i) The Line is located in a generally residential area in Rice Lake, Wisconsin. After abandonment the track, ties and other track material will be salvaged and the railbed will remain in place. There is a potential for the abandoned corridor to be used for trail purposes. WCL thus does not believe that any critical habitat will be destroyed, altered or affected as a result of the proposed abandonment, or that any endangered or threatened species are present in the area or would be adversely affected. The U.S. Fish & Wildlife Service has been contacted, and WCL has received no comments to date. See correspondence attached as Appendix H. WCL also has requested comments from the Wisconsin Department of Natural Resources. The Wisconsin Department of Natural Resources has responded indicated that no critical habitat areas are known to exist in the vicinity of the proposed abandonment. See correspondence attached as Appendix G.

(ii) The Line does not pass through or adjacent to any wildlife sanctuaries or refuges or any national or state parks or forests and, accordingly, none will be adversely affected. WCL has contacted and requested comments from the National Park Service, as set forth in Appendix I. WCL has received no comments from the National Park Service to date.

9. Water. Any water quality effects of the proposed abandonment should be minimal, as the Line does not cross any bodies of water and the Line is not within a Coastal Zone. WCL does not anticipate discharge of any materials into navigable waters that would require permits under Sections 402 and 404 of the Clean Water Act. To WCL's knowledge,

there are no wetlands located in or along the right-of-way of the Line, and WCL is unaware of any 100-year flood plains that would be affected by abandonment

The U.S. Army Corps of Engineers has been contacted and has responded. See correspondence attached hereto as Appendix J. WCL has received no further comments from the U.S. Army Corps of Engineers, including from Mr. Seemon of the Saint Paul Regulatory Office. The U.S. Fish & Wildlife Service has also been contacted and, to date, has not responded. See correspondence attached as Appendix H. Information on the proposed abandonment also has been provided to the U.S. Environmental Protection Agency and the Wisconsin Department of Natural Resources. See correspondence attached as Appendices F and G, respectively. The U.S. Environmental Protection Agency did respond. See Appendix F. The Wisconsin Department of Natural Resources did respond. See Appendix G. It is not anticipated that permits under Section 402 and 404 of the clean Water Act will be necessary.

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

1. Map. A map of the Line is attached hereto as Appendix A.
2. Description of Line. The line to be abandoned begins at milepost 56.0 and ending at milepost 55.2 in Rice Lake, Barron County, Wisconsin, a distance of approximately .80 miles. The area around the Line is a flat and generally residential with industrial areas to the west. The width of the right-of-way is largely 100 feet, with some areas being 50 feet and other areas approximately 177 feet.
3. Photographs Not applicable. There are no buildings, bridges or other structures on the Line which are fifty years old or older.
4. Information on Structures Not applicable. There are no buildings, bridges or other structures on the Line which are fifty years old or older.

5. History of Operations. The Line was previously used for general freight traffic. WCL believes that there have been no rail shipments of any kind on the Line in the last two years, and no reasonable possibility for the development of new rail traffic exists.

6. Engineering Documents. WCL provide copies of any documents in its possession upon request.

7. Historic Criteria. WCL has contacted and requested comments from the State Historic Preservation Office within the Wisconsin Historical Society ("SHPO"). See correspondence attached as Appendix K. The SHPO has indicated that no historic properties will be affected by the abandonment. See correspondence attached as Appendix K.

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

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CERTIFICATIONS - 49 C.F.R § 1105.7(c)

A certification that the foregoing Report has been served on each of the agencies designated in 49 C.F.R. § 1105 7(b) and that WCI. has consulted with all appropriate agencies in preparing this Report is attached hereto as Appendix L. A certification that, in accordance with 49 C.F R. § 1105.12, WCL has published notice of the proposed abandonment in a newspaper of general circulation in the county through which the Line passes is attached hereto as Appendix M.

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

DOCKET NO. AB-303 (SUB-NO. 43X)

**WISCONSIN CENTRAL LTD.
-- ABANDONMENT EXEMPTION --
IN BARRON COUNTY, WI**

**APPENDICES TO
ENVIRONMENTAL/HISTORICAL REPORT**

Appendix

Map(s) showing Line location A

Barron County Board of Supervisors and Rice Lake Mayor Notice Letters .. B

Wisconsin Department of Transportation Notice and Response Letters.. C

NOAA/National Geodetic Survey Notice and Response LettersD

Natural Resources Conservation Service Notice Letter..... E

Office of Water-U.S. Environmental Protection Agency and Region 5 Notice Letters F

Wisconsin Department of Natural Resources Notice and Response Letters G

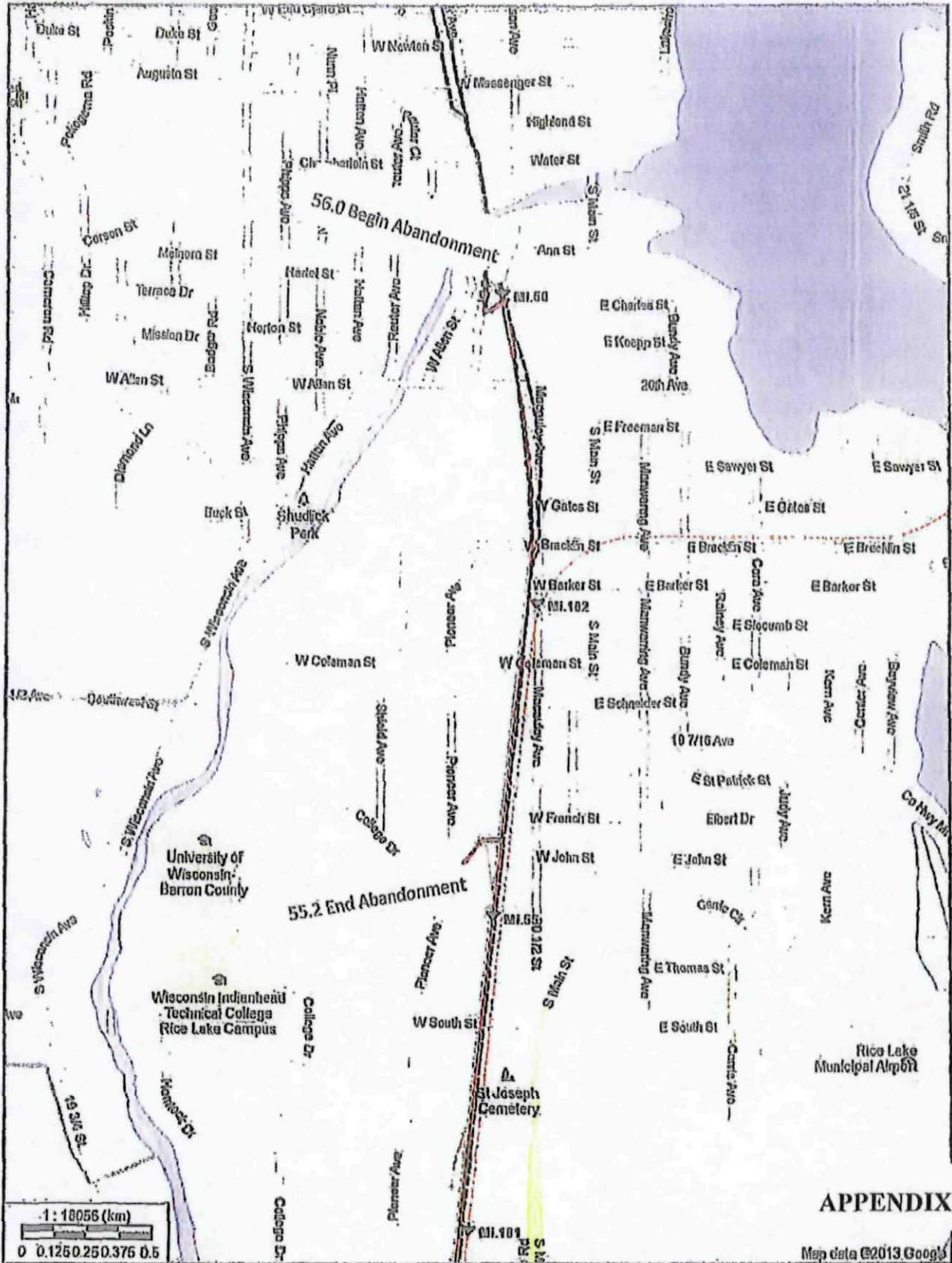
U.S. Fish and Wildlife Service Notice LetterH

National Park Service Notice Letter I

U.S. Army Corps of Engineers Notice and Response Letters J

Wisconsin Historical Society Notice and Response Letters K

Certificate of Compliance with 49 C.F.R. Part 1105..... L



APPENDIX A

Map data ©2013 Google

235195



Law

Thomas J. Healey
Counsel - Regulatory
17841 S. Ashland Avenue
Homewood, IL 60430 1339

www.cn.ca

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

June 19, 2013

Mr. Steve Harrington, Mayor
City Hall
30 East Eau Claire Street
Rice Lake, WI 54868

Re: Docket: AB-303 (Sub-No. 43X)
Proposed abandonment in Rice Lake, Barron County, Wisconsin

Dear Mr. Harrington:

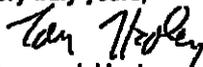
Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.80 miles of railroad line starting at MP 56.0 and ending at MP 55.2 in Rice Lake, Barron County, Wisconsin. For your convenience, we have attached 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.

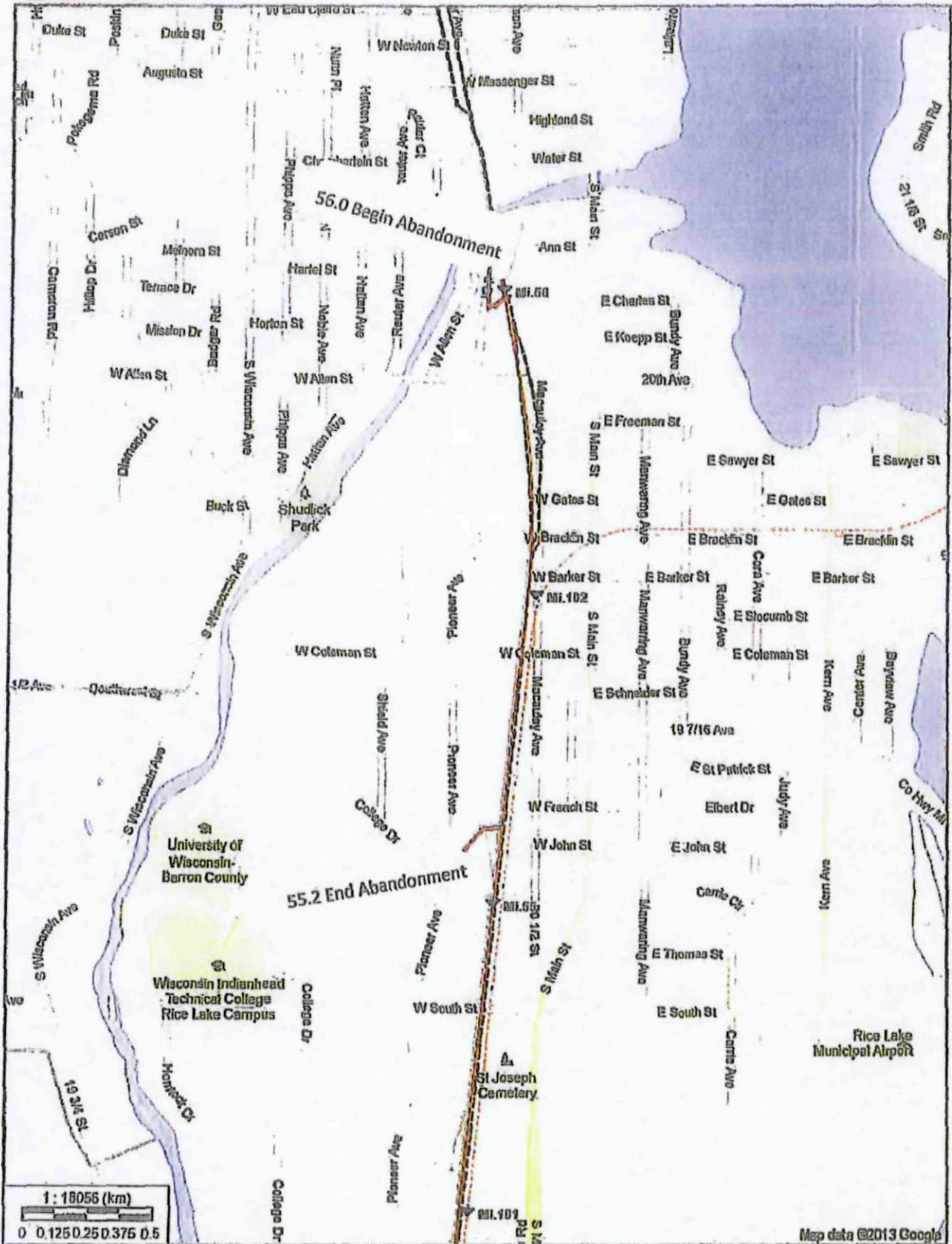
Thank you for your assistance.

Very truly yours,


Thomas J. Healey
Counsel for Wisconsin Central Ltd.

Encl.

APPENDIX B



FLETCHER & SIPPEN LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

AUDREY L. BRODRICK
(312) 252-1518
abrodrick@fletcher-sippel.com

Mr. James Miller
Barron County Board Chairperson
638 Nunn Avenue
Rice Lake, Wisconsin 54868

August 13, 2013

235195

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

Re: Docket AB 303 (Sub No. 43X)--Wisconsin Central Ltd.--Proposed Abandonment
in Barron County, Wisconsin

Dear Mr. Miller:

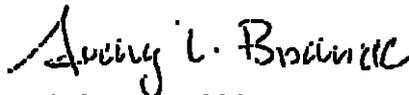
Wisconsin Central Ltd ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.80 miles of railroad line starting at MP 56.0 and ending at MP 55.2 in Rice Lake, Barron County, Wisconsin. For your convenience, we have attached 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,



Audrey L. Brodrick
Counsel for Wisconsin Central Ltd.

ALB:dg
Enclosure



Law

235195

Thomas J. Healey
Counsel - Regulatory
17041 S. Ashland Avenue
Homewood, IL 60430-1330

www.cn.ca

T - 708 332 4301
F - 708-332-4361
tom.healey@cn.ca

June 10, 2013

Wisconsin Department of Transportation
Hill Farms State Transportation Building
4802 Sheboygan Ave.
PO Box 7010
Madison, WI 53707-7010

Re: Docket: AB-303 (Sub-No. 43X)
Proposed abandonment in Rice Lake, Barron County, Wisconsin

Dear Sir or Madam,

Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.80 miles of railroad line starting at MP 56.0 and ending at MP 55.2 in Rice Lake, Barron 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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10. Agricultural land;
11. Regional and/or local use plans; and
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Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Wisconsin Central Ltd.

Encl.

APPENDIX C

235195



Wisconsin Department of Transportation

www.dot.wisconsin.gov

Scott Walker
Governor

Mark Gotlibov, P.E.
Secretary

Office of General Counsel
4802 Shoboygan Ave., Rm. 115B
P.O. Box 7810
Madison, WI 53707-7810

Telephone: 608-288 8810
FAX: 608-267-6734
E-mail: ogc.oxoc@dot.wi.gov

August 28, 2013

Thomas Healey
Counsel – Regulatory
17641 S. Ashland Avenue
Homewood, IL 60430-1339

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

Dear Mr. Healey:

This letter is a response to your letter dated June 19, 2013, notifying the Wisconsin Department of Transportation about proposed abandonment Docket No. AB 303 (Sub. No. 43X). At your request, the Docket was reviewed for potential effects of the proposed abandonment of approximately 0.8 miles of railroad line, starting at MP 55.2 and ending at MP 56.0, in the City of Rice Lake, Barron County, Wisconsin. Below are WisDOT's findings and recommendations:

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 proposed section of line is abandoned, there is interest for trail use.

If the line is abandoned, Wisconsin Central Ltd. must comply with the *WisDOT Abandoned Railroad Line Salvage and Clean-up Policy/Standards/Procedures* when performing abandonment and related activities. Please see Attachment 1 for a copy of this document. Additionally, surveying benchmarks, monumentation and mapping information for the segment need to be protected.

Upon abandonment, the railroad must remove any rail, ties and ballast at the crossings of the state highways. The railroad is required to obtain a permit from the WisDOT Regional Maintenance section to work on highway right-of-way. The railroad will be responsible for traffic management during abandonment activities. The roadway shall 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.

235195

Please see Attachment 2 for a summary of other WisDOT identified potential environmental effects of the proposed action

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

Sincerely,

Kathleen Chung

Kathleen Chung
Attorney

pc: Frank Huntington
Bridget Brown
Anna Davey

ORIGINATOR
DIRECTOR, BUREAU OF RAILROADS AND HARBORS

Wisconsin Department of Transportation Abandoned Railroad Line Salvage and Clean-up Policy

PART ONE - GENERAL

SECTION I - PURPOSE AND OBJECTIVE

These procedures are for use by the Wisconsin Department of Transportation (WisDOT) and local roadway authorities in working with railroads owning rail lines which have been authorized for abandonment or service discontinuation. These procedures are intended to accomplish the following:

1. Guide the preparation and development of site specific performance standards to be used in the salvage and clean-up of abandoned railroad lines.
2. Provide a process for railroads to consult with WisDOT during the preparation of a salvage/clean-up plan for a specific rail line, and the establishment of a time schedule for accomplishment and administration of the specific salvage/clean-up plan.
3. Direct the coordination of site reviews and inspections to facilitate the implementation of the salvage/clean-up operation and roadway/street/highway restoration, commencing with the pre-planning development stage through to post salvage/clean-up review.
4. Specify the terms for the issuance of written department documentation approving the salvage/clean-up plan and the final post-project acceptance.

SECTION II - BACKGROUND

Since the late 1970's more than 3000 miles of railroad lines have been abandoned in Wisconsin and the tracks removed. It is not unusual to find areas on these former rail

lines where material relating to the railroad has been left in-place. Most often this material consists of railroad ties, culverts, and bridge piers, pilings and abutments.

Experience has shown that without an agreed upon plan for salvage and clean-up, quite often the work does not meet the expectations of WisDOT, local officials and the general public with regards to the proper method of clean-up and disposal of debris and other discarded materials.

Likewise, poor quality, in both the workmanship and in the materials used in restoration of streets and roadways, has been experienced much too often.

The failure to properly remove debris which is often left behind on these former rail lines after items of value have been removed contributes to a potential for environmental damage and hazards to safety and the general welfare of the public. Efforts to have these deficiencies corrected at a later time often result in substantial costs being passed to the public sector.

PART TWO - CRITERIA, STANDARDS AND SCHEDULE

SECTION 1 - PERFORMANCE STANDARDS FOR SALVAGE AND CLEAN-UP OPERATIONS

The following standards are to be applied to each abandoned rail line throughout its entire length unless alternative standards are agreed to in writing by WisDOT and the railroad for specific sites.

1. All rail, spikes, tie plates, joint bars, anchors and other metal track material shall be removed from the corridor. In cases of side track either owned by an industry or where the ownership of the track is unclear, the railroad shall contact the industry and work out an agreeable arrangement for the removal of all materials.

2. All ties shall be removed from the corridor. This includes ties which have been previously removed from use in the track and discarded alongside of the track zone.

3. All track material (rail, ties, other track materials and ballast) shall be removed from the full width of every road/street/highway right of way. The roadway shall be restored through the former crossing zone for such distance as necessary on each approach to the crossing zone that the restored portion of the roadway meets design standards appropriate to the type of roadway being restored. The traveled roadway surface shall be restored to the same standards of design, material and workmanship as exists on the adjacent roadway surface, subgrade, drainage and slope. This restoration

shall also include the addition or replacement of sidewalk, curb and gutter if present on the approaching roadway.

4. All railroad warning devices (flashing lights, advance warning signs, cross-arm gates, cross-bucks, etc) shall be removed, including posts, footings, foundations and related electrical equipment associated with any warning device.

5. Bridges not associated with water

a. All railroad bridges over roadways shall be removed, including footings, foundations, backwalls, abutments.

b. If a roadway bridge over the railroad is owned and maintained by the railroad, it shall be removed as per 5a unless the road authority having jurisdiction for the roadway agrees in writing to accept ownership and maintenance of the structure.

c. If a roadway bridge over a railroad is owned by the railroad and maintained by the roadway authority, it shall be removed as per 5a at the joint expense of the railroad and roadway authority unless the roadway authority agrees to accept ownership of the structure.

d. Unless refuted by documentary evidence to the contrary, bridges ordered installed by a public regulatory body at railroad expense, but where the maintenance of the structure is unclear yet the structure has been included by the roadway authority in its mileage calculations for receipt of state road maintenance aids, shall be removed at the expense of the roadway authority unless the roadway authority accepts in writing ownership of the structure.

In cases where ownership is undocumented, acceptance of state road maintenance aids by the roadway authority, which included the bridge and the approaches to the mileage aids calculations, shall be *defacto* evidence of the roadway authority's ownership of the structure.

6. All bridges over water shall be removed to the level of the stream bed or lake floor. This removal shall include all footings, foundations, backwalls, abutments and piers.

7. All buildings and other structures shall be removed from the railroad property, including footings, foundations, retaining walls and piers.

8. All telegraph or signal communications poles and wire shall be removed from the corridor. Poles may be cut flush with the ground

9. All waste products and debris from the salvage and clean-up activities, articles such as pieces of concrete, asphalt, wood, wire, glass and the like shall be removed from the corridor.

10. A traffic control methodology shall be developed for the control and direction of vehicular traffic at each roadway crossing restoration site.

11. All earth cuts and areas where the soil has been disturbed in the removal of bridge components shall be covered with topsoil and seeded with both a quick growing annual, and a perennial vegetation, to prevent erosion. Back slopes shall be cut at an angle no greater than 2@:1 to prevent erosion. In addition to the covering with topsoil and seeding, the early re-establishment of vegetation on the areas denuded by the salvage/clean-up operation may require one or more of the following methods to control sedimentation and erosion:

- a. silt fencing
- b. polyethylene sheeting
- c. sedimentation basins
- d. erosion bales and mulching

SECTION II - SCHEDULING THE SALVAGE AND CLEAN-UP EFFORTS

The railroad abandonment salvage and clean-up work may be divided into three categories. The first is the planning and design function. The second is the implementation activities. The third is the approval and close-out role.

1. The development of a railroad abandonment salvage and clean-up plan, including the preparation of the "railroad abandonment salvage and clean-up disposition form", may begin any time after the abandonment or service discontinuation authority has been granted by a regulatory or judicial body having jurisdiction for such action. In circumstances where such authority is not required by either a regulatory or judicial body, development of the railroad abandonment salvage and clean-up plan may begin at the request of the railroad. The railroad shall provide WisDOT with the necessary evidence that proper authority to abandon the rail line or discontinue service has been received, or that such authority is not required, whichever is appropriate.

2. Neither the removal of improved property (trucks and structures) nor the sale of either personalty or realty may commence until WisDOT has declared that there is no state interest in acquiring any of the property and has issued in recordable form a written release document of the state's first right of acquisition to the abandoned railroad property.

WisDOT is not obligated to make a determination of the state's interest in abandoned railroad property, nor issue a release statement, unless the abandoning railroad or other eligible entities file a qualified request in writing for such release. (Sec. s 85.09(1), Wis Stats.)

3. The agreed upon salvage and clean-up plan may be altered or modified by mutual written agreement to handle unforeseen circumstances such as extreme weather conditions which could affect the implementation or operation activities of the salvage and clean-up work.

PART THREE - IMPLEMENTATION

SECTION I - PLANNING AND DESIGN

A. ROLE COORDINATION

Three groups have a major role in the salvage/clean-up of an abandoned railroad line, the railroad abandoning the rail line, the Wisconsin Department of Transportation and the local road authorities.

The salvage of the rail lines is usually performed by a individual/company under contract with the owning railroad. This contractor often subcontracts with others to perform specific portions of the salvage and clean-up work. It is the responsibility of the railroad to contract for and monitor its agents, contractors and assigns, to ascertain that the standards of performance set forth in these guidelines or as agreed to in writing between the parties in the specific salvage/clean-up plan, are adhered to, and fulfilled.

The role of each group is as follows:

1. The railroad and its agents, contractors and assigns, shall:

a. Participate in an on-site inspection of the abandoned railroad property as arranged by WisDOT for the purpose of developing a site specific salvage and clean-up plan, including but not limited to, the scope of work and specifications.

b. Provide map(s) of the abandoned property which adequately locate the railroad property, roadway crossings, bridges, buildings, etc., by reference points, identification numbers or other familiar methods of identification.

c. Participate in the preparation of the "railroad abandonment salvage and clean-up disposition form" with WisDOT and the local roadway authority. This form will set forth the project method, process, work scope and project timing as agreed to by

the various parties in the salvage and clean-up of the individual elements of the abandoned railroad property

d. Monitor the work of its agents, contractors and assigns to assure all work is accomplished according to the standards agreed to and delineated in the salvage and clean-up plan.

e. Correct any defect or deficiency in the work performed by its agents, contractors and assigns when notified of a defect or deficiency in writing by either WisDOT or the local roadway authority, and upon completion of the corrective action required, shall request in writing from the appropriate party an acknowledgment that the corrective action was satisfactorily performed

f. Notify WisDOT in writing when the salvage and clean-up project is completed.

2. The Wisconsin Department of Transportation and its agents shall

a. Upon its own initiative or upon written request from a railroad, arrange a meeting of the affected local road authorities, the railroad and appropriate units of WisDOT staff to conduct the on-site inspection of the abandoned railroad property for the purpose of establishing the project method, process, work scope, project timing and any special conditions, together with preparing the "railroad abandonment salvage and clean-up disposition form".

b. If authorized in writing, represent the interests of local road authorities.

c. Conduct progress inspections of the removal, clean-up and restoration work activities

d. Provide written notice to the railroad, its agents, contractors and assigns of defective and deficient work, and shall provide timely written acknowledgment to the railroad, et al, when the corrective action has been satisfactorily performed.

e. Provide written notification to the railroad, et al, if the work is acceptable upon the completion of the railroad abandonment salvage and clean-up project.

f. Provide the railroad, et al., with written notification delivered by certified mail, if the final work for completion of the railroad abandonment salvage and clean-up project is unacceptable. The notification that the final project is unacceptable shall contain a detailed list of all defective and deficient work remaining. A copy of this notification shall be forwarded to WisDOT's Office of General Counsel.

3. The local roadway authorities, their agents and assigns, shall have sole jurisdiction over matters pertaining to salvage and clean-up of roadway crossings under its jurisdiction, unless such authority has been delegated in writing to WisDOT. The local roadway authority shall:

a. Discuss with a WisDOT representative, prior to on-site inspections of the abandoned salvage and clean-up operation, the specifications for restoration work or vehicular traffic control desired by the roadway authority

b. Determine if it will delegate its authority regarding the restoration work on the salvage and clean-up operations to WisDOT.

c. If authority regarding the restoration work on the salvage and clean-up operations is not delegated to WisDOT, meet with the railroad, its agents, contractors and assigns, and with WisDOT at each roadway crossing under its jurisdiction to prepare the project method, process, work scope, timing and special conditions, together with preparing the "railroad abandonment salvage and clean-up disposition form".

d. At its option, conduct progress inspections of the removal, clean-up and restoration work.

e. Provide written notice to the railroad, its agents, contractors and assigns of defective and deficient work, and shall provide timely written acknowledgment to the railroad, et al, when the corrective action has been satisfactorily performed

f. Provide written notification to the railroad, et al, if the work is acceptable upon the completion of the railroad abandonment salvage and clean-up project.

g. Provide the railroad, et al, with written notification delivered by certified mail, if the final work for completion of the railroad abandonment salvage and clean-up project is unacceptable. The notification that the final project is unacceptable shall contain a detailed list of all defective and deficient work remaining. A copy of this notification should be forwarded to the local roadway authority's legal counsel.

B. SALE OF PROPERTY BY RAILROAD AFTER ABANDONMENT

Before clean-up and removal of track can commence, railroads shall inform WisDOT of any property it proposes to sell to others. "No person owning abandoned rail property, including any person to whom ownership reverts upon abandonment, may convey or dispose of any abandoned rail property without first obtaining a written release from the

department of transportation indicating that the first right of acquisition under this subsection will not be exercised or assigned.... Any conveyance made without obtaining such release is void" (s 85 09, stats)(Emphasis Added).

A railroad may only sell its abandoned property after receiving a written release statement in recordable form from WisDOT of the state's first right of acquisition. The railroad shall have the release statement recorded within 90 days by register of deeds for each county in which the rail property is located. It shall be the responsibility of the individual or entity that acquires the abandoned railroad property to conform with local, state and federal laws, ordinances, rules and regulations.

Railroad property which is not abandoned and which is being conveyed to others for continuing railroad purposes may be conveyed without any release document from WisDOT.

C. SALVAGE AND CLEAN-UP PLAN DEVELOPMENT

1. At the request of a railroad or upon its own initiative, WisDOT shall in accordance with Part Three - Section 1 (A) Role Coordination, arrange for an on-site inspection of the abandoned rail line for the purpose of determining the scope of work and materials and performance standards for the work which will constitute the salvage and clean-up of the abandoned rail line.

2. The on-site inspection shall be conducted by the groups set forth in Part Three - Section 1 (A) 1, 2, and 3.

3. The groups identified in Part Three - Section 1 (A) 1, 2, and 3 shall identify in the plan the person or persons (together with addresses and telephone numbers) who will be the official representative for the plan and any subsequent notifications relating to the same.

4. The representatives of the respective group shall on the basis of the site inspection develop an agreed upon general statement of work for the salvage and clean-up plan and for specific activities for inclusion in the "railroad abandonment salvage and clean-up disposition form" which includes the following:

- a. Removal of track materials from roadway crossings,
- b. Restoration of roadway crossings;
- c. Removal of bridges (if applicable),
- d. Removal of culverts (if applicable),
- e. Removal of track material from remainder of railroad corridor;

- f. Disposition of signal and railroad warning devices.
- g. Removal of buildings and other structures;
- h. Removal of telegraph or signal communication facilities.
- i. Removal of all other waste or debris on the railroad corridor
- j. Traffic control methodology developed for control at each crossing.
- k. Erosion control steps for appropriate sites;
- l. The time schedule for accomplishing the salvage and clean-up operation;
- m. Any specific environmental challenges and considerations.
- n. First right releases as appropriate.

5. A separate "railroad abandonment salvage and clean-up disposition form" shall be completed for each roadway crossing and signed by representatives from the railroad, local roadway authority as appropriate, and WisDOT. WisDOT will prepare the subject form for all state and federal highways, and if requested, will assist the local roadway authorities with the preparation of the subject forms for roadway crossing within the appropriate local roadway jurisdictions.

6. The railroad shall provide plat(s), map(s), track chart(s) or other appropriate documentation, which adequately locates the various components set forth in Part Three-Section I (C) above. Such documentation shall become a part of the salvage and clean-up plan.

SECTION II - IMPLEMENTATION

A. PLAN APPROVAL, MODIFICATION AND NOTICES

1. Upon completion of the plan and the appropriate "railroad abandonment salvage and clean-up disposition forms", together with the plats, maps and other documents used to accurately locate the various components and specific sites on the project, WisDOT will execute a letter of approval of the salvage and clean-up plan. (This letter of approval will not cover local roadway items unless the local roadway authority(s) has delegated its authority to WisDOT or has notified WisDOT in writing of its approval of those items under its jurisdiction.) WisDOT will deliver a copy of this approval letter, together with a copy of the plan, forms and plats/maps to the railroad and the local roadway authorities as appropriate.

2. No term or provision of the final approved salvage and clean-up plan, including attached documents, may be changed, waived, discharged or terminated orally, but require a written letter from WisDOT. Consents and approvals required, and interpretations of the plan may be made or granted by letter, or by an exchange of letters between the parties.

3. Any notice required or permitted relating to the approved salvage and clean-up plan shall be mailed by certified United States Mail, return receipt requested, postage prepaid, to the person or persons at addresses as indicated in the plan.

B. WORK PERFORMANCE AND PROGRESS MONITORING

1. The railroad may commence the operational phase of the salvage and clean-up of the abandoned rail line upon receipt from WisDOT (and local roadway authority(s) as appropriate) of the approved plan.

2. WisDOT (and local roadway authority(s) as appropriate) may conduct progress inspections during the salvage and clean-up operation. If, as a result of an inspection, a defect or deficiency in workmanship or material is discovered, written notice shall be given by WisDOT (or local roadway authority) to the railroad to correct the situation.

3. When the defect or deficiency has been remedied, the railroad shall notify WisDOT (and local roadway authority if applicable) in writing that the corrective action has been taken. WisDOT (or local roadway authority as appropriate) shall promptly reinspect the property, and if the corrective action is sufficient, issue a written acknowledgment to the railroad that the corrective action was satisfactorily performed.

4. In the event that agreement cannot be reached on resolution of an alleged defect or deficiency, a brief written report on the situation shall be exchanged between WisDOT (and local roadway authority as appropriate) and the railroad. If, in the judgment of WisDOT, immediate resolution of the disagreement over the alleged defect or deficiency does not greatly or materially impact the remaining salvage and clean-up items, work may continue on the salvage and clean-up project. If however, in the judgment of WisDOT, the disagreement over an alleged defect or deficiency does substantially impact and materially affect the remaining salvage and clean-up project, then an immediate remedy under law may be pursued by WisDOT (or the local roadway authority(s) as appropriate) to resolve the disagreement.

C. SPECIFIC ENVIRONMENTAL CONSIDERATIONS

The start-up, continuation or completion of the salvage/clean-up operation may be restricted to certain time periods to prevent biological disruption or damage to various species, habitat, or water and air quality. Such time restrictions shall be made a part of the salvage/clean-up plan and specifically addressed in the planning and design function of the clean-up plan in scheduling the salvage and clean-up efforts.

D. OBLIGATION OF RAILROAD RELATIVE TO
IMPLEMENTATION DELAYS

It is the public objective that the salvage and clean-up of abandoned rail lines commence as soon as possible after the decision or authority to abandon a rail line has been determined. This policy is intended to minimize safety, transportation and environmental challenges which could arise by delay. Nevertheless, there may exist reasonable corporate reasons for delaying the start-up and implementation of the salvage and clean-up operations.

After notification has been received from either regulatory or judicial authority authorizing abandonment or discontinuance of service over a rail line, a railroad shall be required to continue to properly maintain all roadway crossings for the safety of the traveling public. Within 90 days after receiving said notification of abandonment, if the railroad has not commenced a WisDOT approved salvage and clean-up operation, the railroad shall erect signs at all public road crossings notifying the public that the rail line is "abandoned".

It is the public objective that the salvage and clean-up operation be completed within 12 months of the approval of the final plan.

SECTION III - CLOSEOUT

SALVAGE AND CLEAN-UP PROJECT CLOSE OUT

1. At the time the railroad determines that the salvage and clean-up operation on the entire line is completed (except for elements that may still be in dispute), the railroad shall in accordance with Part Three - Section II, (A) Notices, notify WisDOT (and the local roadway authority(s) as appropriate) that it is requesting a final inspection of the project

2. WisDOT (and the local roadway authority(s) as appropriate), shall within 30 days of receipt of the foregoing final inspection request.

a. conduct a final inspection of the work performed, and

b. provide the railroad with a written acceptance (or denial of acceptance) report

Unless snow cover or flooding makes a final inspection impossible, failure to conduct a final inspection or failure to provide written acceptance (or denial of acceptance) within

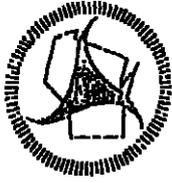
the said 30 day period shall constitute acceptance and close out of the salvage and clean up project

3. For each element denied, or for each defect or deficiency noted, WisDOT (or local roadway authority(s) as appropriate) shall describe in writing the corrective action required on the work remaining to be done to obtain final acceptance.

4. Railroad shall have 30 days to correct the defects and deficiencies noted by WisDOT (or local roadway authority) in the final inspection report. Railroad may request in writing additional time to accomplish the corrective action. Upon notification by railroad that corrective action has been accomplished, WisDOT (or local roadway authority(s) as appropriate) shall reinspect the work performed, if found to be acceptable, prior written notification to railroad as earlier set forth.

In the event that railroad does not request an extension of time to make corrective actions and 30 days passes without notification from the railroad that corrective action has been taken to remedy the defects and deficiencies earlier noted, WisDOT (or local roadway authority as appropriate) may pursue judicial relief to accomplish the public objective of satisfactory salvage and clean-up of the abandoned railroad corridor to minimize safety, transportation and environmental issues

235195



Wisconsin Department of Transportation

Tommy G. Thompson
Governor

Charles H. Thompson
Secretary



Division of Transportation
Infrastructure Development
Bureau of Railroads and Harbors
4802 Sheboygan Avenue, 155B
P O Box 71114
Madison, WI 53707-7914

January 1, 1998

SAMPLE LETTER

Telephone: (800) 267-7318
Facsimile (FAX): (800) 267-3547

Mr. Railroad Official, (Appropriate Title)
(Name of Railroad Company)
(Street Address or PO Box)
(City, State and Mailing Zip Code)

Dear (Railroad Official):

On behalf of the Wisconsin Department of Transportation (and local roadway authority if applicable), we hereby acknowledge receipt and acceptance of your salvage and clean-up plan which was presented on (insert appropriate date) for the railroad line between (insert appropriate termin point) and (insert appropriate termin point) in the County(s) of (insert the names of the appropriate counties).

All of the standards, conditions and methods incorporated in the plan are found to be acceptable, or if appropriate use the following sentence

All of the standards, conditions and methods incorporated in your plan are found to be acceptable except for item(s) (insert appropriate specific items that are not acceptable). (Insert name of individual) from this department will be in contact with you shortly to work out a mutually acceptable solution.

We look forward to working cooperatively with you and your company. We hope that the clean-up, salvage and restoration operation will be commenced and completed in a timely, efficient fashion.

Sincerely,

(Name of appropriate WisDOT Official)

cc: (Local officials as appropriate)
(Appropriate DOT staff)
(Others as appropriate)

Encl: Approved Salvage/Clean-Up Plan

**RAILROAD ABANDONMENT SALVAGE AND CLEAN UP
DISPOSITION FORM**

Regulatory Control Number (if any) _____

RAILROAD NAME _____ RAIL LINE IDENTIFICATION: _____

CONTACT PERSON: _____ Name of Major Terminal Points _____

MAILING ADDRESS: _____ In _____

_____ Mile Posts _____ to _____

TELEPHONE NUMBER: (____) _____

Element(s) Involved in Salvage Operation - (Check all that apply)

Roadway Crossing	Railroad Bridge over Roadway	Buildings
Crossing Signals	Roadway Bridge over Railroad	Poles/Wire
Track - Steel	Railroad Bridge over Water	Culvert
Track - Ties	Residual Waste and Debris	Other

ELEMENT LOCATION: Describe the specific location of the element involved. (If more than one location under consideration for the work plan, describe each in a separate description. (Attach additional sheets as needed.)

WORK PLAN: Describe action to be taken, by whom and when. Include appropriate measurements, starting and ending points. Describe materials, type of process or workmanship for work to be done as appropriate. List specific environmental considerations if any. (Attach additional sheets as needed)

Date _____ Page _____ of _____ Pages
Attachment No. 2

**CONTINUATION SHEET
RAILROAD ABANDONMENT
SALVAGE AND CLEAN-UP**

ELEMENT LOCATION: Describe the specific location of the element involved. If more than one location under consideration for the work plan, describe each in a separate description. (Attach additional sheets as needed)

Work Plan: Describe action to be taken, by whom and when. Include appropriate measurements, starting and ending points. Describe materials, type of process or workmanship for work to be done as appropriate. List specific environmental considerations, if any. (Attach additional sheets as needed)

Date _____ Page _____ of _____ Pages
Attachment No. 1

**CONTINUATION SHEET
RAILROAD ABANDONMENT
SALVAGE AND CLEAN-UP**

ELEMENT LOCATION: Describe the specific location of the element involved. If more than one location under consideration for the work plan, describe each in a separate description. (Attach additional sheets as needed)

Work Plan: Describe action to be taken, by whom and when. Include appropriate measurements, starting and ending points. Describe materials, type of process or workmanship for work to be done as appropriate. List specific environmental considerations, if any. (Attach additional sheets as needed)

**WORK PLAN
APPROVED**

	DEPARTMENT	RAILROAD	LOCAL ROAD AUTHORITY
NAME			
ADDRESS			
TELEPHONE NUMBER			

SIGNATURE AND DATE			
--------------------	--	--	--

Date: _____ Page _____ of _____ Pages
Attachment No. 2

235195

CONTINUATION SHEET
RAILROAD ABANDONMENT
SALVAGE AND CLEAN-UP

NAME OF INSPECTOR _____

REPRESENTING _____

SITE CLEAN-UP INSPECTION DATES:

Location	Approved	Rejected	Follow-up Action

NOTES

Date: _____ Page _____ of _____ Pages
Attachment No. 3

235195



Wisconsin Department of Transportation

Tommy G. Thompson
Governor

Charles H. Thompson
Secretary



January 1, 1998

SAMPLE LETTER

Division of Transportation
Infrastructure Development
Bureau of Railroads and Harbors
1802 Stebbins Avenue, 155B
P O Box 7914
Madison, WI 53707-7914

Telephone (608) 267-7348
Facsimile (FAX) (608) 267-3567

Mr. Railroad Official, (Appropriate Title)
(Name of Railroad Company)
(Street Address or PO Box)
(City, State and Mailing Zip Code)

Dear (Railroad Official),

Your request for final approval of the salvage, clean-up and restoration work on the (name of appropriate railroad line) has been received

On (date) (name of appropriate WisDOT Official) conducted a joint final inspection of the property with (put in appropriate names and organization) and found that everything set forth in the initial salvage/clean-up plan has been accomplished.

or alternatively insert the following sentence

On (date) (name of appropriate WisDOT Official) conducted a final inspection of the property and found that everything set forth in the salvage/clean-up plan has been accomplished.

or alternatively insert the following sentence

On (date) (name of appropriate WisDOT Official) conducted a (joint) final inspection of the property with (put in appropriate names and organization) and found that everything set forth in the initial salvage/clean-up plan has been accomplished with the exception of the following (put in number) items which need correction:

- a. (insert appropriate item)
- b. (insert appropriate item)
- c. etc

You have thirty (30) days in which to correct the defects and deficiencies noted above. We will inspect the property as soon as you notify us that the necessary corrections have been completed

Sincerely,

(Name of appropriate WisDOT Official)

cc. (Local officials as appropriate)
(Appropriate DOT staff)
Others as Appropriate)

Encl: Worksheet of Deficiencies

235195



Wisconsin Department of Transportation

Tommy G. Thompson
Governor

Charles H. Thompson
Secretary



Division of Transportation
Infrastructure Development
Bureau of Railroads and Harbors
4802 Shoboygan Avenue, 16511
P O Box 7911
Madison, WI 53707-7914

January 1, 1998

SAMPLE LETTER

Mr. Railroad Official, (Appropriate Title)
(Name of Railroad Company)
(Street Address or PO Box)
(City, State and Mailing Zip Code)

Telephone: (800) 287-7340
Facsimile (FAX): (608) 267-3587

Dear (Railroad Official):

Your request for final approval of the salvage, clean-up and restoration work on the (name of appropriate railroad line) was received by this office on (insert date)

On (date) (name of appropriate WisDOT Official) conducted a (joint) final inspection of the property with (put in appropriate names and organization) and found that everything set forth in the initial salvage/clean-up plan has been accomplished with the exception of the following (put in number) items which need correction:

- a. (insert appropriate item)
- b. (insert appropriate item)
- c. etc

You were notified on (date) that you had thirty (30) days in which to correct the defects and deficiencies noted. On (date), (put in appropriate name) of this office re-inspected the property and found that the defects and deficiencies had not yet been corrected. Will you please advise me when you expect to have the needed corrections completed so that this project may be closed out in a timely fashion.

or if appropriate use the following sentence

You were notified on (date) that you had 30 days in which to correct the defects and deficiencies noted. On (date), (put in appropriate name) of this office re-inspected the property and found that the defects and deficiencies still remained to be corrected. Two follow-up letters were sent to your office and there has been no response. Several telephone messages were also left with your office, but no messages returned. We would like to have this matter resolved in a mutually cooperative and timely manner. Please contact (put in name of individual) within the next three days.

Sincerely,

(Name of appropriate WisDOT Official)

cc (Local officials as appropriate)
(Appropriate DOT staff)
Others as Appropriate)

Encl: Worksheet of Deficiencies

235195



Law

Thomas J. Healey
Counsel - Regulatory
17841 S. Ashland Avenue
Homewood, IL 60430 1330

www.cn.ca

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

June 19, 2013

National Geodetic Survey Information Services
Simon Monroe <Simon.Monroe@noaa.gov>

Re: Docket: AB-303 (Sub-No. 43X)
Proposed abandonment in Rice Lake, Barron County, Wisconsin

Dear Mr. Monroe:

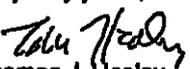
Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.80 miles of railroad line starting at MP 56.0 and ending at MP 55.2 in Rice Lake, Barron County, Wisconsin. For your convenience, we have attached 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,


Thomas J. Healey
Counsel for Wisconsin Central Ltd.

Encl.

APPENDIX D

Attachment 2**Summary of WisDOI identified potential environmental effects;**

- **Potential need for continued rail service – new industry;**
None identified
- **Need for the railroad right of way for road, airport or other transportation Improvements;**
None identified.
- **Regional or local land use plans;**
Per the City of Rice Lake Planning and Community Services Director, "Along the proposed segment for abandonment, there is planned residential and commercial development on the east, and planned Industrial development west of the corridor and north in the Industrial Park "
- **Known hazardous material sites;**
WDNR's web based Remediation & Redevelopment Sites Map shows there are 5 closed hazardous materials sites and one open site adjacent to the subject corridor. It does not appear that purchase of the WCL R/W would result in the acquisition of a source area and the associated site liability. There is the possibility that contamination originating from one of these sites has migrated into the WCL R/W and would require proper management if disturbed as part of a project. The risk associated with the site is low.
- **The potential for trail usage (based on known local unit or DNR expressions of interest);**
The WDNR is interested in the corridor for trail purposes.
- **Known archaeological or historically significant sites;**
None identified.

235195

-----Original Message-----

From: Simon Monroe [mailto:simon.monroe@noaa.gov]

Sent: Tuesday, June 25, 2013 04:34 PM

To: Tom Healey

Cc: Surface Transportation Board, John.Ellingson@noaa.gov; Lucy Hall; Simon Monroe

Subject: Fwd: NGS Response, STB Docket AB-303 (SUB NO. 043X)

Thank you for sharing your railroad abandonment environmental report for RICE LAKE, Barron County, WISCONSIN.

Approximately 00 geodetic survey marks may be located in the area described.

If marks will be disturbed by the abandonment, [THE RAILROAD] shall consult with the National Geodetic Survey (NGS) at least 90 days prior to beginning salvage activities that will disturb, or destroy any geodetic station marks are described on the attached file. Additional advice is provided at <http://geodesy.noaa.gov/marks/railroads/>

|---|-----|
|-----|-----|-----|---|-----

No Stations Found.

235195



www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory
17641 S Ashland Avenue
Homewood, IL 60430 1339

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

June 19, 2013

Mr. Gregory Hines, RC&D Coordinator
National Resource Conservation Service
3071 Voyager Drive, Suite E
Green Bay, WI 54311-8349

Re: Docket: AB-303 (Sub-No. 43X)
Proposed abandonment in Rice Lake, Barron County, Wisconsin

Dear Mr. Hines:

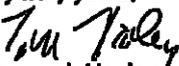
Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.80 miles of railroad line starting at MP 58.0 and ending at MP 55.2 in Rice Lake, Barron County, Wisconsin. For your convenience, we have attached 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.

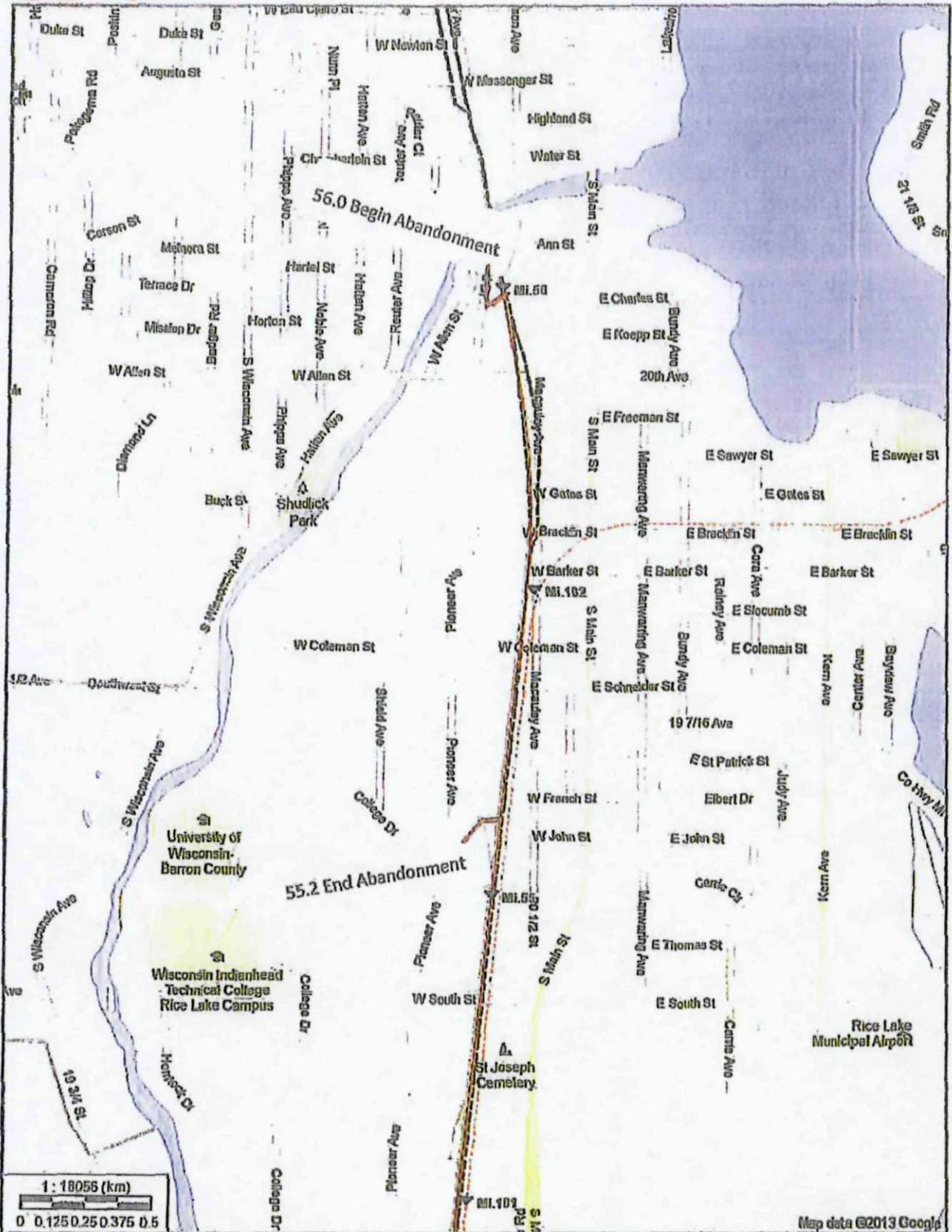
Thank you for your assistance.

Very truly yours,


Thomas J. Healey
Counsel for Wisconsin Central Ltd.

Encl.

APPENDIX E



235195



Law

Thomas J. Healey
Counsel - Regulatory
17041 S. Ashland Avenue
Homewood, IL 60430-1339

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

June 19, 2013

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

Re: Docket: AB-303 (Sub-No. 43X)
Proposed abandonment in Rice Lake, Barron County, Wisconsin

Dear Sir or Madam:

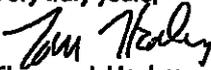
Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.80 miles of railroad line starting at MP 56.0 and ending at MP 55.2 in Rice Lake, Barron County, Wisconsin. For your convenience, we have attached a map for your reference. WCL is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

1. Water quality;
2. Designated wetlands;
3. 100-year-old flood plains;
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6. Wildlife sanctuaries or refuges;
7. National or state parks or forests;
8. Coastal zone management;
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10. Agricultural land;
11. Regional and/or local use plans; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act.

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

Thank you for your assistance.

Very truly yours,


Thomas J. Healey
Counsel for Wisconsin Central Ltd.

Encl.

APPENDIX F



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

235195

JUL 09 2013

OFFICE OF WATER

Mr. Thomas J. Healey
Counsel for Wisconsin Central Ltd.
17641 S. Ashland Avenue
Homewood, Illinois 60430

Dear Mr. Healey:

Thank you for your letter of June 19, 2013, to the U.S. Environmental Protection Agency (EPA) regarding Wisconsin Central Ltd Proposed Abandonment in Barron County, Wisconsin.

We have referred your letter to Mr. Kenneth Westlake of our Region 5 office in Chicago, IL. The EPA Region 5 has responsibility for actions in the State of Wisconsin. Mr. Westlake's office will respond to your letter. You can contact Mr. Westlake at 312-886-2910 or at westlake.kenneth@epa.gov.

Sincerely,

A handwritten signature in cursive script that reads "David Evans".

David Evans,
Director, Wetlands Division



Law

235195

Thomas J. Healey
Counsel - Regulatory
17641 S. Ashland Avenue
Homewood, IL 60430-1339

www.cn.ca

T - 708-332-4381
F - 708-332-4301
tom.healey@cn.ca

June 10, 2013

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

Re: Docket: AB-303 (Sub-No. 43X)
Proposed abandonment in Rice Lake, Barron County, Wisconsin

Dear Mr. Westlake:

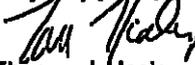
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9. Soil and natural resource conservation;
10. Agricultural land;
11. Regional and/or local use plans; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act.

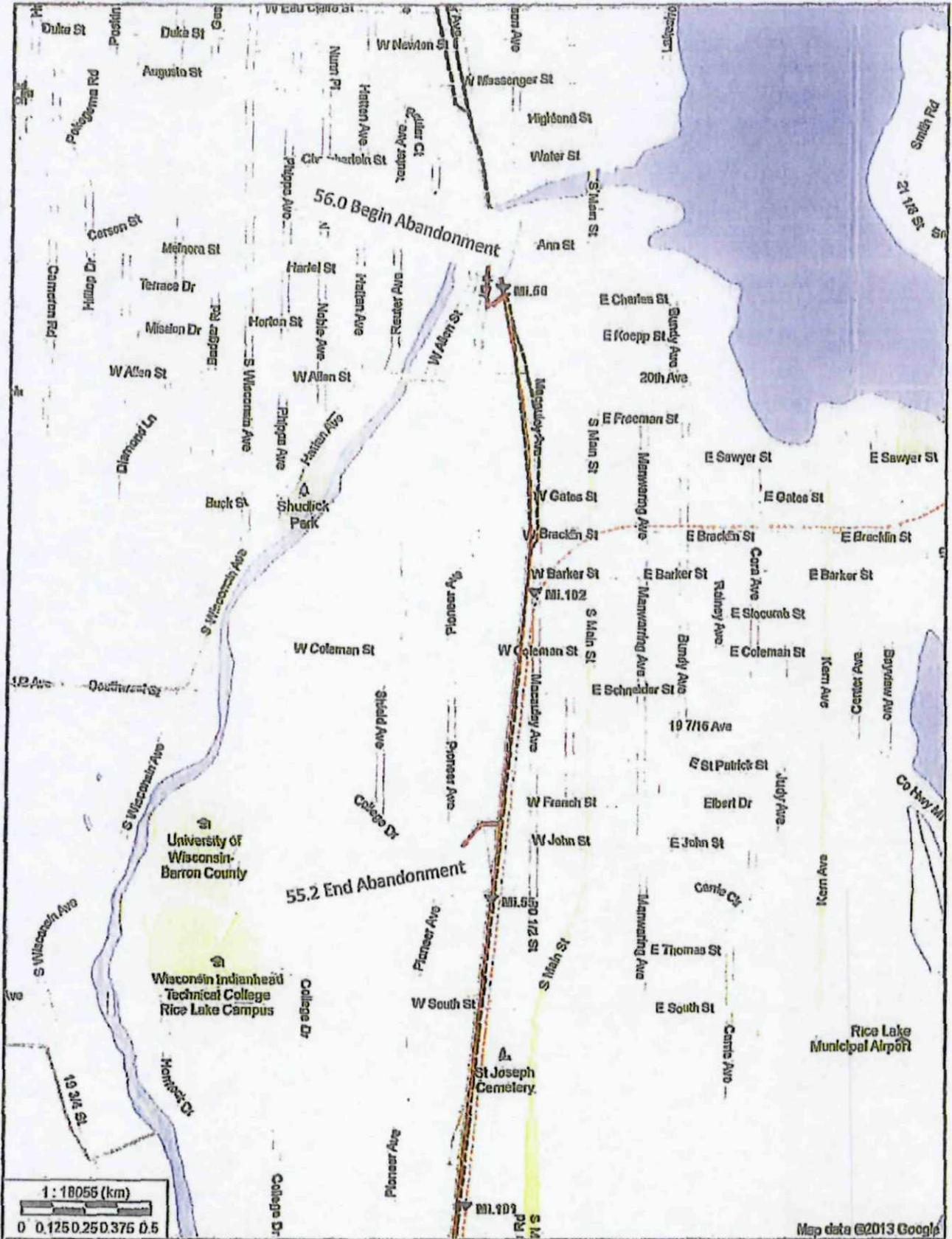
Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with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

Thank you for your assistance.

Very truly yours,


Thomas J. Healey
Counsel for Wisconsin Central Ltd.

Encl.



235195



Law

Thomas J. Healey
Counsel - Regulatory
17641 S. Ashland Avenue
Homewood, IL 60430-1330

www.cn.ca

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

June 19, 2013

Wisconsin Department of Natural Resources
DNR Northeast Region HDQRS
2984 Shawano Ave.
Green Bay, WI 543313-6727

Re: Docket: AB-303 (Sub-No. 43X)
Proposed abandonment in Rice Lake, Barron County, Wisconsin

Dear Sir or Madam:

Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.80 miles of railroad line starting at MP 56.0 and ending at MP 55.2 in Rice Lake, Barron 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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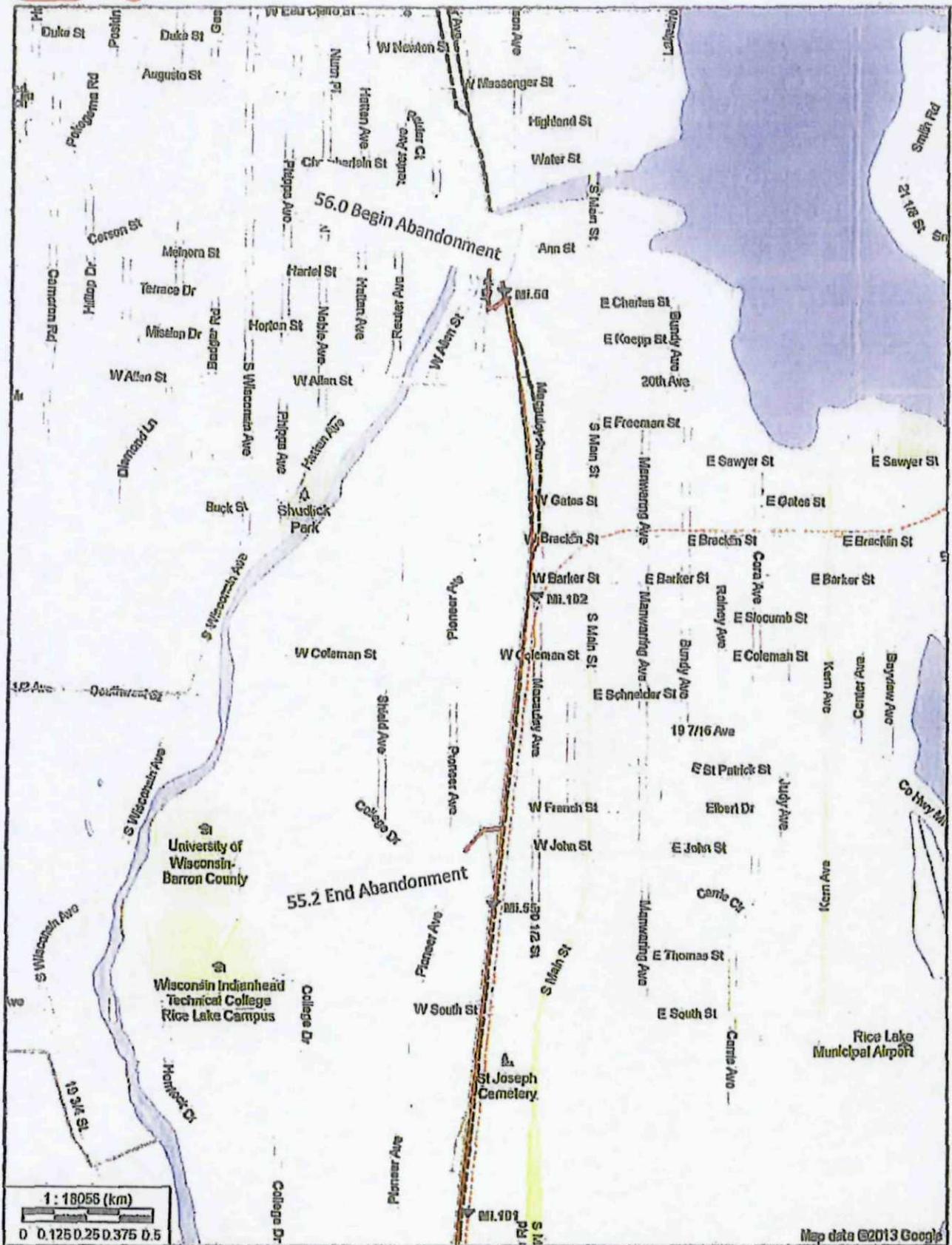
Thank you for your assistance.

Very truly yours,


Thomas J. Healey
Counsel for Wisconsin Central Ltd.

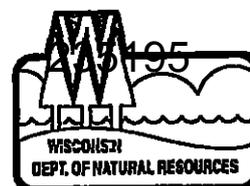
Encl.

APPENDIX G



State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
810 W. Maple Street
Spooner WI 54801

Scott Walker, Governor
Cathy Stopp, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7483
TTY Access via relay - 711



July 15, 2013

Thomas J. Healey - Counsel - Regulatory
17641 S. Ashland Avenue
Homewood, IL 60430-1339

Subject: Docket : AB 303-(Sub-No.43X) - Milepost 55.2 to 56.0.
Proposed Abandonment in Rice Lake, Barron County, WI

Dear Mr. Healey:

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

Water quality - The rail property proposed for abandonment passes through or is adjacent to areas where soil contamination has been found. From the information received for this review it is impossible to definitively describe the areas where the contamination is known to exist.

Designated wetlands - An initial review of Wisconsin wetland inventory maps did not indicate that any wetlands are located within the abandonment portion of the proposal. The maps are only a screening tool – an actual field survey of the line may find wetland to be present.

100 year floodplains – No portion of this proposed abandonment is within a 100 year floodplain.

Endangered and Threatened Species - Our review of regional files does not indicate the presence of any State of Wisconsin Endangered or Threatened Species within the project limits. This review is for State of Wisconsin species not Federal listings.

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

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

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

Coastal Zone Management - This project is not within the Coastal Zone.

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

235195



Law

Thomas J Healey
Counsel - Regulatory
17841 S. Ashland Avenue
Homewood, IL 60430 1339

www.cn.ca

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

June 19, 2013

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

Re. Docket: AB-303 (Sub-No. 43X)
Proposed abandonment in Rice Lake, Barron County, Wisconsin

Dear Sir or Madam:

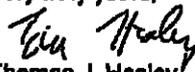
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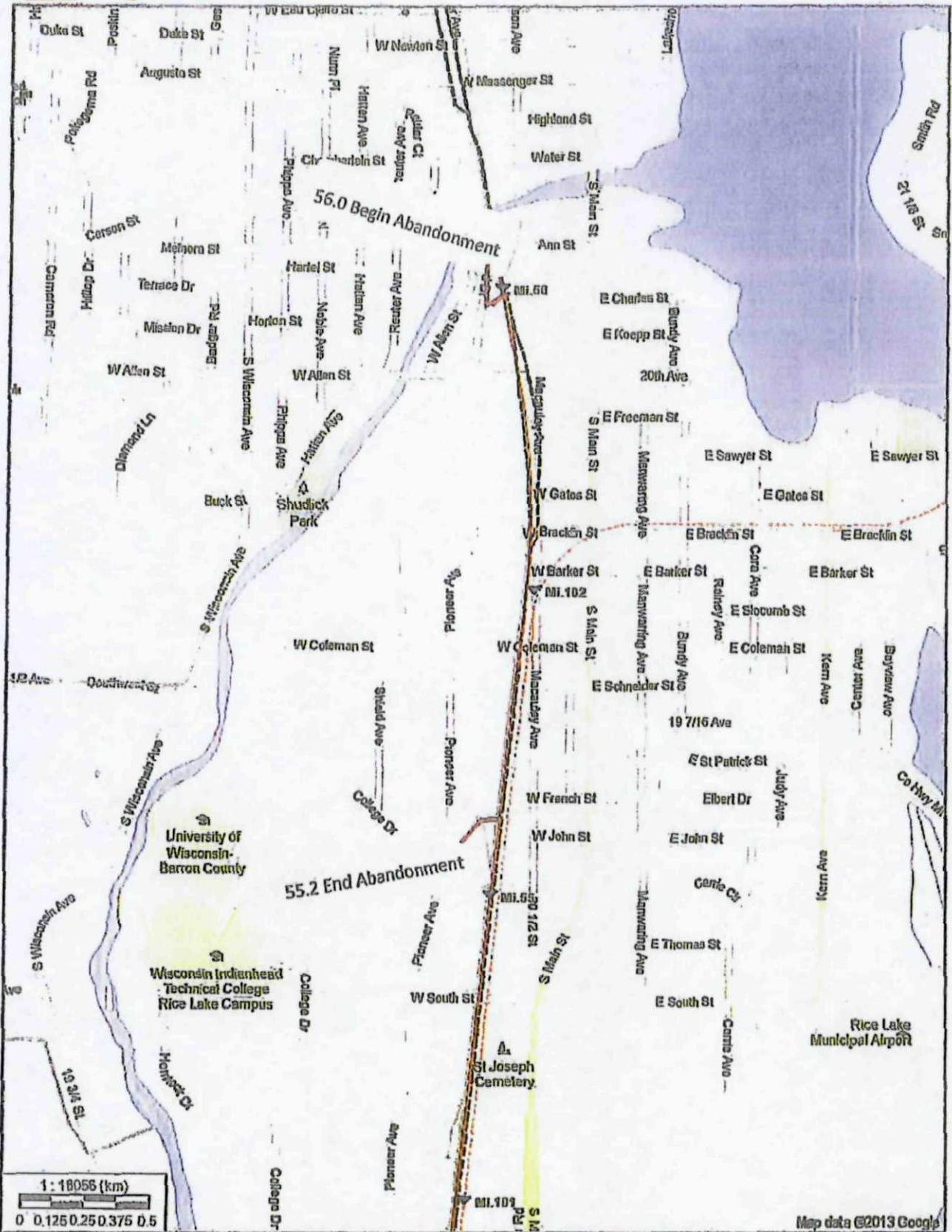
Thank you for your assistance

Very truly yours,


Thomas J. Healey
Counsel for Wisconsin Central Ltd.

Encl.

APPENDIX H



235195



Law

Thomas J. Healey
Counsel - Regulatory
17641 S. Ashland Avenue
Homewood, IL 60430-1339

www.cn.ca

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

June 19, 2013

National Park Service
Department of Interior
1849 C Street, N.W.
Washington, DC 20240

Re: Docket: AB-303 (Sub-No. 43X)
Proposed abandonment in Rice Lake, Barron County, Wisconsin

Dear Sir or Madam:

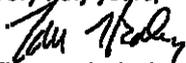
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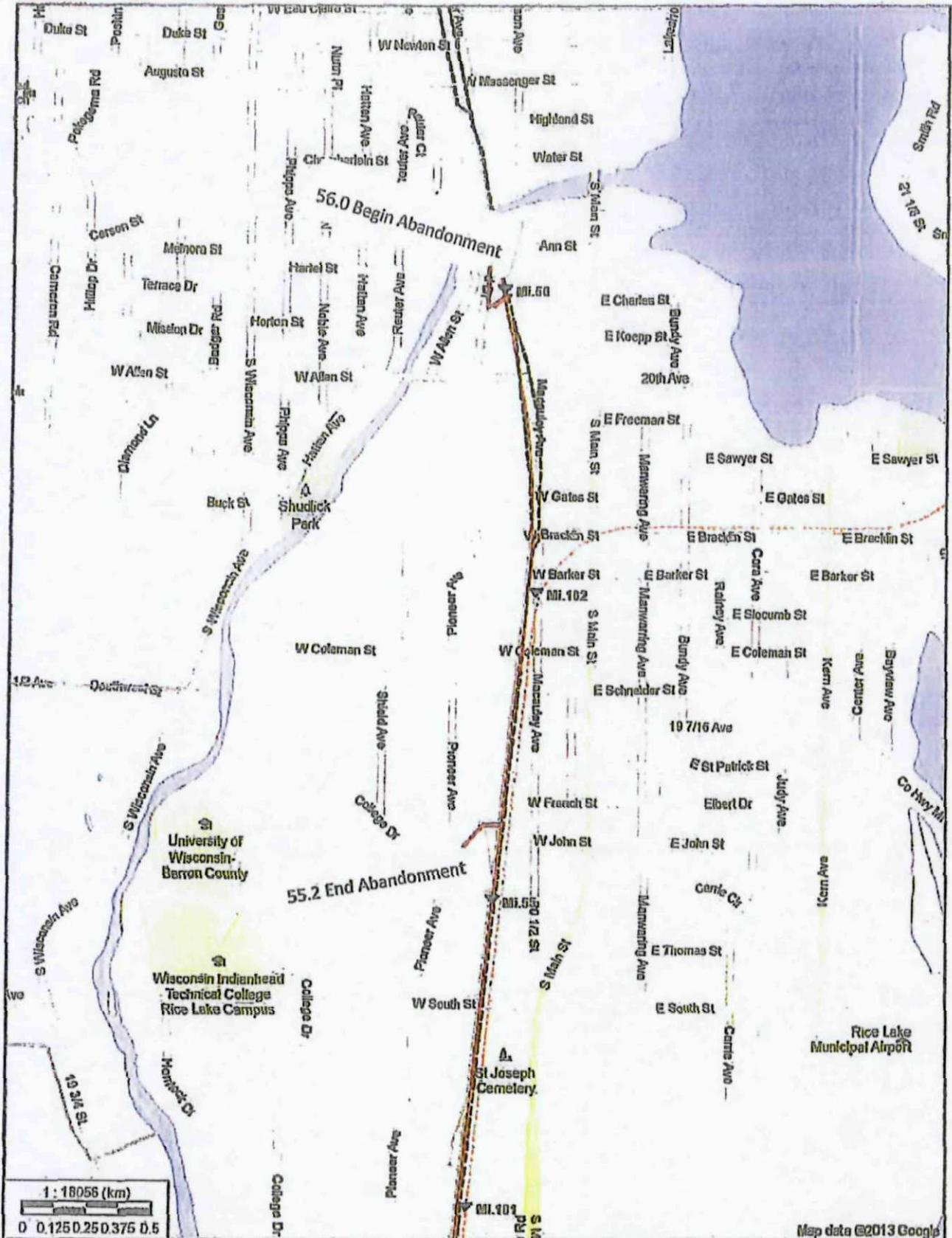
Thank you for your assistance.

Very truly yours,


Thomas J. Healey
Counsel for Wisconsin Central Ltd.

Encl.

APPENDIX I





Law

235195

Thomas J. Healey
Counsel - Regulatory
17641 S Ashland Avenue
Homewood, IL 60430 1330

www.cn.ca

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

June 19, 2013

U S Army Corp of Engineers
St. Paul District (CEMVPA-PA)
190 Fifth Street East
St. Paul, MN 55101-1638

Re: Docket: AB-303 (Sub-No. 43X)
Proposed abandonment in Rice Lake, Barron County, Wisconsin

Dear Sir or Madam:

Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.80 miles of railroad line starting at MP 56.0 and ending at MP 55.2 in Rice Lake, Barron 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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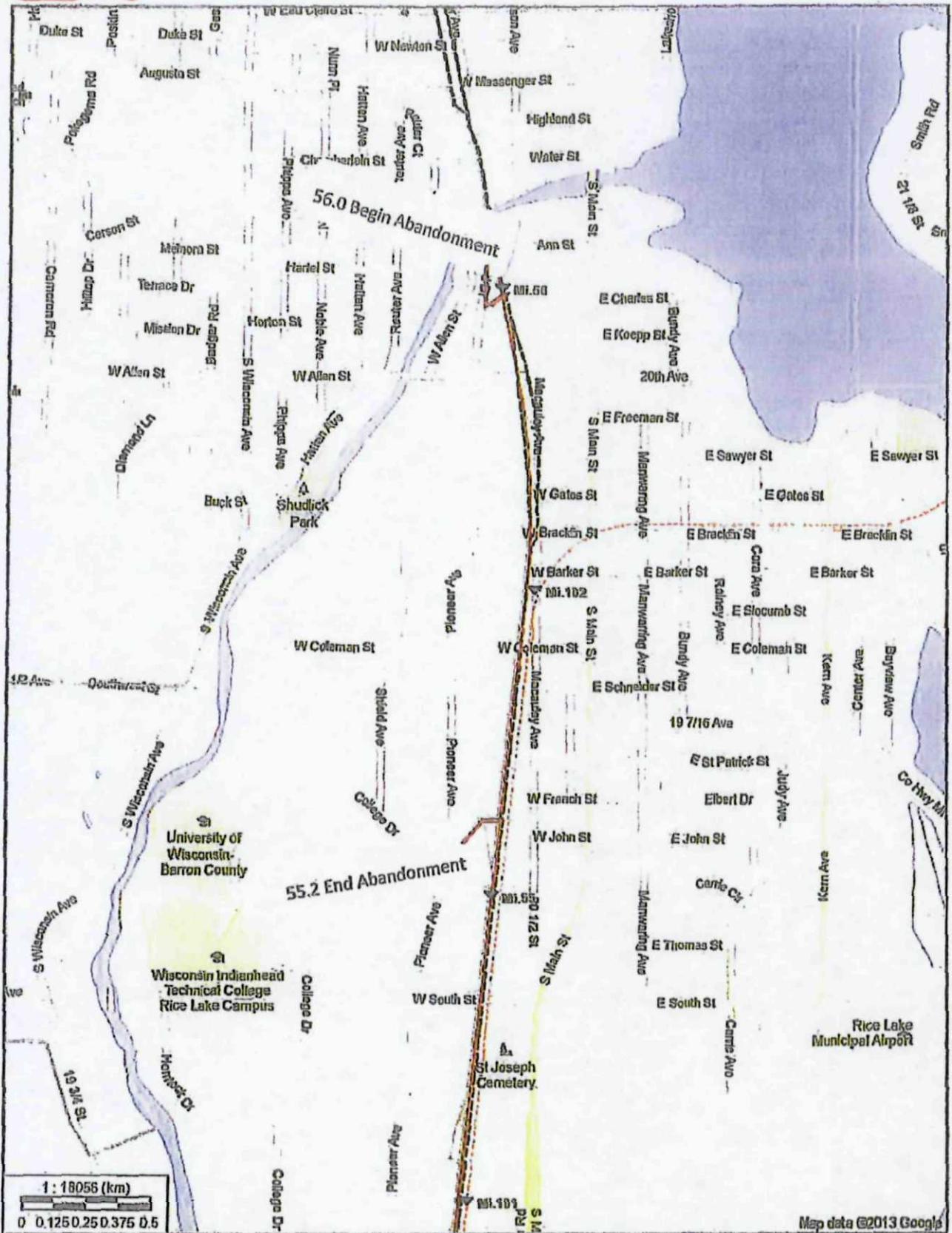
Thank you for your assistance.

Very truly yours,


Thomas J. Healey
Counsel for Wisconsin Central Ltd.

Encl.

APPENDIX J



235195



DEPARTMENT OF THE ARMY
ST. PAUL DISTRICT, CORPS OF ENGINEERS
180 FIFTH STREET EAST, SUITE 700
ST. PAUL MN 55101-1678

July 09, 2013

REPLY TO
ATTENTION OF

Programs and Project Management Division
Project Management Branch (PM-B)

SUBJECT: Docket: AB-303 (Sub-No. 43X)
Proposed abandonment in Rice Lake, Barron County, Wisconsin

Mr. Thomas J. Healey
Counsel for Wisconsin Central Ltd.
17641 South Ashland Avenue
Homewood, Illinois 60430-1339

Dear Mr. Healey:

We are replying to your June 19, 2013, letter regarding the proposed abandonment of approximately 0.80 miles of railroad line starting at MP 56.0 and ending at MP 55.2 in Rice Lake, Barron County, Wisconsin.

The potential abandonment of railroad line as outlined in your letter will not affect any existing Corps of Engineers Civil Works projects. We do not anticipate future impacts to any Corps of Engineers Civil Works projects by the St. Paul District.

The proposed project is located within the Saint Paul District's Regulatory jurisdiction. You should coordinate with Mr. Daniel Scemon of the Saint Paul Regulatory Office concerning permit requirements. He can be reached at (651) 290-5380 or by mail at St. Paul District, Corps of Engineers, ATTN: CEMVP-OP-R/Dan Scemon, 180 5th Street East, Saint Paul, Minnesota 55101-1678. A copy of your letter has been forwarded to Mr. Scemon.

Please note that this letter does not eliminate the need for State, local, or other authorizations, such as those of the Wisconsin Department of Natural Resources.

Sincerely,

A handwritten signature in cursive script that reads "Joseph Mose".

Joseph Mose
Chief, Project Management Branch (PM-B)

235195

Copy furnished:
CRMVP-OP-R/Dan Seemon

Edstrom PM-B RKE
Mose, J. PM-B Jw

File name: BarronCty_RailAbandonment_09JULY13.docx

REQUEST FOR SHPO COMMENT AND CONSULTATION ON A FEDERAL UNDERTAKING

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

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

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

I. GENERAL INFORMATION

- This is a new submittal.
 This is supplemental information relating to Case #: _____, and title: _____
 This project is being undertaken pursuant to the terms and conditions of a programmatic or other interagency agreement. The title of the agreement is _____
- a. Federal Agency Jurisdiction (Agency providing funds, assistance, license, permit): Surface Transportation Board, 395 E Street, SW, Washington, DC 20423.
- b. Federal Agency Contact Person: Cynthia Brown, Chief Section of Administration,
Phone: 202-245-0245
- c. Project Contact Person: Thomas Henley; Phone: 708-332-4381
- d. Return Address: Wisconsin Central Ltd., c/o CN, 17641 S. Ashland Ave., Homewood, Illinois 60430.
- e. Email Address: tom.henley@cn.ca
- f. Project Name: Wisconsin Central, Ltd. Proposed Abandonment in Rice Lake, Barron County, WI, AB-303 (Sub-No. 43X).
- g. Project Street Address: N/A - Rail Line Abandonment - Rice Lake, Barron County, Wisconsin.
- h. County: Barron City: Rice Lake, Zip Code: 54868
- i. Project Location: Township _____, Range _____, E/W (circle one), Section _____, Quarter Sections _____
- j. Project Narrative Description — Wisconsin Central, Ltd. ("WCL") plans to file a Notice of Exemption for an abandonment with the STB for approval to abandon 0.80 miles of railroad line starting at milepost 56.0 and ending at milepost 55.2. After the STB's final decision, WCL intends to salvage rail, ties and track materials from the line.
- k. Area of Potential Effect (APE). Attach Copy of U.S.G.S. 7.5 Minute Topographic Quadrangle showing APE — See Attached Exhibit A

APPENDIX K

II. IDENTIFICATION OF HISTORIC PROPERTIES

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

III. FINDINGS

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

Authorized Signature: Tom Healey Date: _____

Type or print name: Tom Healey

IV. STATE HISTORIC PRESERVATION OFFICE COMMENTS

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

Authorized Signature: _____ Date: _____

HP-05-07 (8/15/03)

RECEIVED
2013

JUN 21 2013

DIV HIST PRES

II. IDENTIFICATION OF HISTORIC PROPERTIES

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- The proposed undertaking will result in an adverse effect to one or more historic properties and the applicant, or other federally authorized representative, will consult with the SHPO and other consulting parties to resolve the adverse effect per 36 CFR 800.6. Attach supporting documentation as described at 36 CFR 800.11 with a proposed plan to resolve adverse effect(s).

Authorized Signature: Tom Healey Date: _____

Type or print name: Tom Healey

13-0597/BN PG 2/2

IV. STATE HISTORIC PRESERVATION OFFICE COMMENTS

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

Authorized Signature: Shirley Bailey Date: 6/26/13

HP-05-07 (8/15/03)

235195

Docket No. AB-303 (Sub-No. 43X)

WISCONSIN CENTRAL LTD.

PETITION FOR EXEMPTION FOR
ABANDONMENT IN BARRON
COUNTY, WISCONSIN

To: Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20024

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

I hereby certify that on October 22, 2013, 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 and copy of the letter sent to all such agencies is attached and incorporated into this certificate as Attachment A. The reports have been sent within the time period specified, as Wisconsin Central Ltd is filing its Petition for Exemption more than 20 days after it served its Environmental Report and Historic Report. All appropriate agencies as listed in 49 C.F.R. § 1105.7(c) have been consulted well in advance of preparing the Environmental Report.

I also certify that a newspaper notice was published on August 21, 2013 in *The Rice Lake Chronotype*, a newspaper of general circulation in Barron 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 text of the notice is attached to this certificate as Attachment B.

Dated this 13th day of December, 2013.


Audrey L. Brodrick
Counsel for Wisconsin Central Ltd.

APPENDIX L

ATTACHMENT A

Docket AB 303 (Sub No. 43X)—Wisconsin Central Ltd.
Abandonment Exemption in Barron County, Wisconsin

235195

ENVIRONMENTAL HISTORIC REPORT SERVICE LIST

Mr. James Miller
Barron County Board Chairperson
638 Nunn Avenue
Rice Lake, Wisconsin 54868

Mr. Steve Harrington, Mayor
City Hall
30 East Eau Claire Street
Rice Lake, WI 54868

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

Via E-mail and U S. Mail to
Simon.Monroe@noaa.gov
NGS Infocenter@noaa.gov

National Geodetic Survey
Geodetic Survey Division
1315 East-West Highway
Silver Springs, Maryland 20910-3282
Attention: Simon Monroe

Mr. Gregory Hines, RC&D Coordinator
National Resource Conservation Service
3071 Voynger Drive, Suite E
Green Bay, WI 54311-8343

USDA, NRCS, Office of the Chief
1400 Independence Ave., SW, Room 5105-A
Washington, DC 20250

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

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

235195

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

Wisconsin Department of Natural Resources
DNR Northeast Region IIDQRS
2984 Shawano Ave.
Green Bay, Wisconsin 54313-6727

Wisconsin Department of Natural Resources
P.O. Box 7921
Madison, WI 53707

Regional Environmental Coordinator
National Park Service, Midwest Region
601 Riverfront Drive
Omaha, NE 68102

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

U S Army Corp of Engineers
St. Paul District (CEMVP-PA)
190 Fifth Street East
St. Paul, MN 55101-1638

Wisconsin Coastal Management Program
P O. Box 8944
101 East Wilson Street
Madison, WI 53708-8944

Via E-mail (Kathleen.angel@wis.gov)
and U.S. Mail
Coastal Zone Management
Wisconsin Department of Administration
101 East Wilson Street
Madison, WI 53707
Attention: Kathleen Angel

Mr Sherman Banker
Wisconsin Historical Society
Division of Historic Preservation and Public History
816 State Street
Madison, WI 53706

Wisconsin Department of IGA Relations
P O Box 7868
101 East Wilson Street, 6th Floor
Madison, WI 53707-7868

235195

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

AUDREY L. BRODRICK
(312) 252-1518
abrodick@fletcher-sippel.com

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

October 22, 2013

Via E-mail (Kathleen.angel@wis.gov)
and U.S. Mail

Coastal Zone Management
Wisconsin Department of Administration
101 East Wilson Street
Madison, WI 53707
Attention: Kathleen Angel

Re: **Docket No. AB-303 (Sub-No. 43X)**
Wisconsin Central Ltd. – Abandonment
Petition for Exemption – Barron County, Wisconsin

Dear Ms. Angel:

On or after November 11, 2013, Wisconsin Central Ltd. ("WCL") expects to file with the Surface Transportation Board a petition for exemption for the abandonment of WCL's railroad line extending from MP 56.0 and ending at MP 55.2 in Rice Lake, Barron County, Wisconsin, a distance of approximately 0.80 miles. Your review of and comments on this project were previously requested by letter dated on or around June 19, 2013.

In accordance with 49 C.F.R. §§ 1105.7(b) and 1105.11, we are providing for your information the enclosed Environmental/Historic Report which will accompany the petition for exemption and which describes the proposed action and any expected environmental or historic effects. The Report also includes 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 Board'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 at the following address:

Surface Transportation Board
Office of Environmental Analysis
395 E Street, S.W., Room 1106
Washington, DC 20423-0001
(202) 245-0295

235195

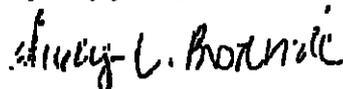
FLETCHER & SIPPEL LLC

Coastal Zone Management
Wisconsin Department of Administration
October 22, 2013
Page 2

Your comments should reference Docket No. AB-303 (Sub-No. 43X) and, if written, should include a copy to the undersigned. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to the Office of Environmental Analysis would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental and historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, you should feel free to contact me directly at 312-252-1518. Thank you for your assistance on this matter. Kind regards.

Very truly yours,



Audrey L. Brodrick
Attorney for Wisconsin Central Ltd.

ALB:dg
Enclosure

ATTACHMENT B

235195

NOTICE

Wisconsin Central Ltd gives notice that on or after September 13, 2013 it intends to file with the Surface Transportation Board, Washington, DC 20423, a petition for exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10903, et seq., permitting the abandonment of a 0.80 mile line of railroad between railroad milepost 56.0 and railroad milepost 55.2 which traverses through United States Postal Service ZIP Codes 54868 in Rice Lake, Barron County, WI. The proceeding will be docketed as No AB 303 (Sub-No 43X).

The Board's Office of Environmental Analysis (OEA) will generally prepare an Environmental Assessment (EA), which will normally be available 60 days after the filing of the petition for exemption. Comments on environmental and energy matters should be filed no later than 30 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 OEA, Surface Transportation Board, Washington, DC 20423 or by calling SEA at 202-245-0295.

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 assistance) must be filed directly with the Board's Section of Administration, Office of Proceedings, 395 E Street, SW., 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 Board's Office of Public Assistance, Governmental Affairs, and Compliance at 202-245-0238. Copies of any comments or requests for conditions should be served on the applicant's representative: Fletcher & Sippel LLC, Attention: Audrey L. Brodrick, 29 N Wacker Dr, Suite 920, Chicago, IL 60606.

Affidavit Of Publication

STATE OF WISCONSIN
BARRON COUNTY ss

Warren Dorrance
JAMES F. DORRANCE III, being first duly sworn

says: That he is the foreman of the printer of the Rico Lake Chronotypo, which is a weekly newspaper of a general circulation, printed and published in the city of Rico Lake, in said county and state, that a notice of which the annexed is a printed copy taken from said paper, was printed and published in the full regular edition once in each week for 1 successive weeks commencing and the first such publication being on the 21st day of August AD 2013 and ending the last publication being on the 21st day of August AD 2013 being 1 publication(s)

Warren Dorrance
Subscribed and sworn to before me this 22 day of Aug. AD 2013

ROBERT V DORRANCE
Notary Public Barron County, Wis.
My Commission Expires Oct. 19, 2014 Barron County, WI

FEEES:	# Columns	1
Standard Lines		
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<u>0</u> , insertions @	<u>0.3748</u> = \$	<u> </u>
Affidavit Fee	= \$	1.00
Postage/Handling Fee	= \$	2.00
Total = \$		38.28

Legal Notice

NOTICE:
Wisconsin) Cohirrol, Ltd. gives notice that on or after September 19, 2013, it intends to file with the Surface Transportation Board, Washington, DC 20423, a petition for exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10903, et seq. permit the abandonment of a 0.80-mile line of railroad between railroad milepost 69.0 and railroad milepost 55.2, which traverses through United States Postal Service ZIP Codes 54888, in Rico Lake, Barron County, WI. The proceeding will be docketed as No. AB 303 (Sub. No. 43X). The Board's Office of Environmental Analysis (OEA) will generally prepare an Environmental Assessment (EA) which will normally be available 60 days after the filing of the petition for exemption. Comments on environmental and energy matters should be filed no later than 30 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 by making inquiries regarding governmental matters by writing to OEA, Surface Transportation Board, Washington, DC 20423, or by calling SEA at 202-245-0295.

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